



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

**DOCKET**  
**08-AFC-11**

|       |             |
|-------|-------------|
| DATE  | JAN 20 2010 |
| REC'D | JAN 21 2010 |

APPLICATION FOR CERTIFICATION  
FOR THE **CPV VACA STATION POWER**  
**PLANT**

DOCKET No. 08-AFC-11

### COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene filed by Petitioners Steven and Heidi Spencer, John and Ruth Ledford, and William and Armando Lozano (collectively, "Petitioners"), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On December 29, 2009, a Petition to Intervene in the above-captioned proceeding was filed by:

**J. Dennis McQuaid, Esq.**  
**Yolanda C. Manzone, Esq.**  
**Hanson Bridgett LLP**  
**425 Market Street, 26<sup>th</sup> Floor**  
**San Francisco, CA 94105**  
[dmcquaid@hansonbridgett.com](mailto:dmcquaid@hansonbridgett.com)  
[ymanzone@hansonbridgett.com](mailto:ymanzone@hansonbridgett.com)

*on behalf of*

**Steven and Heidi Spencer**  
**John and Ruth Ledford**  
**William and Armando Lozano**

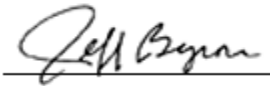
2. The Petition was timely filed and contains the information required by section 1207 of the Commission's regulations (Cal. Code Regs., tit. 20, § 1207);
3. No party or other person has filed an opposition to said Petition; and
4. Petitioners' stated interests in potential air quality, noise, visual, public health, and socioeconomic impacts resulting from the proposed project constitute grounds for intervention. However, Petitioners' requests for compensatory damages and allegations regarding diminution in property values do not constitute grounds for intervention as they are not reasonably connected to the Commission's proceedings.

**THEREFORE**, the Committee Orders that the Petition to Intervene in this matter be GRANTED on the grounds set forth above and that Petitioners be placed upon the Proof of Service List as Intervenors. Each Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in Section 1712 of the Commission's regulations. (Cal. Code Regs., tit. 20, § 1712.)

The Application for Certification in this matter was deemed data adequate on January 28, 2009. Under the Commission's regulations, all data requests in this matter were required to be submitted by no later than July 27, 2009, unless the Committee allowed, or allows, untimely requests for good cause shown. (Cal. Code Regs., tit. 20, § 1716.) The Committee will not permit unnecessary, irrelevant or unreasonably burdensome data requests and may, on the motion of a party or on its own motion, exercise its authority pursuant to sections 1203 and 1204 (Cal. Code Regs., tit. 20, §§ 1203, 1204) to enforce the provisions of section 1716, setting forth procedures for obtaining information (Cal. Code Regs., tit. 20, § 1716), in order to eliminate undue delay in the completion of these proceedings.

Further, the Executive Director or her designee shall ensure that Petitioners are immediately provided with a copy of the Application for Certification.

Dated: January 20, 2010, at Sacramento, California.

A handwritten signature in cursive script, reading "Jeffrey D. Byron", written in black ink on a white background.

JEFFREY D. BYRON  
Commissioner and Presiding Member  
CPV Vaca Station AFC Committee



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**APPLICATION FOR CERTIFICATION  
FOR THE CPV VACA STATION  
BY THE CPV VACAVILLE, L.L.C.**

**Docket No. 08-AFC-11  
PROOF OF SERVICE  
Revised (1/20/2010)**

### **APPLICANT**

Andrew Welch - Vice President  
Competitive Power Ventures, Inc.  
8403 Colesville Road, Suite 915  
Silver Spring, MD 20910  
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### **APPLICANT CONSULTANT**

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### **COUNSEL FOR APPLICANT**

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### **INTERESTED AGENCIES**

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

### **INTERVENORS**

J. Dennis McQuaid, Esq.  
Yolanda C. Manzone, Esq.  
Hanson Bridgett LLP  
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[dmcquaid@hansonbridgett.com](mailto:dmcquaid@hansonbridgett.com)  
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### **ENERGY COMMISSION**

JEFFREY D. BYRON  
Commissioner and Presiding Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

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**DECLARATION OF SERVICE**

I, Maggie Read, declare that on January 21, 2010, I served and filed copies of the attached Committee Order Granting Petition to Intervene, dated January 20, 2010. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[<http://www.energy.ca.gov/sitingcases/vacastation/index.html>]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California, with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 08-AFC-11  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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

Original signed by:  
Maggie Read  
Hearing Adviser's Office