

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue  
Implementation and Administration of  
California Renewables Portfolio Standard  
Program.

Rulemaking 11-05-005  
(Filed May 5, 2011)

**MOTION OF THE CENTER FOR BIOLOGICAL DIVERSITY  
FOR PARTY STATUS IN THIS PROCEEDING**

April 29, 2013

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**MOTION OF THE CENTER FOR BIOLOGICAL DIVERSITY  
FOR PARTY STATUS IN THIS PROCEEDING**

**I. INTRODUCTION**

Pursuant to Rule 1.4 of the Commission’s Rules of Practice and Procedure, the Center for Biological Diversity (“Center”) respectfully submits this motion for party status in the instant proceeding.

**II. REQUIREMENTS OF RULE 1.4(b)**

Rule 1.4(b) provides that a person seeking party status by filing a motion to become a party shall:

(1) fully disclose the persons or entities in whose behalf the filing, appearance or motion is made, and the interest of such persons or entities in the proceeding; and

(2) state the factual and legal contentions that the person intends to make and show that the contentions will be reasonably pertinent to the issues already presented.

The Center seeks party status in this proceeding in order to advance and protect the interests of its members, thousands of whom are California residents and ratepayers. The Center is a non-profit organization with more than 500,000 members and online activists, and offices throughout the United States. The Center’s mission is to ensure the preservation, protection, and restoration of biodiversity, native species, ecosystems, public lands and waters, and public health. In furtherance of these goals, the Center’s Climate Law Institute seeks to reduce U.S. greenhouse gas emissions and other air pollution to protect biological diversity, the environment, and human health and welfare. The Center also has participated actively in the development of California climate policy, particularly with respect to the broader environmental consequences of expanded renewable energy generation; potential climate and habitat impacts associated with

expanded forest bioenergy generation are of special concern. The Center has also worked to maintain healthy native forests on both public and private lands in California that support biodiversity and long-term carbon sequestration.

The Center's interest is primarily in certain topics identified in the Second Amended Scoping Memo and Ruling of Assigned Commissioner (filed January 9, 2013). While the Center cannot identify with precision the precise factual and legal contentions we intend to make, the Center would, if granted party status, at the very least anticipate providing comments regarding proposals for implementation of SB 1122. The Center's interests in SB 1122 implementation include, but are not necessarily limited to, issues related to "sustainable forest management" as that term is used in the statute, "strategic location" of bioenergy facilities relative to both feedstock availability and transmission, and ratepayer protection concerns related to the relatively high cost of forest bioenergy.

The Center also intends to participate in later aspects of this proceeding, including those involving development of 2013 procurement plans and expenditure limitations. We will endeavor to coordinate our participation with other parties who may have similar interests.

### **III. SERVICE LIST REQUEST**

The Center requests that its formal appearance be entered in this proceeding as follows:

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**IV. CONCLUSION**

For the foregoing reasons, the Center respectfully requests that it be granted party status in this proceeding.

Date: April 29, 2013

Respectfully submitted,

By: /s/ Kevin P. Bundy  
Kevin P. Bundy  
Senior Attorney

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## VERIFICATION

I am the attorney for the Center for Biological Diversity, the movant herein. The officers of said movant are absent from the County of San Francisco, California, where I have my office, and I make this verification for said movant for that reason. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true.

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

Executed this 29th day of April, 2013, at San Francisco, California.



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Kevin P. Bundy