



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

**GENERAL ORDERS REGARDING  
ELECTRONIC DOCUMENT FORMATS,  
FILING AND SERVICE OF DOCUMENTS  
and OTHER MATTERS**

California Energy Commission

**DOCKETED**

**11-AFC-03**

**TN # 66666**

**AUG 14 2012**

Until further order of the Committee, the following standards and requirements shall apply to the parties and all other persons participating in this matter.

**Filing of Documents with the Energy Commission Docket Unit**

On November 30, 2011, the Executive Director of the Energy Commission issued a "Standing Order re: Proceedings and Confidentiality Applications - Procedural Requirements For Filing, Service and Docketing Documents with the Energy Commission" [Docket No.: 11-GEN ADMIN-01] (Standing Order). The Standing Order eliminates the former requirement that hard copy original paper copies of documents or comments be filed in addition to electronically (e.g. e-mails or CDs) filed documents. Therefore, do not submit paper copies for filing if you file an electronic version. Hard copy originals must still be filed in cases where no electronic version is submitted.

Documents will be filed and docketed on the date they are received in Dockets. The Docket Office will not backdate any filings. All filings received by 5:00 P.M., will be Docketed for that date. All filings received after 5:00 P.M., will be docketed as received the next business day. Therefore, if a document must be filed by a certain day, please check with Dockets to confirm that Dockets received it.

The Standing Order contains additional provisions defining and modifying the regulatory procedures for submitting/filing documents with and serving documents on the Energy Commission. It may be viewed on our Energy Commission website:

[www.energy.ca.gov/dockets/documents/2011\\_Standing\\_Order\\_for\\_Documents.pdf](http://www.energy.ca.gov/dockets/documents/2011_Standing_Order_for_Documents.pdf)

## **E-mail Only Service of Documents on Committee and Other Parties**

The Standing Order applies only to the filing of documents and service of documents on the Energy Commission. It does, however, invite individual case committees to apply similar rules to the service of documents on other parties in each case. We accept that invitation and order as follows:

Pursuant to California Code Regulation, title 20, section 1210, subd. (a), until a party indicates to the Presiding Member or Hearing Adviser that it requires a hard copy, an e-mailed copy of all electronic documents of 5 megabytes maximum file size pursuant to section 1209.5 is sufficient for service in this proceeding. No hard copy of an e-mailed document need be provided. Where a party is designated on the Proof of Service List for this proceeding as “hard copy required” or similar words, parties shall deliver a paper copy of all written material they file in this proceeding in person or by first class mail, or other equivalent delivery service, with postage prepaid to the person so designated. Regardless whether a party has indicated a preference for hard copies, documents larger than 50 pages may alternatively be sent in the form of an electronic file recorded on a compact disk rather than as a paper copy, provided that the party is offered the opportunity to request a paper copy.

## **Format of Electronic Documents**

The Standing Order also provides:

“In some instances, electronic copies created by scanning a printed document are unable to be word searched, read by programs that assist the visually impaired, or easily read on small screen devices such as smart phones. The better method is to create a .pdf (Portable Document Format) file by printing to a ‘virtual printer’ that creates a .pdf file from within the same program that is used to print a paper copy.

“Signatures may be indicated on electronic copies by embedding a scanned signature graphic, ‘Original Signed By’ or similar words, or a second - scanned - copy of the signature page may be appended into the electronic file.”

Electronic documents prepared and submitted in this case shall, to the maximum feasible extent, be prepared by the “better” method, described above—electronically converting the contents to a .pdf file by use of a virtual printer or other software. Your operating system or word processor may already have this feature; if not, an internet search for “print to pdf” or “virtual pdf printer” will point you to suitable software. The original printed copy of a document containing an original signature shall be retained by the party filing that document and produced if requested by the Presiding Member or Energy Commission.

The purpose of these requirements is to obtain electronic documents that are word searchable, easily viewable on smaller screens, and of the minimum necessary size. A

word-searchable document can be created by optically scanning a printed copy and using optical character recognition (OCR) to recreate the electronic representation of the words in the .pdf file. Unfortunately OCR is not 100 percent accurate and the resulting file is much larger than it needs to be because a photograph of the document remains in the file along with the much smaller electronic version. Some scans are also of poor quality, making the text harder to read on a computer or smart phone screen or on paper.

## **Motions**

Motions made in a written document shall be clearly stated and include a statement of the relief or action requested, the grounds for the requested relief or action and citation to a rule, law or other authority authorizing the Committee to grant the request. The caption or title of the document containing the motion shall clearly indicate that that document contains a motion. It is not sufficient to simply say “I move [request] that \_\_\_\_\_” in the body of the document; such a statement may be ignored by the Committee or Energy Commission in its discretion.

## **Deadlines**

Unless a different time for performance is stated in a notice, order, or other document, a deadline established therein shall mean 5:00 p.m. local time in Sacramento, California on the specified date.

## **Questions**

Parties and members of the public may contact the Public Adviser at [PublicAdviser@energy.ca.gov](mailto:PublicAdviser@energy.ca.gov), or telephone toll free at 1 (800) 822-6228 or (916) 654-4489, for assistance in understanding and complying with these general orders.

If you have legal questions about the Executive Director’s Standing Order, please contact Jeffery Ogata, Assistant Chief Counsel, at 916-653-1151, [Jeffery.Ogata@energy.ca.gov](mailto:Jeffery.Ogata@energy.ca.gov).

Dated: August 14, 2012, at Sacramento, California.

### ***Original Signed By:***

---

KAREN DOUGLAS  
Commissioner and Presiding Member  
Quail Brush Generation Project AFC 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 8/14/2012)**

**APPLICANT**

Cogentrix Energy, LLC  
C. Richard "Rick" Neff, Vice President  
Environmental, Health & Safety  
9405 Arrowpoint Boulevard  
Charlotte, NC 28273  
[rickneff@kogentrix.com](mailto: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](mailto:johncollins@kogentrix.com)  
[loriziebart@kogentrix.com](mailto: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](mailto: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](mailto: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](mailto: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](mailto:ella.gannon@bingham.com)  
[camarin.madigan@bingham.com](mailto:camarin.madigan@bingham.com)

**INTERVENORS**

Roslind Varghese  
9360 Leticia Drive  
Santee, CA 92071  
[roslindv@gmail.com](mailto:roslindv@gmail.com)

Rudy Reyes  
8527 Graves Avenue, #120  
Santee, CA 92071  
[rreyes2777@hotmail.com](mailto:rreyes2777@hotmail.com)

Dorian S. Houser  
7951 Shantung Drive  
Santee, CA 92071  
*e-mail service preferred*  
[dhouser@cox.net](mailto:dhouser@cox.net)

Kevin Brewster  
8502 Mesa Heights Road  
Santee, CA 92071  
[lzpup@yahoo.com](mailto:lzpup@yahoo.com)

Phillip M. Connor  
Sunset Greens Home Owners  
Association  
8752 Wahl Street  
Santee, CA 92071  
[connorphil48@yahoo.com](mailto:connorphil48@yahoo.com)

HomeFed Fanita Rancho, LLC  
Jeffrey A. Chine  
Heather S. Riley  
Allen Matkins Leck Gamble  
Mallory & Natsis LLP  
501 West Broadway, 15<sup>th</sup> Floor  
San Diego, CA 92101  
[jchine@allenmatkins.com](mailto:jchine@allenmatkins.com)  
[hriley@allenmatkins.com](mailto:hriley@allenmatkins.com)  
[jkaup@allenmatkins.com](mailto:jkaup@allenmatkins.com)

Preserve Wild Santee  
Van Collinsworth  
9222 Lake Canyon Road  
Santee, CA 92071  
[savefanita@cox.net](mailto:savefanita@cox.net)

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

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto: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](mailto: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](mailto:mdye@sandiego.gov)

**INTERESTED AGENCIES (cont.)**

Mindy Fogg  
Land Use Environmental Planner  
Advance Planning  
County of San Diego  
Department of Planning & Land Use  
5201 Ruffin Road, Suite B  
San Diego, CA 92123  
[mindy.fogg@sdcounty.ca.gov](mailto:mindy.fogg@sdcounty.ca.gov)

**ENERGY COMMISSION –  
DECISIONMAKERS**

KAREN DOUGLAS  
Commissioner and  
Presiding Member  
[karen.douglas@energy.ca.gov](mailto:karen.douglas@energy.ca.gov)

ANDREW McALLISTER  
Commissioner and  
Associate Member  
[andrew.mcallister@energy.ca.gov](mailto:andrew.mcallister@energy.ca.gov)

Raoul Renaud  
Hearing Adviser  
[raoul.renaud@energy.ca.gov](mailto:raoul.renaud@energy.ca.gov)

Galen Lemei  
Advisor to Commissioner Douglas  
[galen.lemei@energy.ca.gov](mailto:galen.lemei@energy.ca.gov)

\*Jennifer Nelson  
Advisor to Commissioner Douglas  
[jennifer.nelson@energy.ca.gov](mailto:jennifer.nelson@energy.ca.gov)

David Hungerford  
Advisor to Commissioner McAllister  
[david.hungerford@energy.ca.gov](mailto:david.hungerford@energy.ca.gov)

**ENERGY COMMISSION STAFF**

Eric Solorio  
Project Manager  
[eric.solorio@energy.ca.gov](mailto:eric.solorio@energy.ca.gov)

Stephen Adams  
Staff Counsel  
[stephen.adams@energy.ca.gov](mailto:stephen.adams@energy.ca.gov)

Eileen Allen  
Commissioners' Technical  
Adviser for Facility Siting  
[eileen.allen@energy.ca.gov](mailto:eileen.allen@energy.ca.gov)

**ENERGY COMMISSION –  
PUBLIC ADVISER**

Jennifer Jennings  
Public Adviser's Office  
[publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov)

DECLARATION OF SERVICE

I, Maggie Read, declare that on August 14, 2012, I served and filed a copies of the attached GENERAL ORDER REGARDING ELECTRONIC DOCUMENT FORMATS, FILING AND SERVICE OF DOCUMENTS and OTHER MATTERS, dated August 14, 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](mailto: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](mailto: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.

**Original Signed By:**

Maggie Read  
Hearing Adviser's Office