



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**  
 MARIPOSA ENERGY, LLC

DOCKET No. 09-AFC-3

**COMMITTEE ORDER GRANTING PETITION TO INTERVENE AND FURTHER ORDER**

Upon consideration of the Petitions to Intervene filed by Petitioners, Rob Simpson and Sierra Club California, the Committee designated to conduct proceedings in this matter makes the following findings:

On January 7, 2011, a Petition to Intervene was filed in the above-captioned proceeding by:

**Edward A. Mainland**  
**Sierra Club California**  
**1017 Bel Marin Keys Blvd.**  
**Novato, CA 94949**

[emainland@comcast.net](mailto:emainland@comcast.net)  
**415-902-6365**

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	JAN 19 2011
RECD.	JAN 20 2011

On January 7, 2011, a Petition to Intervene was filed in the above-captioned proceeding by:

**Rob Simpson**  
**27126 Grandview Avenue**  
**Hayward CA. 94542**

[Rob@redwoodrob.com](mailto:Rob@redwoodrob.com)  
**510-909-1800**

1. The Petitions were timely filed and contained 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 Petitions; and
3. Petitioners’ interests are relevant to the above-captioned proceeding.

**THEREFORE**, the Committee **ORDERS** that the Petitions to Intervene in this matter be **GRANTED** and that Petitioners be placed upon the Proof of Service List as Intervenors. Petitioners 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 these Petitions.

4. Further, the Committee **ORDERS** Intervenor, Edward Mainland, to file with dockets, the Committee and all the parties, a declaration signed by an authorized executive officer from Sierra Club California that confirms Mr. Mainland is appearing as an authorized representative of the organization and not in his personal capacity. Further, the declaration shall state the actual address and phone number of the headquarters of Sierra Club California. The declaration is a prerequisite to Sierra Club California's participation as an Intervenor.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Commission's regulations is posted on the Energy Commission website page at <http://www.energy.ca.gov/siting/title20/>. As Intervenors, Petitioners are required to file and serve documents on other parties and to follow the Commission's procedures and orders regarding presenting witnesses and evidence.

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

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

The Executive Director or her designee shall ensure that Petitioners are immediately provided with a copy of the Application for Certification (AFC).

Dated: January 19, 2011 at Sacramento, California.

A handwritten signature in black ink, appearing to read "Jeff Byron", is written over a horizontal line.

JEFFREY D. BYRON  
Commissioner and Presiding Member  
Mariposa AFC Committee



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**APPLICATION FOR CERTIFICATION  
FOR THE *MARIPOSA ENERGY PROJECT*  
(MEP)**

***Docket No. 09-AFC-3***

***PROOF OF SERVICE***  
(Revised 1/20/2011)

**APPLICANT**

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

**APPLICANT'S CONSULTANTS**

Doug Urry  
2485 Natomas Park Dr #600  
Sacramento, CA 95833-2975  
[Doug.Urry@CH2M.com](mailto:Doug.Urry@CH2M.com)

**COUNSEL FOR APPLICANT**

Gregg Wheatland  
Ellison, Schneider & Harris L.L.P.  
2600 Capitol Avenue, Suite 400  
Sacramento, CA 95816-5905  
[glw@eslawfirm.com](mailto:glw@eslawfirm.com)

**INTERESTED AGENCIES**

California ISO  
*E-mail Service Preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

Mr. Robert Sarvey  
501 W. Grantline Road  
Tracy, California 95376  
[Sarveybob@aol.com](mailto:Sarveybob@aol.com)

\*Edward A. Mainland  
Sierra Club California  
1017 Bel Marin Keys Blvd.  
Novato, CA 94949  
[emainland@comcast.net](mailto:emainland@comcast.net)

\*Rob Simpson  
27126 Grandview Avenue  
Hayward CA. 94542  
[Rob@redwoodrob.com](mailto:Rob@redwoodrob.com)

California Pilots Association  
c/o Andy Wilson  
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Rajesh Dighe  
395 W. Conejo Avenue  
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Mountain House Community  
Services District  
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[mgroover@sjgov.org](mailto:mgroover@sjgov.org)

Mr. Jass Singh  
291 N. Altadena Street  
Mountain House, California 95391  
[jass.singh2000@gmail.com](mailto:jass.singh2000@gmail.com)

**ENERGY COMMISSION**

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

ROBERT B. WEISENMILLER  
Commissioner and Associate Member  
[rweisenm@energy.state.ca.us](mailto:rweisenm@energy.state.ca.us)

Kenneth Celli  
Hearing Officer  
[kcelli@energy.state.ca.us](mailto:kcelli@energy.state.ca.us)

Kristy Chew  
Advisor to Commissioner Byron  
E-Mail Service preferred  
[kchew@energy.state.ca.us](mailto:kchew@energy.state.ca.us)

Craig Hoffman  
Siting Project Manager  
[choffman@energy.state.ca.us](mailto:choffman@energy.state.ca.us)

Kerry Willis  
Staff Counsel  
[kwillis@energy.state.ca.us](mailto:kwillis@energy.state.ca.us)

Jennifer Jennings  
Public Adviser  
*E-mail Service Preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

DECLARATION OF SERVICE

I, Maggie Read, declare that on January 20, 2011, I served and filed copies of the attached Committee Order Granting Petition to Intervene and Further Order, dated January 19, 2011. The original documents, filed with the Docket Unit, are 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](mailto: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