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April 23, 2010

FACSIMILE TRANSMISSION

To: Clerk of the Board
Fax: (202) 233-0121

Cc: Nancy J. Marvel, Regional Counsel
U.S. EPA Region 9
Fax: (415) 947-3571

From: Jewell Hargleroad
510-331-2975

Total pages (including this page): 7

Message:

Following by fax for filing is a "Notice of Receipt of Communication from petitioner Juanita Guitierrez by Chabot-Las Positas Community College District." A hard copy to follow in the mail. (For some unknown reason I am having trouble logging into the CDX system and presently the Help Desk is closed.)

Please let me know whether there is anything further you require to complete this filing. Thank you.

If the intended recipient above does not receive all pages as reflected or another person or entity inadvertently receives this facsimile, please promptly contact the writer at the above telephone number or email. Thank you for your attention

ENVIR. APPEALS BOARD

2010 APR 26 AM 9:02

RECEIVED
U.S. E.P.A.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re Russell City Energy Center)
Russell City Energy Company, LLC)
PSD Permit Application No. 15487)

PSD Appeal No. 10-01 & 10-05

ENVIR. APPEALS BOARD

2010 APR 26 AM 9:03

RECEIVED
U.S. E.P.A.

**NOTICE OF RECEIPT OF COMMUNICATION FROM
PETITIONER JUANITA GUTIERREZ
BY CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT**

Jewell J. Hargleroad.,
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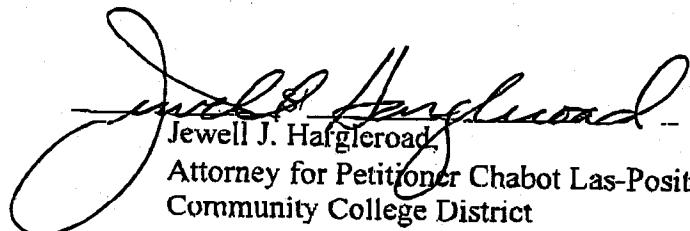
Attorney for Chabot-Las Positas Community College District
Dated: April 23, 2010

This is to notify the Board that attached is a true and correct copy of the April 14, 2010 e-mail communication that I received from petitioner Juanita Gutierrez who apparently was called away out of the country prior to April 14, 2010 due to a family emergency which she had initially directed to Russell City Energy Center's attorney Kevin Poloncarz seeking an extension of time to respond. After receiving the attached email communication, I received another later email communication from Ms. Gutierrez stating that she "received only one response from Poloncarz saying that he is Calpine's lawyer. so he cannot forward my note" to the Board.

In light of the Board's order issued on April 14, 2010 to Ms. Gutierrez to show cause, by the Hon. Edward E. Reich, counsel submits the communication from petitioner Gutierrez as a matter of courtesy to alert the Board of petitioner's attempt to notify the Board about her situation and to request an extension.

Dated: April 23, 2010

Respectfully Submitted,


Jewell J. Hargleroad
Attorney for Petitioner Chabot Las-Positas
Community College District

From: juanitarealty@hotmail.com
Subject: FW: extension request
Date: April 14, 2010 8:07:00 PM PDT
To: jewelhargleroad@mac.com

Juanita Gutierrez
Juanitas Realty- Broker
tel: 1-510-783-6851
fax: 1-510-785-7033

RECEIVED
U.S. E.P.A.

2010 APR 29 AM 9:05

ENVIR. APPEALS BOARD

From: juanitarealty@hotmail.com
To: kevin.poloncarz@binham.com; juanitarealty@hotmail.com
Subject: extension request
Date: Tue, 13 Apr 2010 21:11:50 -0600

Mr. Kevin Poloncarz:

Re: Juanita Gutierrez petition in opposition to the granting permit to Russell City Energy Power Plant in Hayward, Ca. 94545

Please forward this e-mail to the proper department, if necessary.

I, Juanita Gutierrez am writing from El Salvador, C.A. in an effort to submit my request for an extension to respond and to request not to grant my dismissal, which I heard is being initiated by multiple entities.

My reasons are:

1. Due to a family emergency, I had to leave town on April 10, and should be back on April 28. Therefore I was unable to reply via a written note, either via electronic-e-mail

ATTACHMENT

2. I have resided at 2236 Occidental Rd. Hayward, Ca. since 1977.

3. I am a real estate broker, with a home office at my residence, and because of my field, I have always been interested and involved in neighborhood matters, Chair person for the Mount Eden Task Force, President/Spokeperson for the Eden Garden Home Neighborhood Association, member of various Neighborhood Partnership Programs, etc.

4. I am a frequent visitor of the Hayward Shoreline, because I enjoy the serenity it brings to me and everybody else. And I wish that serenity and home to multiple species not to be disturbed by the addition of a power plant.

Please consider my request for an extension to respond and to refuse my dismissal.

Respectfully,

Juanita Gutierrez

Juanita Gutierrez
Juanitas Realty- Broker
tel: 1-510-783-6851
fax: 1-510-785-7033

ATTACHMENT

CERTIFICATE OF SERVICE

I hereby certify that **NOTICE OF RECEIPT OF COMMUNICATION FROM PETITIONER JUANITA GUTIERREZ BY CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT** was sent to the following persons in the matter indicated:

Via Email:

Alexander G. Crockett
Assistant Counsel
Bay Area Air Quality Management District
ACrockett@baaqmd.gov

Andy Wilson: andy_psi@sbcglobal.net
California Pilots Association

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Kevin P. Poloncarz, Esq.
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Minane Jamson, Vice-President

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Hayward Area Recreation & Park District
jameson1@pacbell.net

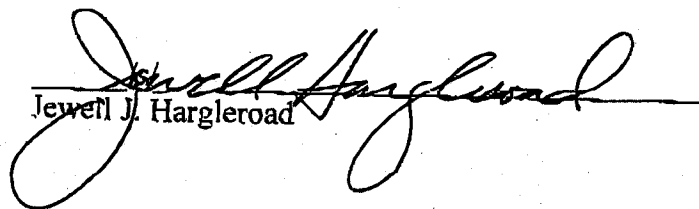
Minane Jameson
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Robert J. Bezemek, Esq.
rjbezemek@bezemeklaw.com

By Facsimile:
Nancy J. Marvel, Regional Counsel
Office of Regional Counsel
Via Fax: 415-947-3571

By Mail:
Idojine J. Miller
253 Santa Susana
San Leandro, CA 94579

I declare under penalty of perjury, under the laws of the State of California, that
the foregoing is true and correct. Executed this 23rd day of April, at Hayward, California.


Jewell J. Hargleroad