BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of Southern California Edison Company (U338E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Moorpark-Newbury 66 kV Subtransmission Line Project.

A.13-10-021
(Filed October 28, 2013)

MOTION OF THE CENTER FOR BIOLOGICAL DIVERSITY FOR PARTY STATUS

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Dated: July 31, 2015
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Pursuant to Rules 1.4 and 11.1 of the Commission’s Rules of Practice and Procedure, the Center for Biological Diversity (“the Center”) submits the following Motion for Party Status in proceeding A.13-10-021. For the reasons set forth below, the Center should be granted party status in the instant proceeding.

I. INTEREST IN THIS PROCEEDING

The Center is a nonprofit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center’s 50,186 members and over 900,000 online activists, including 31,862 members and 111,877 online activists in California, could be adversely affected by the Commission’s decision regarding the granting of a permit for the construction of the Moorpark-Newbury 66 kV Subtransmission Line Project. The Center has been active in the Moorpark/Thousand Oaks area for many years including participation as intervenors in the Presidential Substation proceeding A. 08-12-023 and the Moorpark RFO proceeding A. 14-11-016. The Center seeks party status so
that it may represent its membership’s interest in protecting biological diversity and in insuring the continuing integrity of our environmental protection laws, namely the California Environmental Quality Act (“CEQA”). The Center is concerned about the negative environmental effects on wildlife, including adverse impacts to species protected under the Endangered Species Act, which would result from the construction and operation of the Line.

The proposed citing for the line is in the Calleguas Creek watershed and will span the Conejo Creek, home to the endangered Southern steelhead southern California Distinct Population Segment (*Oncorhynchus mykiss Irideus*) and the California threatened native range Arroyo chub (*Gila orcuttii*). The line will bisect the Conejo Open Space, rich biodiverse mountain terrain, and designated critical habitat for the Lyon’s pentachaeta (*Pentachaeta lyonii*). The line will impact a number of other species and their habitats protected under the Endangered Species Act such as the endangered Least Bell’s vireo (*Vireo bellii pusillus*), threatened Western yellow-billed Cuckoo (*Coccyzus americanus Occidentalis*), endangered Southwestern willow Flycatcher (*Empidonax traillii Extimus*), threatened Coastal California gnatcatcher (*Polioptila californica Californica*), threatened Conejo dudleya (*Dudleya abramsii spp. Parva*), threatened Verity’s dudleya (*Dudleya verity*), and numerous other species protected under California law such as the Western pond turtle (*Emys marmorata*) and yellow warbler (*Setophaga petechia bresteri*). The Center has worked diligently to protect many of these species.
II. THE CENTER FOR BIOLOGICAL DIVERSITY’S INTENDED FACTUAL AND LEGAL CONTENTIONS

In the instant proceeding, the Center intends to raise and argue the following factual and legal Contentions, among others yet to be determined:

1. There is no need for this project.

2. The DEIR is procedurally deficient. As a result, there has been no meaningful analysis of the environmental impacts of this project and approval would be in violation of CEQA.

3. Approval of this project will have significant adverse effects on wildlife and wildlife habitat.

4. There are environmentally preferable alternatives that will eliminate or lessen the significant environmental impacts.

5. Proposed mitigation measures are infeasible and insufficient to address impacts.

As the Scoping Memo has not yet been issued, the Center is unable at this time to accurately describe its planned participation in full but does expect that it will address the above described issues. The Center has submitted comments on the DEIR and will fully participate in the proceeding including participating in evidentiary hearings and filing legal briefings.
WHEREFORE, the Center requests that the Commission consider the issues set forth above and grant this Motion for Party Status

Respectfully submitted,

Center for Biological Diversity

Date: July 31, 2015

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