BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

) PSD Appeal No. 10-05 (CARE, &
In re:) Rob Simpson Petitioners) [Related
Russell City Energy Center) to PSD Appeals Nos. 10-02, 10-03,
PSD Permit No. 15487) 10-04, 10-06, 10-07, 10-08, 10-09, &
) 10-10]
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MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF

I appreciate the opportunity to file a reply brief and would like to present a clear and complete reply. I request an extension of time to file the reply brief until June 7, 2010 at 8am Eastern Time. Consistent with a request for an extension previously granted to the District this "constitutes only four additional business days" "will not substantially delay the final resolution of this matter, and it will not cause any prejudice to any other parties."

The District was previously granted and extension after also citing "resource constraints and the significant additional work commitments". Their resources appear comparably infinite to petitioners. We have no budget and no attorney representing us.

Applicant Russell City appears to stand to garner windfall profits by BAAQMD licensing polluters. We stand only to protect our community and families.

I also have "significant additional work commitments". The US Court of Appeals for the Ninth Circuit Court has ordered a brief due by June 7, 2010. One of the defendants, Pacific Gas and Electric (PG&E) has filed its commissioning plan for the Humboldt Bay facility on May 11, 2010 which means that it could begin operations on June 10, 2010. The facility is presently licensed (in violation of the Clean Air Act) to burn 270,000 gallons of diesel fuel per day in combustion engines originally designed for

ocean vessels. The site is less than 1000 feet from an elementary school. Substantive issues of our appeals have still not been heard. They also have an initiative on the California Ballot Proposition 16 that would enshrine PG&E's monopoly into the California constitution and prevent the development of clean energy in the State of California. The election is June 8, 2010. PG&E is the true beneficiary of the unneeded Russell City Energy Center. They have contracted to buy the future power which saddle PG&E's ratepayers with contract costs for the facility whether or not this facility is ever built

I also had a an illegal foreclosure sale scheduled for my house yesterday May 26, 2010 for which I filed for and received a protective order from the Superior Court of California in Alameda Case #HG10516662. Briefs are due by June 9, 2010.

For the Forgoing reasons I submit that good cause exists to grant this short extension.

Thank you.

S / Rob Simpson 27126 Grandview Ave. Hayward, CA 9542

E-mail: <u>rob@redwoodrob.com</u> Dated 5-27-10

CC:

Andrew Wilson: andy_psi@sbcglobal.net Jewell Hargleroad: jewellhargleroad@mac.com Robert Bezemek: jewellhargleroad@mac.com

Helen Kang: hkang@ggu.edu

Lucas Williams: lwilliams@ggu.edu
Bob Sarvey: Sarveybob@aol.com

Michael Boyd: <u>michaelboyd@sbcglobal.net</u> Rob Simpson: rob@redwoodrob.com

Alexander Crockett: acrockett@baaqmd.gov
Kevin Poloncarz: kevin.poloncarz@bingham.com