

William B. Rostov (State Bar No. 184528)
EARTHJUSTICE
426 17 St., 5th Floor
Oakland, California 94612
Tel: (510) 550-6725; Fax: 510-550-6749
wrostov@earthjustice.org

Attorney for Intervenor
Center for Biological Diversity

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:)	DOCKET NO: 07-AFC-6
)	
)	
CARLSBAD ENERGY CENTER PROJECT)	CENTER FOR BIOLOGICAL
)	DIVERSITY'S PETITION FOR
)	INTERVENTION
_____)	

Petitioner, Center for Biological Diversity ("Center"), states:

1. The Center petitions to intervene in the above-entitled proceeding.
2. Petitioner has an interest in the proceeding in that the Center is a national membership organization with over 40,000 members in the United States, including 825 members in San Diego County. The Center is a non-profit organization with offices in San Francisco, Los Angeles, and Joshua Tree, California, Phoenix and Tucson, Arizona, Silver City, New Mexico, Portland, Oregon, and Washington, D.C.
3. The Center's mission is to ensure the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health. Because climate change from society's production of greenhouse gases is one of the foremost threats to

the earth's biodiversity, the environment, and public health, the Center's Climate, Air, and Energy Program works to reduce greenhouse gas emissions in order to protect these resources. The Center has filed a series of court challenges and comments throughout the State seeking to ensure that the California Environmental Quality Act is applied to greenhouse gas emissions.

4. The Carlsbad Energy Center Project will emit greenhouse gases that will contribute to global warming. The Center's members in and outside of San Diego County will be directly, indirectly, and cumulatively affected by the impacts of global warming caused by pollution sources inside and outside of the County, including the Project.

5. The Center intervenes to ensure the California Energy Commission complies with California Environmental Quality Act with respect to analysis, mitigation, and consideration of alternatives for the project's contribution to global warming. In addition, the Center seeks analysis and mitigation of the environmental effects stemming from the use of Liquefied Natural Gas ("LNG") at the facility.

6. The interests that the Center seeks to further in this action, namely, environmental protection and the reduction of the project's contribution to global warming are within the purposes and goals of the organization. The Center intervenes on behalf of itself and its members.

7. The Center reserves the right to present evidence and to cross-examine witnesses.

8. The Center will be represented by counsel.

DATED: August 28, 2008



William B. Rostov
Earthjustice
Attorney for Center for Biological Diversity

William B. Rostov (State Bar No. 184528)
EARTHJUSTICE
426 17 St., 5th Floor
Oakland, California 94612
Tel: (510) 550-6725; Fax: 510-550-6749
wrostov@earthjustice.org

Attorney for Intervenor
Center for Biological Diversity

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:)
) DOCKET NO: 07-AFC-6
)
)
CARLSBAD ENERGY CENTER PROJECT)
) PROOF OF SERVICE
)
)
)

California Energy Commission
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

David Lloyd
Carlsbad Energy Center, LLC
1817 Aston Avenue, Suite 104
Carlsbad, CA 92008
David.Lloyd@nrgenergy.com

Tim Hemig, Vice President
Carlsbad Energy Center, LLC
1817 Aston Avenue, Suite 104
Carlsbad, CA 92008
Tim.Hemig@nrgenergy.com

APPLICANT'S CONSULTANTS

Robert Mason, Project Manager
CH2M Hill, Inc.
3 Hutton Centre Drive, Ste. 200
Santa Ana, CA 92707
Robert.Mason@ch2m.com

Megan Sebra
CH2M Hill, Inc.
2485 Natomas Park Drive, Ste. 600
Sacramento, CA 95833
Megan.Sebra@ch2m.com

COUNSEL FOR APPLICANT

John A. McKinsey
Stoel Rives LLP
980 Ninth Street, Ste. 1900
Sacramento, CA 95814
jamckinsey@stoel.com

INTERESTED AGENCIES

*California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

City of Carlsbad
Joseph Garuba,
Municipals Project Manager Manager
Ron Ball, Esq., City Attorney
1200 Carlsbad Village Drive
Carlsbad, CA 92008
jgaru@ci.carlsbad.ca.us
rball@ci.carlsbad.ca.us

Allan J. Thompson
Attorney for the City
21 "C" Orinda Way #314
Orinda, CA 94563

INTERVENORS

California Unions for Reliable Energy (“CURE”)
Suma Peesapati
Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
speesapati@adamsbroadwell.com

ENERGY COMMISSION

James D. Boyd
Commissioner and Presiding Member
jboyd@energy.state.ca.us

Karen Douglas
Commissioner and Associate Member
kldougla@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Mike Monasmith
Siting Project Manager
mmonasmi@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Public Advisor’s Office
pao@energy.state.ca.us

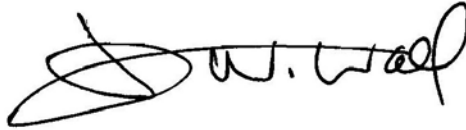
DECLARATION OF SERVICE

I, John W. Wall, declare that on August 27, 2008, I deposited copies of the attached Center for Biological Diversity's Petition for Intervention, in the United States mail at Oakland, California, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

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

A handwritten signature in black ink, appearing to read "J.W. Wall", written over a horizontal line.

John W. Wall