

DOCKET

09-AFC-3

DATE APR 07 2010

RECD. APR 08 2010



MOUNTAIN HOUSE

COMMUNITY SERVICES DISTRICT

230 S. STERLING DRIVE, SUITE 100, MOUNTAIN HOUSE, CA 95391

(209) 831-2300 • (209) 831-5610 FAX

April 7, 2010

VIA E-MAIL (c/o CHoffman@energy.state.ca.us)

CEC Commissioners

c/o Craig Hoffman – CEC Project Manager

Siting, Transmission and Environmental Protection Division

California Energy Commission

1516 Ninth Street, MS-15

Sacramento, CA 95814

Re: Mariposa Energy Project/CEC Docket #09-AFC-03

On March 10, 2010, the Mountain House Community Services District adopted Resolution R-MMX-4 in opposition to the Mariposa Energy Project. The Resolution is attached to this letter. Please include the Resolution in the Project Documents.

Morgan K. Groover, P.E.

Development Manager

Mountain House Community Services District

**BEFORE THE BOARD OF DIRECTORS OF THE
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

RESOLUTION

R-MMX-4

**RESOLUTION AMENDING RESOLUTION MMIX-18 OPPOSING THE
PROPOSED CONSTRUCTION OF A POWER PLANT ON OR NEAR THE
BORDER OF ALAMEDA COUNTY AND THE MOUNTAIN HOUSE
COMMUNITY SERVICES DISTRICT**

WHEREAS, Mariposa Energy, LLC has proposed the construction of a 'peaker' power plant in Alameda County near our western border; and

WHEREAS, said proposed power plant will have negative impact in the form of air pollution on our community (in a county already in non-compliance) and our citizens; and

WHEREAS, Mariposa Energy, LLC has acquired or plans to acquire air pollution credits to offset regional or state-wide air pollution, but has not addressed the potential air quality degradation in Mountain House; and

WHEREAS, there is no recognition that First Responder unmitigated obligations rest with the MHCSO safety forces, which include Tracy Fire and San Joaquin County Sheriff; and

WHEREAS, Mariposa Energy, LLC has not specifically addressed any potential impacts that may directly affect the Master Planned Community of Mountain House, which was not in physical existence when the related East Altamont Energy Center (EAEC) was licensed within one mile of the Community in 2004; and

WHEREAS, if the California Energy Commission grants a license to Mariposa Energy, LLC in the Alameda/Altamont area, it will lead to the area becoming a power generation corridor with significant impact to Mountain House; and

WHEREAS, The Mariposa Energy, LLC application does not absolutely limit the hours that the plant may run for perpetuity, so that the plant may apply to become more than a "peaker" plant in the future.

NOW, THEREFORE, BE IT RESOLVED that the Mountain House Community Services District opposes the construction and operation of said proposed power plant until such time as all our concerns have been addressed and mitigated.

BE IT FURTHER RESOLVED that all appropriate state and federal agencies involved in the application process for said proposed power plant be notified of our opposition.

PASSED AND ADOPTED this 10th day of March, 2010, by the following vote of the Board of Directors of the Mountain House Community Services District, to wit:

AYES: BALZARINI, LAMB, PAYNE, TINGLE, SU

NOES:

ABSENT:



ANDY SU, PRESIDENT
Board of Directors of the Mountain House
Community Services District, County of San
Joaquin, State of California

ATTEST: MIMI DUZENSKI
Secretary of the Board of Directors
of the Mountain House Community
Services District, County of San
Joaquin, State of California

By: *mimi Duzenski*



STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:) DOCKET No. 09-AFC-03
)
Mariposa Energy Project) **DECLARATION OF SERVICE**
)

I, Morgan K. Groover declare that on April 8, 2010 I served and filed copies of the attached **Letter and Mountain House Community Services District Resolution R-MMX-4**, accompanied by a copy of the most recent *Proof of Service* list (most recent version is located on the proceeding's web page) with the Docket Unit QR with the presiding committee member of the proceeding. The document has been sent to the Commission AND the applicant, as well as the other parties in this proceeding (as shown on the *Proof of Service* list), in the following manner:

(Check all that Apply)

FOR SERVICE TO THE APPLICANT AND ALL OTHER PARTIES:

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

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);

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 09-AFC-03
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

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



Morgan K. Groover, P.E.
Development Director
Mountain House CSD

4-8-2010

Date



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 **MARIPOSA ENERGY PROJECT**
(MEP)

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 2/8/2010)

APPLICANT

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