

STATE OF CALIFORNIA  
Energy Resources Conservation  
and Development Commission

<b>DOCKET</b>	
<b>09-AFC-7</b>	
DATE	JUN 10 2010
RECD.	JUN 10 2010

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE PALEN SOLAR POWER  
PROJECT

DOCKET NO. 09-AFC-7

**PETITION TO INTERVENE BY  
THE CENTER FOR BIOLOGICAL DIVERSITY**

June 10, 2010  
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APPLICATION FOR CERTIFICATION  
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Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, the Center for Biological Diversity petitions to intervene in this proceeding.

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For more than a decade, the Center for Biological Diversity has worked to conserve and recover the rare, imperiled, and threatened and endangered species in the California deserts. The Center has advocated for protections for the desert tortoise, Mojave fringe toed lizard, and other imperiled species in the California deserts on public and private lands in order to reduce impacts to species and habitats from development, vehicles, predation, and other threats in the California deserts. The Center for Biological Diversity has also participated in the approval process for many site-specific projects and in the planning processes for public lands throughout the California Desert Conservation Area (“CDCA”) including for the Northern and Eastern Colorado Desert Coordinated Management Plan amendments to the CDCA which include the area where the proposed project is found.

The Center is currently an intervenor in three other proceedings before the Commission for large-scale solar projects in the California desert. The project at issue in this matter will directly impact many desert resources including, but not limited to, the Mojave fringe-toed lizard and its habitat, the desert tortoise and its critical habitat, other imperiled plants and wildlife, and scarce water resources.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, the survival and recovery of the Mojave fringe-toed lizard, the preservation of its habitat, protection of the desert tortoise and its critical habitat, conservation of rare and imperiled native plants, conservation of other wildlife species found in this area, conservation and protection of water resources, and cumulative impacts to these and other resources.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding. Filings should be served on Lisa Belenky and Ileene Anderson at the addresses listed below. Email service is preferred.

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This petition to intervene is timely and in keeping with the schedule set for this matter in the Notice of Prehearing Conference and Evidentiary Hearing dated April 30, 2010 at page 2.

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow the Center for Biological Diversity to participate as a party.

Dated: June 10, 2010

Respectfully submitted,



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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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1516 NINTH STREET, SACRAMENTO, CA 95814  
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**APPLICATION FOR CERTIFICATION  
FOR THE PALEN SOLAR POWER  
PLANT PROJECT**

**Docket No. 09-AFC-7**

**PROOF OF SERVICE  
(Revised 4/19/10)**

**APPLICANT**

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DECLARATION OF SERVICE

I, Lisa T. Belenky declare that on June 10, 2010, I mailed hard copies of the attached Petition to Intervene. 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: [\[http://www.energy.ca.gov/sitingcases/solar\\_millennium\\_palen\]](http://www.energy.ca.gov/sitingcases/solar_millennium_palen)

The documents have 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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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. 09-AFC-7  
1516 Ninth Street, MS-4  
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I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

