

FOR IMMEDIATE RELEASE

**SAN FRANCISCO RESIDENTS FILE SUIT TO HALT CONSTRUCTION OF
COMBUSTION TURBINE POWER PLANT IN THEIR NEIGHBORHOOD**

Federal Lawsuit Seeks Injunction to Stay Air Quality Permits
for Proposed “Peaker” Plant in Southeast San Francisco

The San Francisco Public Utilities Commission is scheduled to give final approval for the construction of these this new power plant at its scheduled meeting on Tuesday, September 25th.

San Francisco, California – September 24, 2007 – Brightline Defense Project today filed suit in federal district court to stop the City of San Francisco’s proposed combustion turbine power plant from receiving the permits necessary to allow its construction in the city’s Potrero neighborhood. The filing parties allege that the proposed San Francisco Electric Reliability Project, consisting of three combustion turbine “peakers” designed to supply energy in times of excess demand, has not been properly studied by the Environmental Protection Agency and Bay Area Air Quality Management District in light of a recent United States Supreme Court ruling. The lawsuit also claims that the proposed plant – the City’s solution to prompt closure of the aging Mirant Power Plant – is an inferior alternative to proposals that would shutter the Mirant plant without the addition of a new fossil fuel-burning power plant to this low-income, mostly minority area.

Named plaintiffs in the suit include potentially affected local residents Lynne Brown, and Regina Hollins, and the community-based organization, the A. Philip Randolph Institute, San Francisco Chapter (APRI).

Today’s complaint references the recent Supreme Court decision in the case of Massachusetts v. EPA in requesting that the federal court prevent the issuance of an Authority to Construct permit until the EPA has complied with the highest court’s order to reevaluate its decision not to regulate greenhouse gases. In addition, the parties allege confusion on the part of the San Francisco Public Utilities Commission, the municipal agency behind the turbine plant proposal, and the California Independent System Operator, the organization charged with operating the state’s power grid, regarding the assumption that the Mirant plant cannot be shut down without a replacement plant that continues to disproportionately pollute the Potrero and Bayview Hunters Point neighborhoods.

“The Public Utilities Commission advocates the combustion turbine plant because it will provide ‘less pollution’ than the existing Mirant plant,” stated Joshua Arce, Executive Director of Brightline Defense Project, the non-profit legal aid organization that filed suit of behalf of the complainants. “Legally,” Arce continued, “the community is entitled to no pollution.”

“There are green alternatives to these polluting power plants. The city should promote any alternative, such as conservation or any of the renewable energy options that have recently been discussed, that is not accompanied by further contamination of the community,” Arce said.

“I’ve lived all my life in Potrero, and I too want the power plant closed, but it makes no sense to me to close one dirty power plant with three dirty plants,” said Regina Hollins a plaintiff in the

case who lives blocks from where the San Francisco Public Utilities Commission (SFPUC) plans to site its three combustion turbines. “Too many of my friends and neighbors are sick and suffer from asthma. More pollution is not the answer to closing the Potrero power plant – we want a NO pollution solution,” added Ms. Hollins.

“APRI joined hundreds of community activists to close down the Hunters Point Power Plant and now we want Potrero closed too. The southeast community of San Francisco is a poor, mostly minority and increasingly non-English speaking community that has long lived under the shadows of polluting smoke stacks. Today, the community stands up to city bureaucrats to say we don’t want to live with three more smoke stacks in our neighborhood sending dangerous toxins into the air.” said James A. Bryant, president of the A. Philip Randolph Institute. “We want a Green alternative, we want solar not dirty peaker plants to close Potrero,” added Mr. Bryant.

Power plant supporters argue that, despite the negative impact of continued pollution in the neighborhood, the Independent System Operator will only accept implementation of the proposed combustion turbines at this particular location if the Mirant plant is to be closed.

Today’s lawsuit, however, alleges that the Independent System Operator lacks the authority to insist on a specific location in matters of power plant siting, and that the City’s self-initiated drive to build the proposed turbine plant is a short-term fix at the long-term expense of disadvantaged residents who will continue to be exposed to pollutants for the foreseeable future.

For more information, or a copy of the federal complaint, please visit www.brightlinedefense.org (click on “News”) or contact Joshua Arce at 415-837-0600 or josh@brightlinedefense.org.

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