

STATE OF CALIFORNIA
California Energy Commission

DOCKET	
07-AFC-4	
DATE	OCT 26 2007
RECD.	OCT 26 2007

In the Matter of:)
)
The Application for Certification for the) Docket No. 07-AFC-4
CHULA VISTA ENERGY UPGRADE)
PROJECT)
_____)

**PETITION TO INTERVENE
CITY OF CHULA VISTA, CALIFORNIA**

Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, the City of Chula Vista, California (the "City") petitions to intervene in this proceeding.

The proposed Chula Vista Energy Upgrade Project ("Project") is a 100 megawatt peaking facility that would be located on a 3.8 acre site in the City. It would replace an existing 45 megawatt power plant, MMC Energy Inc's Chula Vista Power Plant, also located within the City.

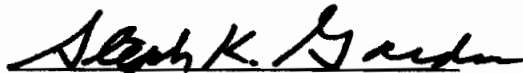
The application submitted by the project sponsors address a number of issues of critical concern to the City, including but not limited to, air quality, biological resources, cultural resources, land use, socioeconomics, traffic and transportation, waste management and water resources. In addition, under the Facility Certification Process, the Energy Commission will review and examine issues related to the public health and safety, environmental impacts, and engineering aspects of the proposed project, and all related facilities such as electric transmission

lines and natural gas and water pipelines. Without limitation, each of these matters is of concern to the City.

Therefore, the City's interest in these proceedings is both substantial, reasonable, and relevant. The level and extent of the City's participation and the City's ultimate position on this Project has not been determined at this time and will be based on factors presented to and considered by the Commission.

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

Respectfully submitted,



Stephen K. Gardner
CA Bar # 68920
McKenna Long & Aldridge LLP
1900 K Street, N.W.
Washington, D.C. 20006
(202) 496-7661
(202) 496-7756
sgardner@mckennalong.com

Charles H. Pomeroy
CA Bar # 133132
Caren J. Dawson
CA Bar # 216217
McKenna Long & Aldridge LLP
444 South Flower Street
Los Angeles, CA 90071-2901
TEL: 213.688-1000
FAX: 213.243.6330
cpomeroy@mckennalong.com
cdawson@mckennalong.com

Attorneys for the CITY OF CHULA VISTA

Dated: October 26, 2007

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PROOF OF SERVICE

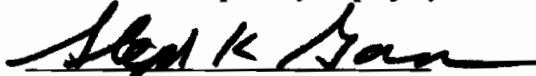
I, Stephen K. Gardner, declare that on October 26, 2007, I deposited copies of the attached PETITION TO INTERVENE BY THE CITY OF CHULA VISTA CALIFORNIA in the U.S. mail at Washington, D.C. with first class postage prepaid and addressed to the following

California Energy Commission
Docket Unit
Attention: Docket Unit 07-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

and via email to:

docket@energy.state.ca.us

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


Stephen K. Gardner

Executed at Washington, D.C. on October 26, 2007