November 19, 2012

Eric Solorio, Project Manager
California Energy Commission
Docket No. 11-AFC-3
1516 9th St.
Sacramento, CA 95814

Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-3, Initial Response to Dorian Houser’s Intervenor Data Requests, 36 through 40

Docket Clerk:

Pursuant to the provisions of Title 20, California Code of Regulations, and on behalf of Quail Brush Genco, LLC, a wholly owned subsidiary of Cogentrix Energy, LLC, Tetra Tech hereby submits the Initial Response to Dorian Houser’s Intervenor Data Requests, 36 through 40 (11-AFC-3). The Quail Brush Generation Project is a 100 megawatt natural gas fired electric generation peaking facility to be located in the City of San Diego, California.

If you have any questions regarding this submittal, please contact Rick Neff at (704) 525-3800 or me at (303) 980-3653.

Sincerely,

Constance E. Farmer
Project Manager/Tetra Tech

cc: Lori Ziebart, Cogentrix
    John Collins, Cogentrix
    Rick Neff, Cogentrix
    Proof of Service List
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@cogentrix.com

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

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

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

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

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

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

Tetra Tech EC, Inc.
Sarah McCall
Sr. Environmental Planner
143 Union Boulevard, Suite 1010
Lakewood, CO  80228
sarah.mccall@tetratech.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
Roslin 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
kaup@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
email-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

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

*indicates change
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, Constance Farmer, declare that on November 19, 2012, I served and filed copies of the attached Initial Response to Dorian Houser’s Intervenor Data Requests, 36 through 40, dated November 19, 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:

x 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:

x 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 occurs proceeding.

Constance C. Farmer

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November 19, 2012

Siting Committee
Raoul Renaud, Hearing Officer
Eric Solorio, Project Manager
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

Re: Quail Brush Generation Project (11-AFC-03)
Initial Response to Dorian Houser’s Intervenor Data Requests, 36 through 40

Dear Members of the Siting Committee and Mr. Solorio:

In response to Dorian Houser’s (Intervenor) Data Requests, 36 through 40, dated October 30, 2012, Quail Brush Generation Project (Quail Brush) objects to the following data request pursuant to Section 1716(f) of the Commission’s regulations: Request 37. This Data Request is itemized below along with a description of the grounds for the objection. Quail Brush will respond to the remainder of Dorian Houser’s (Intervenor) Data Requests, 36 through 40, on November 30, 2012.

37. Please provide a modeling interface that allows the acoustic model to be duplicated.
   Please provide all input data utilized for modeling purposes. Section 1716 of the Commission’s regulations permits any party to request “information reasonably available to Quail Brush which is relevant to the notice or application proceeding or reasonably necessary to make any decision on the notice or application.” Quail Brush objects to this data request because it seeks information that is not relevant to this proceeding, and that is not reasonably necessary for the Commission to render a decision. Quail Brush is under no obligation to provide the software it uses for acoustic modeling purposes. The Commission possesses the software it needs in order to analyze the Project’s impacts and render a decision on the AFC. There is no requirement that a power plant applicant provide software to the intervenors in the proceeding. Any interested party may purchase the software if he or she wishes.
I certify under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge.

Regards,

___________________________
C. Richard Neff
Vice President