In the Matter of:

APPLICATION FOR CERTIFICATION FOR THE GENESIS SOLAR ENERGY PROJECT

DOCKET NO. 09-AFC-8

PETITION TO INTERVENE BY
THE CENTER FOR BIOLOGICAL DIVERSITY

June 1, 2010

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
lbelenky@biologicaldiversity.org

Ileene Anderson
Public Lands Desert Director
Center for Biological Diversity
PMB 447, 8033 Sunset Boulevard
Los Angeles, CA 90046
(323) 654-5943
ianderson@biologicaldiversity.org

Petition to Intervene
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Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, the Center for Biological Diversity petitions to intervene in this proceeding.

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For more than a decade, the Center for Biological Diversity has worked to conserve and recover the rare, imperiled, and threatened and endangered species in the California deserts. The Center has advocated for protections for the desert tortoise, Mojave fringe toed lizard, and other imperiled species in the California deserts on public and private lands in order to reduce impacts to species and habitats from development, vehicles, predation, and other threats in the California deserts. The Center for Biological Diversity has also participated in the approval process for many site-specific projects and in the planning processes for public lands throughout the California Desert Conservation Area (“CDCA”) including for the Northern and Eastern Colorado Desert Coordinated Management Plan amendments to the CDCA which include the area where the proposed project is found.
The Center is currently an intervenor in two other proceedings before the Commission for large-scale solar projects in the California desert. The project at issue in this matter will directly impact many desert resources including, but not limited to, the desert tortoise and its critical habitat, Mojave fringe toed and its habitat, other imperiled plants and wildlife, and scarce water resources.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, the survival and recovery of the Mojave fringe-toed lizard, the preservation of its habitat, protection of the desert tortoise and its critical habitat, conservation of rare and imperiled native plants, conservation of other wildlife species found in this area including desert bighorn, conservation and protection of water resources, and cumulative impacts to these and other resources.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding. Filings should be served on Lisa Belenky and Ileene Anderson at the addresses listed below. Email service is preferred.

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
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Los Angeles, CA 90046
(323) 654-5943
ianderson@biologicaldiversity.org
This petition to intervene is timely and in keeping with the schedule set for this matter in the Revised Notice of Prehearing Conference and Evidentiary Hearing dated April 1, 2010 at 5.

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

Dated: June 1, 2010

Respectfully submitted,

Lisa T. Belenky, Senior Attorney
Center for Biological Diversity
351 California St., Suite 600
San Francisco, CA 94104
Direct: 415-632-5307
Fax: 415-436-9683
lbelenky@biologicaldiversity.org
APPLICATION FOR CERTIFICATION FOR THE

**GENESIS SOLAR ENERGY PROJECT**

**APPLICANT**
Ryan O’Keefe, Vice President
Genesis Solar LLC
700 Universe Boulevard
Juno Beach, Florida 33408
E-mail service preferred
Ryan.okeefe@nexteraenergy.com

Scott Busa/Project Director
Meg Russel/Project Manager
Duane McCloud/Lead Engineer
NextEra Energy
700 Universe Boulevard
Juno Beach, FL 33408
Scott.Busa@nexteraenergy.com
Meg.Russell@nexteraenergy.com
Duane.mccloud@nexteraenergy.com

E-mail service preferred
Matt Handel/Vice President
Matt.Handel@nexteraenergy.com

Email service preferred
Kenny Stein,
Environmental Services Manager
Kenneth.Stein@nexteraenergy.com

Mike Pappalardo
Permitting Manager
3368 Videra Drive
Eugene, OR 97405
mike.pappalardo@nexteraenergy.com

Kerry Hattevik/Director
West Region Regulatory Affairs
829 Arlington Boulevard
El Cerrito, CA 94530
Kerry.Hattevik@nexteraenergy.com

**APPLICANT’S CONSULTANTS**
Tricia Bernhardt/Project Manager
Tetra Tech, EC
143 Union Boulevard, Ste 1010
Lakewood, CO 80228
Tricia.bernhardt@tteci.com

James Kimura, Project Engineer
Worley Parsons
2330 East Bidwell Street, Ste.150
Folsom, CA 95630
James.Kimura@worleyparsons.com

**COUNSEL FOR APPLICANT**
Scott Galati
Galati & Blek, LLP
455 Capitol Mall, Ste. 350
Sacramento, CA 95814
sgalati@gb-llp.com

**INTERESTED AGENCIES**
California-ISO
e-recipient@caiso.com

Allison Shaffer, Project Manager
Bureau of Land Management
Palm Springs South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262
Allison.Shaffer@blm.gov

**INTERVENORS**
California Unions for Reliable Energy (CURE)
c/o: Tanya A. Gulesserian,
Rachael E. Koss,
Marc D. Joseph
Adams Broadwell Joeshp & Cardoza
601 Gateway Boulevard,
Ste 1000
South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com
rkoss@adamsbroadwell.com

**tom budlong**
3216 Mandeville Cyn Rd.
Los Angeles, CA 90049-1016
tombudlong@roadrunner.com

**OTHER**
Alfredo Figueroa
424 North Carlton
Blythe, CA 92225
lacunadeazlan@aol.com

**ENERGY COMMISSION**
JAMES D. BOYD
Commissioner and Presiding Member
joby@energy.state.ca.us

ROBERT WEISENMILLER
Commissioner and Associate Member
rweisenm@energy.state.ca.us

Kenneth Celli
Hearing Officer
kkeili@energy.state.ca.us

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

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Robin Mayer
Staff Counsel
rmayer@energy.state.ca.us

Jennifer Jennings
Public Adviser’s Office
publicadviser@energy.state.ca.us

*indicates change
DECLARATION OF SERVICE

I, Lisa T. Belady, declare that on June 1, 2010, I mailed hard copies of the attached Petition, dated June 1, 2010. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [http://ww.energy.ca.gov/sitingcases/genesis_solar].

The documents have 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-8
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
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.

I, Lisa T. Belady,

*Indicates change