



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION FOR THE  
CARLSBAD ENERGY CENTER PROJECT**

**DOCKET No. 07-AFC-6**

**NOTICE OF HEARING ON INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY’S  
PETITION TO COMPEL DATA RESPONSES**

On September 26, 2008, Intervenor Center for Biological Diversity (Center) issued Data Requests to Carlsbad Energy Center, LLC (the Applicant). On October 14, 2008, Applicant filed objections to each of those requests. Intervenor Center responded on November 10, 2008, by filing a *Petition for Order Directing Response to Data Requests* (Petition) for all of the Data Requests.

The Committee has reviewed the briefs filed by the parties and finds that further argument and discussion of the Petition is necessary. Pursuant to Energy Commission regulations [Cal. Code Regs., tit. 20, § 1716(g)] the Committee has scheduled a hearing on the Motion as follows:

**MONDAY, December 15, 2008  
Beginning at 1:00 p.m.**

**California Energy Commission  
Hearing Room B  
1516 Ninth Street  
Sacramento, California 95814**

<b>DOCKET</b>	
<b>07-AFC-6</b>	
<b>DATE</b>	<u>DEC 03 2008</u>
<b>RECD.</b>	<u>DEC 04 2008</u>

**TELECONFERENCE OPTION:** The following toll-free phone number will be available on December 15, 2008, at 1 p.m. for callers to participate in the hearing:

**Call: 800-369-1703**

**Use Passcode: “CARLSBAD”  
Conference Leader: “Paul Kramer”**

The purpose of this hearing is to hear arguments on the Center's Petition, focusing on the following issues:

- *Whether good cause exists for allowing the data requests;*
- *The relevance of the data;*
- *Availability of the data; and*
- *The burden on the applicant to respond.*

## **Contact Information**

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to give advice about how to participate. For assistance, contact Elena Miller, the Public Adviser, at 916-654-4489 or 800-822-6228 or e-mail: [\*\*\[publicadviser@energy.state.ca.us\]\*\*](mailto:publicadviser@energy.state.ca.us).

Questions of a legal or procedural nature should be directed to Paul Kramer, the Hearing Officer, at (916) 654-5103 or e-mail: [\*\*\[pkramer@energy.state.ca.us\]\*\*](mailto:pkramer@energy.state.ca.us).

Technical questions concerning the Project should be addressed to Mike Monasmi, the Staff Project Manager, at (916) 654-4894, or e-mail: [\*\*\[mmonasmi@energy.state.ca.us\]\*\*](mailto:mmonasmi@energy.state.ca.us).

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: [\*\*\[mediaoffice@energy.state.ca.us\]\*\*](mailto:mediaoffice@energy.state.ca.us).

If you have a disability and need assistance to participate, please contact Lourdes Quiroz at 916-654-5146 or e-mail: [\*\*\[lquiroz@energy.state.ca.us\]\*\*](mailto:lquiroz@energy.state.ca.us).

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: [\*\*\[www.energy.ca.gov/sitingcases/carlsbad/\]\*\*](http://www.energy.ca.gov/sitingcases/carlsbad/).

Dated December 3, 2008, at Sacramento, California.

*Original signed by*  
\_\_\_\_\_  
JAMES D. BOYD  
Vice Chair and Presiding Member  
Carlsbad AFC Committee

*Original signed by*  
\_\_\_\_\_  
KAREN DOUGLAS  
Commissioner and Associate Member  
Carlsbad AFC Committee



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FOR THE **CARLSBAD ENERGY  
CENTER PROJECT**

Docket No. 07-AFC-6  
PROOF OF SERVICE  
(Revised 11/19/2008)

**INSTRUCTIONS:** All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

APPLICANT

David Lloyd  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[David.Lloyd@nrenergy.com](mailto:David.Lloyd@nrenergy.com)

Tim Hemig, Vice President  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[Tim.Hemig@nrenergy.com](mailto:Tim.Hemig@nrenergy.com)

APPLICANT'S CONSULTANTS

\* Robert Mason, Project Manager  
CH2M Hill, Inc.  
6 Hutton Centre Drive, Ste. 700  
Santa Ana, CA 92707  
[robert.Mason@ch2m.com](mailto:robert.Mason@ch2m.com)

Megan Sebra  
CH2M Hill, Inc.  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
[Megan.Sebra@ch2m.com](mailto:Megan.Sebra@ch2m.com)

COUNSEL FOR APPLICANT

John A. McKinsey  
Stoel Rives LLP  
980 Ninth Street, Ste. 1900  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)

INTERESTED AGENCIES

Allan J. Thompson  
Attorney for the City  
21 "C" Orinda Way #314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

City of Carlsbad  
Joseph Garuba,  
Municipals Project Manager  
Ron Ball, Esq., City Attorney  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008  
[jgaru@ci.carlsbad.ca.us](mailto:jgaru@ci.carlsbad.ca.us)  
[rball@ci.carlsbad.ca.us](mailto:rball@ci.carlsbad.ca.us)

### INTERVENORS

\* California Unions for Reliable Energy  
("CURE")  
Gloria D. Smith & Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[gsmith@adamsbroadwell.com](mailto:gsmith@adamsbroadwell.com)

Center for Biological Diversity  
c/o William B. Rostove  
EARTHJUSTICE  
426 17<sup>th</sup> St., 5<sup>th</sup> Floor  
Oakland, CA 94612  
[wrostov@earthjustice.org](mailto:wrostov@earthjustice.org)

Power of Vision  
Julie Baker and Arnold Roe, Ph.D.  
P.O. Box 131302  
Carlsbad, California 92013  
[powerofvision@roadrunner.com](mailto:powerofvision@roadrunner.com)

Rob Simpson  
Environmental Consultant  
27126 Grandview Avenue  
Hayward CA 94542  
[rob@redwoodrob.com](mailto:rob@redwoodrob.com)

### ENERGY COMMISSION

JAMES D. BOYD  
Commissioner and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

KAREN DOUGLAS  
Commissioner and Associate Member  
[kldougla@energy.state.ca.us](mailto:kldougla@energy.state.ca.us)

Paul Kramer  
Hearing Officer  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

Mike Monasmith  
Siting Project Manager  
[mmonasmi@energy.state.ca.us](mailto:mmonasmi@energy.state.ca.us)

Dick Ratliff  
Staff Counsel  
[dratliff@energy.state.ca.us](mailto:dratliff@energy.state.ca.us)

Elena Miller  
Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

### DECLARATION OF SERVICE

I, Maggie Read, declare that on December 4, 2008, I deposited copies of the attached Notice of Hearing on Intervenor Center for Biological Diversity Petition to Compel Data Responses in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

*Original signed by* \_\_\_\_\_  
Maggie Read  
Hearing Adviser's Office