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3 Natural Resources Defense Council  
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<b>DOCKET</b> <b>06-AFC-4</b>	
<b>DATE</b>	OCT 12 2007
<b>RECD.</b>	OCT 12 2007

11 STATE OF CALIFORNIA  
12 STATE ENERGY RESOURCES  
13 CONSERVATION AND DEVELOPMENT COMMISSION

14 In the Matter of:  
15  
16 Vernon Power Plant Project  
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DOCKET NO: 06-AFC-4  
  
**PETITION TO INTERVENE BY  
MOTHERS OF EAST L.A., BOYLE  
HEIGHTS RESIDENT  
HOMEOWNERS ASSOCIATION,  
INC., ANTONIA MEJIA AND  
MIGUEL ALFARO**

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21 Intervenor Mothers of East L.A., Boyle Heights Resident Homeowners Association,  
22 Inc., Antonia Mejia, and Miguel Alfaro (collectively "Intervenors") state:

- 23 1. Intervenor petition to intervene in the above-entitled proceeding.  
24 2. Intervenor's contact information is:

25 Mothers of East L.A.  
26 Lucy Ramos, President  
27 P.O. Box 23151  
28 Los Angeles, CA 90023  
Tel: (323) 264-1892

1 Boyle Heights Resident Homeowners Association, Inc.  
2 Teresa Marquez, President  
3 3122 East 3<sup>rd</sup> Street  
4 Los Angeles, CA 90063  
5 Tel: (323) 267-1687

6 Miguel Alfaro  
7 2818 East Guirado Street  
8 Los Angeles, CA 90023  
9 Tel: (323) 266-7176

10 Antonia Mejia  
11 3148 Aintree Lane  
12 Los Angeles, CA 90023  
13 Tel: (323) 262-0792

14 3. Intervenor Mothers of East L.A. ("MELA") is an environmental justice public  
15 interest organization located in Los Angeles, California. MELA has approximately 700  
16 members that reside in East Los Angeles. MELA was founded in 1984 in response to the  
17 proposed construction of a state prison in Boyle Heights. Following that campaign, MELA  
18 expanded its vision and focus to promoting environmental, political and educational awareness  
19 and advancement, as well as, the well-being of Latinos in East Los Angeles. MELA has been  
20 actively involved in a number of issues since, including, but not limited to, a proposed municipal  
21 waste incinerator in Vernon and the building of an oil pipeline under an East Los Angeles Junior  
22 High School. MELA's mission is to protect the environment and public health, defend the  
23 interests of the East Los Angeles community, and achieve justice for communities of color and  
24 working-class communities. Many of MELA's members reside in East Los Angeles, including  
25 the areas of Los Angeles County that will be affected by the Vernon Power Plant ("VPP").  
26 MELA is concerned that the VPP will impact MELA's members living in East Los Angeles,  
27 near the City of Vernon.

28 4. Intervenor Boyle Heights Resident Homeowners Association, Inc. ("BHR-HOA") is  
an incorporated association of homeowners that reside in the neighborhood of Boyle Heights.  
BHR-HOA has approximately 60 members, including members that reside in the area affected  
by the VPP. BHR-HOA's mission is to protect and advance the interests of Boyle Heights

1 homeowners and bring the Boyle Heights community together around protecting and improving  
2 the quality of life by reducing pollution and hazardous substances. BHR-HOA is concerned that  
3 the operation of the VPP and its associated pollution will negatively impact property values and  
4 the environment and adversely impact the health of BHR-HOA's members and their families.

5 5. Intervenor Miguel Alfaro is a life-long resident of East Los Angeles and purchased a  
6 home there in 2001. Mr. Alfaro has been involved in protecting the environment and community  
7 of East Los Angeles for many years and participates in weekly community meetings for that  
8 purpose. Mr. Alfaro is concerned that if the VPP is constructed without proper oversight and  
9 mitigation it will negatively impact the air and quality of life for him and his family, who reside  
10 in the vicinity of the plant. In addition, he is concerned that the operation of the VPP and its  
11 associated pollution will negatively impact the property value of his home.

12 6. Intervenor Antonia Mejia is a nearby resident of the proposed project. Mrs. Mejia  
13 has resided in East Los Angeles since 1988 where she rents a home and lives with her children  
14 and grandchildren. For many years, she has been involved in protecting the environment and  
15 community of East Los Angeles and participates in weekly community meetings for that  
16 purpose. She is concerned that if the VPP is constructed without proper oversight and mitigation  
17 that it will negatively impact the air and quality of life for her family.

18 7. Certain impacts to these communities are clear from the face of the application for  
19 certification. For instance, the VPP's application for certification indicates that it will increase  
20 air emissions in the Vernon area, which will migrate toward neighboring and downwind  
21 communities. Boyle Heights and East Los Angeles are densely-populated, largely Latino areas  
22 of Los Angeles County in the vicinity of the VPP and will be heavily impacted by the  
23 construction and operation of a 943 MW combined-cycle electric generating facility. Intervenor  
24 are very concerned that the cumulative pollution impacts of this project will cause or add to  
25 existing environmental injustice in the area.

26 8. Other issues are likely to become clear through the California Energy Commission's  
27 ("CEC") assessment process, which makes Intervenor's participation as a full party-intervenor  
28 critical to ensuring that the public health and environmental justice issues are fully explored. The

1 interests Intervenor seek to further in this action, namely, environmental justice,  
2 residents'/homeowners' interests, and the protection of the environment, are either central to the  
3 residents'/organizations' purposes and goals. Intervenor MELA and BHR-HOA intervene on  
4 behalf of their members. For these reasons, Intervenor respectfully request the right to  
5 participate in the above-captioned matter as a party-intervenor.

6 9. Intervenor reserve the right to present evidence and to cross-examine witnesses.

7 10. Intervenor are represented by counsel. Please contact Intervenor through their  
8 counsel:

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10 David Pettit (dpettit@nrdc.org)  
11 Tim Grabiell (tgrabiell@nrdc.org)  
12 Natural Resources Defense Council  
13 1314 Second Street  
14 Santa Monica, CA 90401  
15 310/434-2300 • fax 310/434-2399

16 DATED: October 12, 2007

17 

18 David Pettit  
19 Tim Grabiell  
20 Attorneys for Intervenor

21 cc: Jackalyne Pfannenstiel, Chairman, Presiding Member  
22 James D. Boyd, Vice Chair, Associate Member  
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1 **Proof of Service**

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3 I am employed in the County of Los Angeles, State of California. I am over the age of  
4 18 and not a party to this action. My business address is 1314 Second Street, Santa Monica,  
5 CA, California 90401. On October 12, 2007 I served the document described as:

6  
7 **PETITION TO INTERVENE BY MOTHERS OF EAST L.A., BOYLE**  
8 **HEIGHTS RESIDENT HOMEOWNERS ASSOCIATION, INC.,**  
9 **ANTONIA MEJIA AND MIGUEL ALFARO**

10 on the following interested parties in this action via electronic mail:

11  
12 **See attached list.**

13  
14 Transmission via electronic mail is consistent with the requirements of California  
15 Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were  
16 sent to all those identified on the attached Proof of Service list.

17  
18 I declare under penalty of perjury under the laws of the State of California that the  
19 foregoing is true and correct. Executed on October 12, 2007, at Santa Monica, California.

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23 **Sherry Goldberg**

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<p><b>CALIFORNIA ENERGY COMMISSION</b> Attn: DOCKET NO. 06-AFC-4 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 <a href="mailto:docket@energy.state.ca.us">docket@energy.state.ca.us</a></p>	<p>Donal O'Callaghan Director of Light &amp; Power City of Vernon 4305 So. Santa Fe Avenue Vernon, CA 90058 <a href="mailto:docalaghan@ci.vernon.ca.us">docalaghan@ci.vernon.ca.us</a> <a href="mailto:rtoering@ci.vernon.ca.us">rtoering@ci.vernon.ca.us</a> <a href="mailto:e.fresch@sbcglobal.net">e.fresch@sbcglobal.net</a></p>
<p>John Carrier, CH2M Hill Environmental Consultant 2485 Natomas Park Dr., #600 Sacramento, CA 95833-2937 <a href="mailto:john.carrier@ch2m.com">john.carrier@ch2m.com</a></p>	<p>Yolanda Garza &amp; Christine Bucklin Dept. Toxic Substances Control 1011 N. Grandview Street Glendale, CA 91201 <a href="mailto:ygarza@dtsc.ca.gov">ygarza@dtsc.ca.gov</a> <a href="mailto:cbucklin@dtsc.ca.gov">cbucklin@dtsc.ca.gov</a></p>
<p>Jeff A. Harrison, City Attorney City of Vernon 4305 So. Santa Fe Avenue Vernon, CA 90058 <a href="mailto:jharrison@ci.vernon.ca.us">jharrison@ci.vernon.ca.us</a> <a href="mailto:jharrison@karnskarabian.com">jharrison@karnskarabian.com</a></p>	<p>John Yee &amp; Chandrashekhar Bhatt South Coast Air Quality Mgmt. District 21865 E. Copley Drive Diamond Bar, CA 91765-4182 <a href="mailto:jyee@aqmd.gov">jyee@aqmd.gov</a></p>
<p>Michael Carroll, Counsel for Vernon Latham &amp; Watkins 650 Town Center Drive, 20th Floor Costa Mesa, CA 92626-1925 <a href="mailto:michael.carroll@lw.com">michael.carroll@lw.com</a></p>	<p>Jennifer Pinkerton City of Los Angeles Environmental Affairs Department 200 N. Spring St., Rm. 2005, MS 177 Los Angeles, CA 90012 <a href="mailto:jennifer.pinkerton@lacity.org">jennifer.pinkerton@lacity.org</a></p>
<p>City of Huntington Park Att: Albert Fontanez, Asst Planner 6550 Miles Avenue Huntington Park, CA 90255 <a href="mailto:afontanez@huntingtonpark.org">afontanez@huntingtonpark.org</a></p>	<p>California Unions for Reliable Energy Marc D. Joseph &amp; Gloria D. Smith Adams Broadwell Joseph &amp; Cardozo 601 Gateway Blvd., Suite 1000 South San Francisco, CA 94080 <a href="mailto:gsmith@adamsbroadwell.com">gsmith@adamsbroadwell.com</a> <a href="mailto:mdjoseph@adamsbroadwell.com">mdjoseph@adamsbroadwell.com</a></p>
<p>City of Maywood Att: Felipe Aguirre &amp; Edward Ahrens 4319 E. Slauson Avenue Maywood CA 90270 <a href="mailto:faguirre@cityofmaywood.com">faguirre@cityofmaywood.com</a> <a href="mailto:eahrens@cityofmaywood.com">eahrens@cityofmaywood.com</a></p>	<p>Ian Forrest, Esq., Counsel for Rite-Way Jeffer, Mangels, Butler &amp; Marmaro LLP 1900 Avenue of the Stars, 7th Floor Los Angeles, CA 90067-4308 <a href="mailto:imf@jmbm.com">imf@jmbm.com</a></p>

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<b>Irwin Miller, President</b> <b>Rite-Way Meat Packers, Inc.</b> 5151 Alcoa Avenue Vernon, CA 90058 <u><a href="mailto:irwin@rose-shore.com">irwin@rose-shore.com</a></u>	<b>Communities for a Better Environment</b> <b>Bahram Fazeli</b> 5610 Pacific Blvd., Suite 203 Huntington Park CA 90255 <u><a href="mailto:bfazeli@cbeval.org">bfazeli@cbeval.org</a></u>
<b>Communities for a Better Environment</b> <b>Shana Lazerow &amp; Philip Huang</b> 1440 Broadway, Suite 701 Oakland, CA 94612 <u><a href="mailto:phuang@cbeval.org">phuang@cbeval.org</a></u>	<b>Jackalyne Pfannenstiel, Chair</b> <b>Presiding Committee Member</b> <u><a href="mailto:jpfannen@energy.state.ca.us">jpfannen@energy.state.ca.us</a></u> <u><a href="mailto:cgraber@energy.state.ca.us">cgraber@energy.state.ca.us</a></u>
<b>James D. Boyd, Commissioner</b> <b>Associate Committee Member</b> <u><a href="mailto:jboyd@energy.state.ca.us">jboyd@energy.state.ca.us</a></u>	<b>Electricity Oversight Board</b> <b>Attn: Eric Saltmarsh</b> 770 L Street, Suite 1250 Sacramento, CA 95814 <u><a href="mailto:esaltmarsh@eob.ca.gov">esaltmarsh@eob.ca.gov</a></u>
<b>James W. Reede, Jr., Ed.D</b> <b>Siting Project Manager</b> <u><a href="mailto:jreede@energy.state.ca.us">jreede@energy.state.ca.us</a></u>	<b>Jared Babula</b> <b>Staff Attorney</b> <u><a href="mailto:jbabula@energy.state.ca.us">jbabula@energy.state.ca.us</a></u>
<b>Public Adviser</b> <u><a href="mailto:pao@energy.state.ca">pao@energy.state.ca</a></u>	<b>Gary Fay</b> <b>Hearing Officer</b> <u><a href="mailto:gfay@energy.state.ca.us">gfay@energy.state.ca.us</a></u>

**From:** "Goldberg, Sherry" <sgoldberg@nrdc.org>  
**To:** <docket@energy.state.ca.us>, <jpfannen@energy.state.ca.us>, <cgraber@ene...>  
**Date:** 10/12/2007 12:32 PM  
**Subject:** Petition to Intervene for Vernon Power Plant  
**Attachments:** Petition to Intervene (final - signed).pdf

**CC:** <docket@energy.state.ca.us>, <docallaghan@ci.vernon.ca.us>, <rtoering@ci...>  
Dear Ms. Pfannenstiel and Mr. Boyd,

Please find attached the Petition to Intervene from Tim Grabel. Please let me know if you have any difficulties opening the attachment.

Sincerely,

Sherry Goldberg

Communications and Environmental Justice Program Assistant

Natural Resources Defense Council (NRDC)

1314 Second Street

Santa Monica, CA 90401

Tel: 310.434.2300 Fax: 310.434.2399

[www.nrdc.org](http://www.nrdc.org)

P Please consider the environment before printing this email

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