



February 1, 2010

Mr. David Gibson, Executive Officer
c/o Brian Kelley
California Regional Water Quality Control Board,
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123-4340

RE: March 10, 2010 Public Hearing In the Matter of Dynegy South Bay, LLC, South Bay Power Plant, San Diego County, (Order No. R9-2004-00154, NPDES No. CA0001368)

Dear Mr. Gibson and RWQCB Members and Staff:

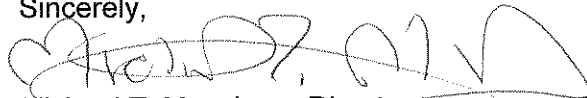
I am submitting this letter on behalf of the City of Chula Vista to respectfully request that the San Diego Regional Water Quality Control Board (the "Regional Water Board") designate the City of Chula Vista ("City") as a designated party in connection with the referenced matter (the "Dynegy Matter"). This request is made pursuant to Section IV. of the "Notice of Public Hearing," dated January 22, 2010, regarding the Dynegy Matter.

The basis for the City's request is as follows:

The South Bay Power Plant (the "Plant") is located within Chula Vista City limits and its discharge has a direct impact on water quality in the bay within the City. The Plant's discharge and continued operation affects the citizens' enjoyment of the Bayfront, the community and the region's public access to the waterfront, significant wildlife resources, and future economic development opportunities. The plant constrains 135 acres at the delta of the Otay River, Otay Valley Regional Park, Multiple Species Conservation Plan, a green belt connection to the bay that is being established to circumnavigate the City and regional bayshore bikeway. As host jurisdiction to the plant, the City is the only jurisdiction that has been a party to the permitting and operation of the plant since its inception and worked with Duke Energy on the 2004 discharge permit.

As explained above, the City and its residents are affected by the discharge and have a vested interest in the proceedings relating to the Dynegy Matter. Thus, the City seeks the Regional Water Board's approval to obtain status as a designated party so that it may participate as such in connection with the Dynegy Matter.

Sincerely,



Michael T. Meacham, Director
Conservation & Environmental Services

cc:

Chula Vista City Council
Jim Sandoval, City Manager
Bart Miesfeld, City Attorney