

**From:** Theresa McCarthy [<mailto:theresamcc@msn.com>]

**Sent:** Tuesday, October 16, 2012 7:12 PM

**To:** Jennings, Jennifer@Energy

**Subject:** FW: Moving target & Transparent Process. . . FW: QUAILBRUSH-LIST: Incorrect WebEx number for Status Conference

Ms. Jennings,

These back-to-back "difficulties" are simply suspicious, if not unacceptably irresponsible and should not go unreported:

- The incorrect WebEx Mtg Number and the incorrect password---BOTH the very same morning of the Status Conference. This puts the public off, it interferes with public participation and involvement.
- The fact that the latest Committee Schedule is "ok" with the Applicant and CEC Committee despite *not* being "ok" with intervenors or the public is unbalanced and blatantly dismissive of them, particularly considering the excessive burden placed on the public in order to participate effectively.
- Why was the CEC Staff Status Report listed on the CEC webpage on 10/15 if it was not available to view until later today. As with the intervenors reports and other docketed items, it should not be listed unless available to view. Otherwise, the docket/log is falsified.

The public are not paid participants in this process, as the CEC & Applicant are privileged to be in both time and resources. The public is not a pre-formed entity or organization that is "up and ready to go" with a panel of professionals and experts awaiting their emergency-call-to-action-on-a-voluntary-basis the moment such a serious, latent, case suddenly manifests in the public's awareness, as this case did approx 5 months *after* the application was submitted.

The public & most intervenors have squeezed this arduous, unfamiliar, "moving target" process into their working days for the past 10 months of public informing, including the 7 months since the 1st public intervenor was a participant. In contrast, the Applicant and CEC have been involved in this matter for at least 14+ months. That has been a grossly advantageous "head-start" for the applicant and the CEC. Their statures, their resources, and the fact that this is what their organizations are for, creates a huge imbalance for the public.

The public, whom this project would directly affect--especially, *this* public which is uncommonly engaged and proactive--deserves uncommon consideration and a fair positioning in this process that makes up for handicaps as noted in the previous paragraph. Neither the CEC, nor the Applicant, may claim that this public intervention has been disengaged, inconsistent, or lacking in their attention and synergistic participation since the time they acknowledged their awareness about the QB case. To the contrary: As heard today, additional, well-qualified intervenors expressed intent during the status conference to participate, 13.5 months after the application was filed.

Nothing but a moratorium, a freeze, will give this application case the appearance of a just process. Negotiating such a pause with the intervenors that have and will soon petition to become a part of this process is sensible and right.

Otherwise, injustice, imbalance, stress and duress characterize this process for the public and public intervenors. Multitudes of San Diego citizens remain unaware of this project. The reference to this as a "hushed rushed" power plant project has proven itself so everyday that outreach activities are done up to this day. The citizenry would be in an uproar the day bulldozing unexpectedly commenced at the border with Mission Trails Regional Park. The San Diego City Council's unanimous "No" vote was wise.

Beyond the CEC, is there another process/agency to appeal to for addressing these issues, before this runaway train gains anymore speed?

Your assistance is appreciated and I look forward to hearing from you.

Sincerely,  
tm

Attachment (1 pg)

**Below are copies of the tardy CEC List-Serve Correction Notices dated Oct 16<sup>th</sup>, for the Oct 16<sup>th</sup> Status Conference**

**Please Note:**

Not all public participants have enrolled on the CEC list serve and even if they did such late notification is disruptive regardless.

Public participants disseminate information and updates about this case to the community. It is certain that the applicant and the CEC committee are both aware of this. Obviously errors that are corrected just prior to events disrupt or reduce participation and greatly aggravate or plunder efforts made by the public, a public that is already greatly taxed in its efforts to participate meaningfully. "Transparent purpose" is a phrase that comes to mind.

I phoned Cisco on 10/16/12 after 10:30 a.m. and was informed that the CEC had provided the incorrect Webex password for the Oct 16<sup>th</sup> Status Conference, but the representative was unable to provide me with the correct password and stated that it must be provided to me by the CEC.

My phone access is limited and WebEx participation was my only means to "attend" the entire conference. For others that are not internet users, those that are not on the list serve, or those that did not check email prior to or during the conference; participation was usurped since the meeting number to phone in was incorrect.

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**Date: Tue, 16 Oct 2012 08:48:27 -0700** **[NOTE: ~2 hours prior to the start of the 10:30 am Status Conference]**

> **From: listenergia@listserver.energy.ca.gov**  
> Subject: QUAILBRUSH-LIST: Incorrect WebEx number for Status Conference  
> To: QUAILBRUSH@LISTSERVER.ENERGY.CA.GOV  
>  
> Good Morning,  
>  
> This is to inform you that the **WebEx number included in the notice for today's Status Conference is incorrect.** The correct number is 925 184 515.  
>  
> The Web Team  
>  
> For more information:  
> <http://www.energy.ca.gov/sitingcases/quailbrush/notices/index.html>  
> (If link above doesn't work, please copy entire link into your web browser's URL)  
>

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**Date: Tue, 16 Oct 2012 10:57:36 -0700** **[NOTE: 27 minutes AFTER 10:30 am start of Status Conference]**

> **From: listenergia@listserver.energy.ca.gov**  
> Subject: QUAILBRUSH-LIST: Incorrect WebEx password for Status Conference  
  
> To: QUAILBRUSH@LISTSERVER.ENERGY.CA.GOV  
>  
> Good Morning,  
>  
> This is to inform you that the **WebEx passwod [sic] included in the notice for today's Status Conference is incorrect.**  
>  
>  
> The correct password is 1quailbrush!  
>  
> The correct number is 925 184 515  
>  
>