

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

**DOCKET****11-AFC-3**DATE JUN 20 2012RECD. JUN 20 2012

June 20, 2012

Quail Brush Genco, LLC
Ms. Lori Ziebart
Project Manager
9405 Arrowpoint Boulevard
Charlotte, NC 28273

Regarding: **QUAIL BRUSH GENERATION PROJECT (11-AFC-3), Staff's Data Requests, 75 and 76**

Dear Ms. Ziebart,

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff requests the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

These data requests, numbered 75 and 76, are being made in the technical area of Alternatives. Written responses to the enclosed data requests are due to the Energy Commission staff on or before July 20, 2012.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for the inability to provide the information or the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f)).

If you have any questions regarding the enclosed data requests, please call me at (916) 651-0966.

Sincerely,

Eric Solorio
Siting Project Manager

Enclosure (Data Request Packet)
cc: Docket (11-AFC-3)

PROOF OF SERVICE (REVISED 6/6/12) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 6/20/12
DLS

QUAIL BRUSH GENERATION PROJECT
(11-AFC-3)

Energy Commission Staff's Data Requests 75 and 76

June 20, 2012

Technical Area: Alternatives

Authors: Susan Lee and Emily Capello

BACKGROUND

The AFC Alternatives Section 3.3.2.1, Alternative Project Sites, Alternative A, discusses alternative sites that were part of the screening analysis for off-site alternatives to the Quail Brush Generation Project site. The AFC Section 3.3.2.1 notes that the Alternative A plant site (parcel number 36608057) would be on property owned by the Sycamore Landfill and would be located immediately south of the existing landfill property boundary. The AFC notes that the site is not a viable alternative because it is not available for purchase or lease. It then states that it would require the acquisition of additional land from the landfill which may not currently be available.

The Cogentrix Quail Brush Generation Project – Docket Number 11-AFC-3, Supplement 2 to the AFC dated February 8, 2012, Section 3.1.4, Alternative 3 138kV Gen Tie notes that the gen tie alternative would require an easement through parcel number 36608057 which is currently owned by San Diego County and would require the County to approve an easement through this parcel.

The Cogentrix Quail Brush Generation Project – Docket Number 11-AFC-3, Supplement 2, Section 3.2.1, AFC Project Alternative A, states that the Applicant does not currently have site control for the AFC Alternative A but that “upon obtaining further feedback from the landowners, there is reason to believe that the parcels could potentially be acquired.” Section 3.2.1 considers the AFC Alternative A with the 230kV gen tie; however, it is unclear whether the parcels that could potentially be acquired include parcel number 36608057. The Section does not consider the AFC Alternative A with a 138kV gen tie alternative.

The City of San Diego published a Draft EIR for the Sycamore Landfill Master Plan Expansion in May 2012. As shown on Figure 3-1 of the Draft EIR (attached), Parcel 36608057 is part of the existing landfill and a 2.79 acre portion of the site is proposed as new areas of disturbance under the Master Plan. However, the remainder of the parcel is not proposed for disturbance by the Master Plan and may be available for other use.

DATA REQUESTS

75. Please clarify the availability for lease or purchase of the Alternative A site given the information provided in the AFC Section 3.3.2.1 and the Supplement 2 Section 3.2.1.
76. Please provide a discussion regarding the use of the Alternative A site with a 138 kV gen tie, such as the gen tie Alternative 3 which traverses parcel number 36608057.



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 6/6/2012)

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DECLARATION OF SERVICE

I, Diane Scott, declare that on June 20, 2012, I served and filed a copy of the **QUAIL BRUSH GENERATION PROJECT (11-AFC-3), Staff's Data Requests, 75 and 76**, dated June 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:

- 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 **NOT** marked "e-mail preferred."

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.

Original Signed By:

Diane Scott
Siting, Transmission and Environmental Protection Division