

STATE OF CALIFORNIA
California Energy Commission

California Energy Commission DOCKETED 11-AFC-3
TN # 67721 OCT 15 2012

In the Matter of:)
)
)
QUAIL BRUSH GENERATION PROJECT)
)

DOCKET NO. 11-AFC-03

STATUS REPORT
INTERVENOR: SUNSET GREENS HOA
October 15, 2012

Sunset Greens HOA
Phillip M. Connor, President
8752 Wahl St.
Santee, CA 92071
Connorphil48@yahoo.com
913-704-9963

STATE OF CALIFORNIA
California Energy Commission

In the Matter of:)
)
QUAIL BRUSH GENERATION PROJECT) **DOCKET NO. 11-AFC-03**
)

Pursuant to the current Committee Scheduling Order, Sunset Greens HOA, by President Phil Connor, files this STATUS REPORT to the Committee.

This Intervener has worked diligently with public agencies, the general public and with the membership of the HOA to inform and enlighten facts regarding the proposed power plant. Two primary issues: extreme unmitigateable fire hazard and crushing loss in property values have emerged as the most impactful. During this time since the last Status Report we have retained an attorney.

This Intervener is requesting that the Commission require that the Applicant demonstrate public convenience and necessity, and the Commission schedule such for a future evidentiary hearing.

Further that the Commission make a finding implicitly required at this stage in CA Pub. Res. Code 25525 that the Applicant's proposed facility does not conform with local ordinances and laws of San Diego based upon the 8-0 vote to refuse to initiate any planning for the project; and in addition that the City of Santee has likewise created an impasse in Santee by its vote 5-0 to oppose the project. Such a finding would invoke the provision of 25525 that requires an additional finding if it were to override those votes that the proposed project " ...is required for public

convenience and necessity and that there are not more prudent and feasible means of achieving public convenience and necessity.”

The initial finding of nonconformity is based upon the need to give staff current direction and avoid the bizarre circumstances that occurred at the most recent “Workshop”: those elements of the project, specifically the one troubling the staff biologist, needing the cooperation and feedback of the City of San Diego staff to go forward. One thing that was obvious to all there, and must be obvious to this Commission, is that there is dispositive nonconformity at this point and that there can be no public convenience when the CEC staff can simply not do its job, faced with the dispositive non-conformance of such votes above.

This Intervener contends that the alternative of “no project” must be seriously considered, and then found, when there is no way to mitigate the extreme high fire danger to which the Applicant intends to subject the local residents.

We incorporate by reference the statements of better alternatives, more expansive alternative energies (on October 12 the Federal Government set aside 445 square miles of public land for the development of large-scale solar power plants-SD Union Sat. Oct. 13, 2012 A14), and increased storage technology by Bill Powers. His testimony is now part of the record; and such testimony makes this proposed project not only not necessary, but also obsolete technology. We also incorporate by reference the statements of the public regarding the dangers on global warming that make this proposed project and others proposed not only not necessary but also a threat to future generations.

The language of 25525 requires that the Commission consider the “...entire record of the proceedings.” This Intervener puts in the record the above facts and that the motivation for this proposed project is not the pious

pronouncements of concerns of and for the public. The purpose of this project is to burn natural gas. It was created from a solicitation from SDG&E to ask for “peaker plant/s” and meets and suits SDG&E’s parent, Sempra Energy’s corporate goal to sell natural gas from whatever source: U.S. stockpiles, fracking in US communities, urban and rural, or foreign sources. Question: natural gas as a commodity has plummeted yet the consumer cost of energy continues to escalate. Why? Because Sempra and therefore SDG&E must maximize profits for shareholders, not provide safe energy, clean skies, or healthy communities, or even a safe neighborhood for this Intervener.

Dated: October 15, 2012

Respectfully submitted,

_____/s/_____

Phillip M. Connor for SGHOA
8752 Wahl St.
Santee, CA 92071
Ph: 913-704-9963
Connorphil48@yahoo.com

DECLARATION OF SERVICE

I, Phillip M. Connor, declare that on October 15, 2012, I served and filed a copy of the Status Report of Intervener SGHOA, dated October 15, 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-3
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.

/s/
Phillip M. Connor

