



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	
09-AFC-3	
DATE	<u>OCT 20 2010</u>
RECD.	<u>OCT 20 2010</u>

APPLICATION FOR CERTIFICATION FOR THE
MARIPOSA ENERGY PROJECT
 MARIPOSA ENERGY, LLC

DOCKET No. 09-AFC-3

COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene filed by Petitioner, California Pilots Association, the Committee designated to conduct proceedings in this matter makes the following findings:

On October 4, 2010, a Petition to Intervene was filed in the above-captioned proceeding by:

**California Pilots Association
 c/o Andy Wilson
 31438 Greenbrier Lane
 Hayward CA 94544
 (510) 303-9027
 andy_psi@sbcglobal.net**

1. The Petition was timely filed and contains the information required by section 1207 of the Commission’s regulations (Cal. Code Regs., tit. 20, § 1207);
2. No party or other person has filed an opposition to said Petition; and
3. Petitioner’s interests are relevant to the above-captioned proceeding.

THEREFORE, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioner be placed upon the Proof of Service List as an Intervenor. 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 deadlines for conducting discovery and other matters shall not be extended by the granting of this Petition.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the Commission’s procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the rules regarding filings, the rules of evidence that apply at the evidentiary hearings, the rules prohibiting off the record contacts with Commissioners or the Hearing Adviser about the merits of a project, and the rules about filing data requests. (Cal. Code Regs., tit. 20, §§ 1001 through 1217, 1712 et seq.)

Petitioner may obtain help with participating in the siting process from the Energy Commission's Public Adviser's Office at (916) 654-4489 or (800) 822-6228, or e-mail: **[publicadviser@energy.state.ca.us]**.

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 Petitioner is immediately provided with a copy of the Application for Certification (AFC).

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



JEFFREY D. BYRON
Commissioner and Presiding Member
Mariposa AFC Committee



ROBERT B. WEISENMILLER
Commissioner and Associate Member
Mariposa AFC Committee



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COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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APPLICATION FOR CERTIFICATION
FOR THE **MARIPOSA ENERGY PROJECT**
(MEP)

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 10/20/2010)

APPLICANT

Bo Buchynsky
Diamond Generating Corporation
333 South Grand Avenue, #1570
Los Angeles, California 90071
b.buchynsky@dgc-us.com

*California Pilots Association
c/o Andy Wilson
31438 Greenbrier Lane
Hayward, CA 94544
andy_psi@sbcglobal.net

Craig Hoffman
Siting Project Manager
choffman@energy.state.ca.us

Kerry Willis
Staff Counsel
kwillis@energy.state.ca.us

APPLICANT'S CONSULTANTS

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Mountain House, California 95391
dighe.rajesh@gmail.com

Jennifer Jennings
Public Adviser
publicadviser@energy.state.ca.us

COUNSEL FOR APPLICANT

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mgroover@sjgov.org

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

INTERESTED AGENCIES

California ISO
E-mail Service Preferred
e-recipient@caiso.com

ROBERT B. WEISENMILLER
Commissioner and Associate Member
rweisenm@energy.state.ca.us

INTERVENORS

Mr. Robert Sarvey
501 W. Grantline Road
Tracy, California 95376
Sarveybob@aol.com

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Kristy Chew
Advisor to Commissioner Byron
E-Mail Service preferred
kchew@energy.state.ca.us

DECLARATION OF SERVICE

I, Maggie Read, declare that on October 20, 2010, I served and filed copies of the attached Committee Order Granting 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:

[\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](http://www.energy.ca.gov/sitingcases/mariposa/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;

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-3

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, 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.

Original signed by:

Maggie Read

Hearing Adviser's Office