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California Energy Commission
DOCKETED
11-AFC-3
TN # 68625
NOV. 21 2012

November 20, 2012

Docket Unit
California Energy Commission
1516 Ninth Street, MS 4
Sacramento, CA 95814

Re: ***In the Matter of Quail Brush Generation Project*** **(11-AFC-03): HomeFed Fanita Rancho, LLC's Initial Response to CEC Staff's Data Requests, FR-1 through FR-6**

Dear Sir or Madam:

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." Intervenor HomeFed Fanita Rancho, LLC ("HomeFed") objects to data requests 1 through 6 propounded upon it by CEC Staff on the grounds that they seek information not relevant to this proceeding, and that is not reasonably necessary for the Commission to render a decision as required by Section 1716(b) of the Commission's regulations. Without waiving that objection, HomeFed provides the enclosed Initial Response to CEC Staff's Data Requests.

Very truly yours,

Valentine S. Hoy

VSH:gst

cc: Service List

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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:	)	11-AFC-03
	)	
QUAIL BRUSH GENERATION PROJECT	)	**INTERVENOR HOMEFED FANITA RANCHO, LLC'S INITIAL RESPONSE TO CEC STAFF'S DATA REQUESTS**
	)	

HOMEFED FANITA RANCHO, LLC responses to CEC Staff's Data Requests as follows:

FR-1. The Fanita Project is subject to pending litigation. Relevant excerpts from the administrative record for *Preserved Wild Santee v. City of Santee* (San Diego Superior Court Case No. 37-2008-00075168-CU-TT-CTL) will be provided. Recently, the Court of Appeal of California, Fourth Appellate District, Division One, published an opinion addressing a challenge to the Project's environmental impact report (EIR) prepared pursuant to the California Environmental Quality Act. The decision is available at 210 Cal.App.4th 260. Due to the pendency of the litigation, the construction start date for the Fanita project is unknown. Moreover, the amount and type of workforce needed by the Fanita project during construction and operation is unknown.

FR-2. A traffic study for the Fanita Project was prepared. The study can be found beginning at page 18529 of the administrative record, referenced in response to Data Request FR-1, above.

FR-3. There is no land within the Fanita Project which has been or is proposed to be rezoned from "open space" to another zoning designation. The Fanita Project comprises the Fanita Ranch subunit of the City's draft MSCP Subarea Plan. The Fanita Project is consistent with the City's draft MSCP Subarea Plan, and no boundary adjustments are proposed or contemplated.

FR-4. The total acreage proposed to be disturbed by the Fanita Project may be found at Section 3.1, Project Description, of the Fanita Project EIR, beginning at page 15364 of the administrative record referenced in FR-1, above. The EIR for the Fanita Project, and supporting technical studies are included in the administrative record.

FR-5. The Fanita Project's potential impacts upon public safety, including fire services, may be found at Section 4.13 of the Fanita Project EIR, beginning at page 15832 of the administrative record referenced in Data Response FR-1, above.

FR-6. HomeFed has no information relating to any potential for mutual aid provided between the fire departments of the City of San Diego and the City of Santee.

11/20/2012
Date

Paul Borden, President
HomeFed Fanita Rancho, LLC

DECLARATION OF SERVICE

I, Glenda Trickey, declare that on November 21, 2012 I served and filed copies of the attached Intervenor HomeFed Fanita Rancho, LLC's Initial Response to CEC Staff's Data Requests, dated November 20, 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
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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.

Glenda Trickey

Glenda Trickey

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 11/19/2012)

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