

Memorandum

Date: November 15, 2012
Telephone: (916) 651-0966

To: Commissioner Karen Douglas, Presiding Member
Commissioner Andrew McAllister, Associate Member

From: California Energy Commission - Eric Solorio
1516 Ninth Street Siting Project Manager
Sacramento, CA 95814-5512

California Energy Commission

DOCKETED

11-AFC-3

TN # 68537

NOV 15 2012

Subject: **QUAIL BRUSH GENERATION PROJECT (11-AFC-3), STAFF'S STATUS REPORT #7**

Per the Committee's Revised Scheduling Order dated October 2, 2012, staff hereby submits its Status Report #7 regarding the proposed Quail Brush Generation Project (QBGP).

Discovery Responses

Staff is continuing to prepare the Preliminary Staff Assessment (PSA) while reviewing the Application for Certification (AFC) and subsequent filings, including Supplement 3 to the AFC and the applicant's supplemental alternatives analysis.

The applicant has continued to file responses to staff's data requests. The applicant is expected to file additional data responses during the month of November that will likely include an updated Biological Survey Report, results of a supplemental noise survey and information regarding fire protection needs.

Intervenor HomeFed Fanita Rancho, LLC is also expected to file data responses during the month of November.

Future Staff Workshops

At this time staff does not plan to hold any additional workshops prior to publication of the PSA.

Schedule

Staff hereby submits a revised proposed schedule for consideration by the Committee. It is the same proposed schedule included in staff's November 9, 2012, Response to motions by intervenors HomeFed Fanita Rancho, LLC, Helping Hand Tools and Sunset Greens Homeowners Association.

Cc: Proof of Service list

PROOF OF SERVICE [REVISED 10/29/12] FILED WITH
ORIGINAL IN SACRAMENTO ON 11/15/2012
DLS

	ACTIVITY	Calendar Day
1	Applicant files Supplement #3 to the AFC	08-30-12
2	Applicant files outstanding data responses	09-17-12
3	Staff files data requests (round 7)	09-15-12
4	Staff workshop (Air Quality, Biological Resources, Cultural Resources, Fire Protection and Public Health)	10-03-12
5	Staff files data requests (round 8)	10-11-12
6	All parties file status reports	10-15-12
7	Status Conference	10-16-12
8	Applicant files data responses	10-18-12
9	Staff workshop (Biological Resources, Fire Protection, Noise, Soil & Water and Visual Resources)	10-19-12
10	Staff files data requests (round 9)	10-22-12
11	Staff files data requests (round 10)	10-31-12
12	Applicant files data responses	10-31-12
13	Applicant files Supplement to Alternatives / Data Responses	10-31-12
14	Responses to HomeFed's motion are due	11-09-12
15	Responses to Helping Hand Tool's motion are due	11-13-12
16	All parties file status reports	11-15-12
17	Applicant files data responses	11-15-12
18	Status conference or hearing to consider pending motions**	TBD
19	HomeFed Fanita Rancho files data responses	11-21-12
20	Applicant files data responses (incl. Fire Risk Assessment)	11-30-12
21	SDAPCD issues Preliminary Determination of Compliance (PDOC)	12-14-12
22	Discovery phase ends	12-14-12
23	All parties file status reports	12-15-12
24	Status Conference (if needed)**	TBD
25	Preliminary Staff Assessment (PSA) filed	01-23-13
26	SDAPCD issues Final Determination of Compliance (FDOC)	01-31-13
27	Status Conference (if needed)**	TBD
28	PSA workshop(s)*	02-08-13
29	Public and agency comments on PSA are due	2-25-13
30	Final Staff Assessment (FSA) filed	03-22-13
31	Prehearing Conference**	TBD
32	Evidentiary hearings**	TBD
33	Committee files Presiding Member's Proposed Decision (PMPD)**	TBD
34	Hearing on the PMPD**	TBD
35	Committee files errata or revised PMPD (if necessary)**	TBD
36	Full Commission issues its Final Decision**	TBD
	*Staff workshop dates are tentative and subject to change	
	**Items 18, 24, 27, and 31-36 will be scheduled by the Committee	



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION FOR THE
QUAIL BRUSH GENERATION PROJECT**

DOCKET NO. 11-AFC-03
PROOF OF SERVICE
(Revised 10/29/2012)

APPLICANT

Cogentrix Energy, LLC
C. Richard "Rick" Neff, Vice President
Environmental, Health & Safety
9405 Arrowpoint Boulevard
Charlotte, NC 28273
rickneff@kogentrix.com

Cogentrix Energy, LLC
John Collins, VP Development
Lori Ziebart, Project Manager
Quail Brush Generation Project
9405 Arrowpoint Blvd.
Charlotte, NC 28273
johncollins@kogentrix.com
loriziebart@kogentrix.com

APPLICANT'S CONSULTANTS

Tetra Tech EC, Inc.
Connie Farmer
Sr. Environmental Project Manager
143 Union Boulevard, Suite 1010
Lakewood, CO 80228
connie.farmer@tetrattech.com

Tetra Tech EC, Inc.
Barry McDonald
VP Solar Energy Development
17885 Von Karmen Avenue, Ste. 500
Irvine, CA 92614-6213
barry.mcdonald@tetrattech.com

Tetra Tech EC, Inc.
Sarah McCall
Sr. Environmental Planner
143 Union Boulevard, Suite 1010
Lakewood, CO 80228
sarah.mccall@tetrattech.com

COUNSEL FOR APPLICANT

Bingham McCutchen LLP
Ella Foley Gannon
Camarin Madigan
Three Embarcadero Center
San Francisco, CA 94111-4067
ella.gannon@bingham.com
camarin.madigan@bingham.com

INTERVENORS

Roslind Varghese
9360 Leticia Drive
Santee, CA 92071
roslindv@gmail.com

Rudy Reyes
8655 Graves Avenue, #117
Santee, CA 92071
reyes2777@hotmail.com

Dorian S. Houser
7951 Shantung Drive
Santee, CA 92071
dhouser@cox.net

Kevin Brewster
8502 Mesa Heights Road
Santee, CA 92071
lzpup@yahoo.com

Phillip M. Connor
Sunset Greens Home Owners
Association
8752 Wahl Street
Santee, CA 92071
connorphil48@yahoo.com

*Mr. Rob Simpson, CEO
Helping Hand Tools
1901 First Avenue, Suite 219
San Diego, CA 92101
rob@redwoodrob.com

HomeFed Fanita Rancho, LLC
Jeffrey A. Chine
Heather S. Riley
Allen Matkins Leck Gamble
Mallory & Natsis LLP
501 West Broadway, 15th Floor
San Diego, CA 92101
jchine@allenmatkins.com
hriley@allenmatkins.com
jkaup@allenmatkins.com
vhoy@allenmatkins.com

Preserve Wild Santee
Van Collinsworth
9222 Lake Canyon Road
Santee, CA 92071
savefanita@cox.net

Center for Biological Diversity
John Buse
Aruna Prabhala
351 California Street, Suite 600
San Francisco, CA 94104
jbuse@biologicaldiversity.org
aprabhala@biologicaldiversity.org

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

City of Santee
Department of Development Services
Melanie Kush
Director of Planning
10601 Magnolia Avenue, Bldg. 4
Santee, CA 92071
mkush@ci.santee.ca.us

Morris E. Dye
Development Services Dept.
City of San Diego
1222 First Avenue, MS 501
San Diego, CA 92101
mdye@sandiego.gov

INTERESTED AGENCIES (cont.)

Mindy Fogg
Land Use Environmental Planner
Advance Planning
County of San Diego
Department of Planning & Land Use
5510 Overland Avenue, Suite 310
San Diego, CA 92123
mindy.fogg@sdcounty.ca.gov

**ENERGY COMMISSION –
DECISIONMAKERS**

KAREN DOUGLAS
Commissioner and
Presiding Member
karen.douglas@energy.ca.gov

ANDREW McALLISTER
Commissioner and
Associate Member
andrew.mcallister@energy.ca.gov

Raoul Renaud
Hearing Adviser
raoul.renaud@energy.ca.gov

Eileen Allen
Commissioners' Technical
Adviser for Facility Siting
eileen.allen@energy.ca.gov

Galen Lemei
Advisor to Commissioner Douglas
galen.lemei@energy.ca.gov

Jennifer Nelson
Advisor to Commissioner Douglas
jennifer.nelson@energy.ca.gov

David Hungerford
Advisor to Commissioner McAllister
david.hungerford@energy.ca.gov

Pat Saxton
Advisor to Commissioner McAllister
patrick.saxton@energy.ca.gov

ENERGY COMMISSION STAFF

Eric Solorio
Project Manager
eric.solorio@energy.ca.gov

Stephen Adams
Staff Counsel
stephen.adams@energy.ca.gov

**ENERGY COMMISSION –
PUBLIC ADVISER**

Jennifer Jennings
Public Adviser's Office
publicadviser@energy.ca.gov

DECLARATION OF SERVICE

I, Diane L. Scott, declare that on November 15, 2012, I served and filed copies of the attached **QUAIL BRUSH GENERATION PROJECT (11-AFC-03), STAFF'S STATUS REPORT # 7**, dated November 15, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: <http://www.energy.ca.gov/sitingcases/quailbrush/index.html>.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked **"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- by sending an electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 11-AFC-03
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



Diane L. Scott
Siting, Transmission and Environmental Protection Division