

DOCKETED

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Project Title:	Cogentrix Quail Brush Generation Project
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Document Title:	Second Request for Suspension
Description:	Applicant's Second Request for Suspension of proceedings for the Quail Brush Generating Project
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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the matter of:

QUAIL BRUSH GENERATION PROJECT

No. 11-AFC-03

SECOND REQUEST FOR SUSPENSION

On behalf of Quail Brush Genco, LLC (the “Applicant”), we respectfully submit this Second Request for Suspension pursuant to California Code of Regulations, title 20, section 1716.5. The Applicant hereby requests an additional twelve (12)-month suspension of the Application for Certification (“AFC”) proceeding for the Quail Brush Generating Project (the “Project”), docket 11-AFC-03.

The Applicant has been developing the Project to supply electricity to San Diego Gas and Electric (“SDG&E”). On April 16, 2013, the Commission issued an Order Suspending Proceedings in the above-captioned docket until April 15, 2014, pursuant to Applicant’s Request for Suspension filed April 8, 2013 (“Initial Request for Suspension”). Applicant filed the Initial Request for Suspension in response to the California Public Utilities Commission’s (“CPUC”) March 21, 2013 approved Decision (“D.”) 13-03-029, in which, among other things, the CPUC denied without prejudice SDG&E’s request for authority to enter into a Power Purchase Tolling Agreement (“PPTA”) with the Applicant at that time. More recently, on March 14, 2014, the

CPUC approved D.14-03-004, authorizing SDG&E to procure between 500 and 800 MW by 2022 to meet local capacity needs in response to the permanent retirement of the San Onofre Nuclear Generating Station (“SONGS”).

Over the past twelve months, Applicant has been exploring opportunities for the Project to serve SDG&E’s evolving needs. In light of D.14-03-004, the Applicant believes that it would be prudent for the Commission to further suspend review of the Project’s AFC for a period of another twelve (12) months. The suspension will provide time for the Applicant and SDG&E to analyze commercial opportunities for the Project in light of the current or changed circumstances in SDG&E’s service territory as well as any amendments that may be needed in the PPTA in light of the CPUC’s recent decisions. The Applicant continues to believe that SDG&E and the citizens of San Diego need the generation that the Project would provide, and that development of the Project remains feasible. Accordingly, the Applicant is not requesting withdrawal of the AFC, and the Applicant may elect to file a request to reinstate the AFC proceeding from suspension during the 12-month period.

DATED: April 7, 2014

Bingham McCutchen LLP

By: 

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