

DOCKET

01-AFC-21C

DATE July 06 2009

RECD. July 06 2009

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

TESLA POWER PROJECT

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Docket No. 01-AFC-21C

PETITION TO INTERVENE BY THE INDEPENDENT ENERGY PRODUCERS

ELLISON, SCHNEIDER & HARRIS L.L.P.

Greggory L. Wheatland

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July 6, 2009

Attorneys for the Independent Energy
Producers

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:)
) Docket No. 01-AFC-21C
TESLA POWER PROJECT)
)
_____)

PETITION TO INTERVENE BY THE INDEPENDENT ENERGY PRODUCERS

Pursuant to section 1207 and 1712 of Title 20 of the California Code of Regulations, the Independent Energy Producers (“IEP”) petitions to intervene in this proceeding.

Section 1207(a) grants “any person” the right to file a petition to intervene which sets forth “the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceeding, and the name, address and telephone number of the petitioner.” Section 1207(c) provides that the “presiding member may grant leave to intervene to any petitioner to the extent he deems reasonable and relevant....”

IEP is a non-profit trade association representing both the interests of developers and operators of independent energy facilities and independent power marketers. IEP members represent a broad range of generators that operate as qualifying facilities under the Public Utility Regulatory Policies Act of 1978. (Pub.L. No. 95-617 (Nov. 9, 1978) 92 Stat. 3117.) IEP members can be found throughout California and include producers of renewable products derived from biomass, geothermal, small hydro, solar, and wind;

producers of highly efficient cogeneration; and owners/operators of gas-fired merchant facilities. Thus, this Application potentially affects the IEP members' direct economic interests. IEP has a strong interest in ensuring that the Commission's consideration of this Application is based on the same terms and conditions as other merchant facilities that are similarly situated.

IEP wishes to participate fully in this Amendment proceeding. Filings should be served on IEP at the addresses listed below:

Steven Kelly
Independent Energy Producers
1215 K Street, Suite 900
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Greggory L. Wheatland
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For the foregoing reasons, IEP respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow IEP to participate as a party.

July 6, 2009

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

By 

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Attorneys for the Independent Energy Producers

STATE OF CALIFORNIA

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PROOF OF SERVICE

I, Karen A. Mitchell, declare that on July 6, 2009, I served the attached *Petition to Intervene of the Independent Energy Producers* via electronic mail and United States Mail to all parties on the attached service list.

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



Karen A. Mitchell



TYPO CORRECTED TO SHOW CORRECT WEBPAGE FOR TESLA

**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 *Tesla Power Project***

DOCKET No. 01-AFC-21C

PROOF OF SERVICE

APPLICANT'S COUNSEL

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Bay Area Air Qualify
Management District
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Department
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