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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:) 11-AFC-03
)
QUAIL BRUSH GENERATION) **DECLARATION OF JOHN T. KAUP**
PROJECT) **IN SUPPORT OF**
_____) **MOTION BY INTERVENOR**
) **HOMEFED FANITA RANCHO, LLC**
) **TO EXTEND DISCOVERY PERIOD**

I, JOHN T. KAUP, declare:

1. I am a paralegal employed by the law firm Allen Matkins Leck Gamble Mallory & Natsis LLP working on the above-captioned matter. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

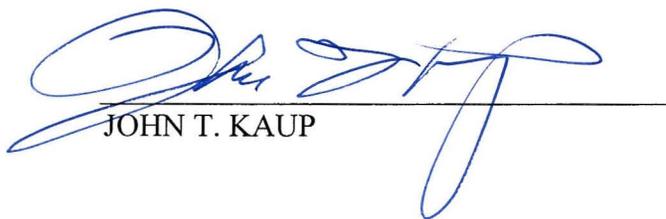
2. I attended both the October 3, 2012 and October 19, 2012, CEC Staff Workshops held at Grossmont College.

3. At several points during the October 3 Workshop, applicant and its consultant appeared unprepared to meaningfully respond to CEC staff's inquiries, and stated that additional information was forthcoming. Examples of this include in the technical areas of (1) biological resources, where the applicant needed to provide more models and data on biological impacts; and (2) air quality, where the applicant had no information on emission reduction credits.

4. At the October 19 Workshop the applicant and its consultants continued to promise additional information. This includes in the technical areas of (1) fire protection, where

the applicant stated that an additional study is forthcoming in two weeks to a month; and (2) again, biological resources, where, despite the applicant having provided additional information since the prior workshop, again stated that another document is forthcoming on mitigation modeling. In addition, in closing, the applicant stated that additional information regarding alternatives, noise, and visual impacts is forthcoming by October 31.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. Executed on October 25, 2012, at San Diego, California.



JOHN T. KAUP



**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 10/16/2012)**

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DECLARATION OF SERVICE

I, John T. Kaup, declare that on October 25, 2012, I served and filed copies of the attached DECLARATION OF JOHN T. KAUP IN SUPPORT OF MOTION BY INTERVENOR HOMEFED FANITA RANCHO, LLC TO EXTEND DISCOVERY PERIOD, dated October 25, 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
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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.

John T. Kaup

John T. Kaup