



TETRA TECH EC, INC.

California Energy Commission

DOCKETED

11-AFC-3

TN # 68570

NOV. 19 2012

November 19, 2012

Eric Solorio, Project Manager
California Energy Commission
Docket No. 11-AFC-3
1516 9th St.
Sacramento, CA 95814

Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-3, Initial Response to Sunset Greens HOA's Intervenor Data Requests, 53 through 57

Docket Clerk:

Pursuant to the provisions of Title 20, California Code of Regulations, and on behalf of Quail Brush Genco, LLC, a wholly owned subsidiary of Cogentrix Energy, LLC, Tetra Tech hereby submits the Initial Response to Sunset Greens HOA's Intervenor Data Requests, 53 through 57 (11-AFC-3). The Quail Brush Generation Project is a 100 megawatt natural gas fired electric generation peaking facility to be located in the City of San Diego, California.

If you have any questions regarding this submittal, please contact Rick Neff at (704) 525-3800 or me at (303) 980-3653.

Sincerely,

A handwritten signature in blue ink that reads "Constance E. Farmer". The signature is written in a cursive style and is contained within a rectangular box.

Constance E. Farmer
Project Manager/Tetra Tech

cc: Lori Ziebart, Cogentrix
John Collins, Cogentrix
Rick Neff, Cogentrix
Proof of Service List

TETRA TECH EC, INC.



**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 10/29/2012)**

APPLICANT

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Cogentrix Energy, LLC
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Lori Ziebart, Project Manager
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INTERESTED AGENCIES

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City of Santee
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*indicates change

INTERESTED AGENCIES (cont.)

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Public Adviser's Office
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DECLARATION OF SERVICE

I, Constance Farmer, declare that on November 19, 2012, I served and filed copies of the attached Initial Response to Sunset Greens HOA's Intervenor Data Requests, 53 through 57, dated November 19, 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
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 proceeding.





Quail Brush Genco, LLC

A Project Company of Cogentrix Energy, LLC

9405 Arrowpoint Boulevard
Charlotte, North Carolina 28273-8110
(704) 525-3800
(704) 525-9934 – Fax

November 19, 2012

Siting Committee
Raoul Renaud, Hearing Officer
Eric Solorio, Project Manager
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

**Re: Quail Brush Generation Project (11-AFC-03)
Initial Response to Sunset Greens HOA's Intervenor Data Requests, 53 through 57**

Dear Members of the Siting Committee and Mr. Solorio:

In response to the Sunset Greens HOA's (Intervenor) Data Requests, 53 through 57, dated October 30, 2012, Quail Brush Generation Project (Quail Brush) objects to or is requesting additional time to respond or explaining why Quail Brush is unable to respond to the following data requests pursuant to Section 1716(f) of the Commission's regulations: Requests 55 and 57. Each of these Data Requests are itemized below along with the objection thereto or a short description of the reasons for the inability to provide the information at this time.

General Objections to Data Requests

Section 1716 of the Commission's regulations permits any party to request "information reasonably available to Quail Brush which is relevant to the notice or application proceeding or reasonably necessary to make any decision on the notice or application." Quail Brush objects to the data requests below because they seek information that is not relevant to this proceeding, and that is not reasonably necessary for the Commission to render a decision as required by Section 1716(b) of the Commission's regulations. In addition, Quail Brush objects to these data requests because they seek information that is not reasonably available to Quail Brush.

Specific Data Requests and Objections Thereto or Reasons for Inability to Provide Responses

SG-55. Please provide any and all reports, studies, and or other documents reasonably available to Quail Brush Genco, LLC that identify the impact zone of an explosion at the project site. Quail Brush objects to this data request because it seeks information that is not relevant to this proceeding and that is not reasonably necessary for the Commission to render a decision as required by Section 1716(b) of the Commission's regulations. Quail Brush additionally objects to this data request because data regarding the "range of natural gas pipeline explosions" is not reasonably available to it.

The 8" diameter natural gas lateral (extending from the existing SDG&E system) to the facility will be designed and constructed by SDG&E in accordance with all Federal, State, and local regulations. SDG&E is a regulated public utility that provides safe and reliable energy service to customers in San Diego and southern Orange counties. SDG&E's gas distribution pipelines are also operated and maintained in accordance with or exceeding state and federal pipeline operation and maintenance safety regulations. Additionally, regulators routinely audit their program to ensure that they are in compliance with all safety regulations. SDG&E regularly performs rigorous pipeline safety tasks, including patrolling, testing, repairing and replacing pipelines.

Please note the existing SDG&E system includes approximately 20 miles of existing large (16" to 36") diameter high-pressure natural gas pipelines running under the heavily populated Santee/El Cajon/La Mesa/Lakeside areas. The half-mile 8" diameter natural gas lateral to the facility would be a short extension to the existing system under an unpopulated area.

SG-57. Please provide any and all reports, studies, and/or other documents reasonably available to Quail Brush Genco, LLC, which address emergency response times impacted by the project. Consistent with the general objection above, Quail Brush objects to this data request to the extent it seeks information already available in the record of this proceeding. Please refer to Quail Brush's response to CEC Staff Data Requests 58 and 86, docketed on October 16, 2012; the San Diego Fire-Rescue Department's June 4, 2012 Letter Regarding Fire and Emergency Medical Services for the Proposed Quail Brush Project, docketed on June 12, 2012; and the Wildfire Response Emergency Action Plan, docketed on July 9, 2012.

As stated by the San Diego Fire-Rescue Department (SDFD) Fire Marshal and Commission Staff, electrical generating facilities have an excellent history of not being a fire hazard, largely due to compliance with National Fire Protection Association (NFPA) requirements and other applicable Laws, Ordinances, Regulations, and Standards (LORS). However, the Fire Marshal has also stated that any fire/emergency call-out will cause SDFD drawdown which may impact other areas. Due to this potential drawdown, the Fire Marshal and Commission have requested Quail Brush to conduct a third-party review of the facility's Fuel Modification Plan (to increase protections beyond what is required by code), and the Fire Protection Plan (to describe ways to minimize and mitigate potential for loss from fire). Quail Brush's goal is to incorporate the independent study findings into the facility's comprehensive fire protection plan thus reducing to the extent practicable the fire/emergency needs of the facility. The results of this independent review are expected to be docketed with the Commission on or about December 15, 2012. The facility will operate under a comprehensive fire protection plan which will be approved by the Fire Marshal with the intent of protecting human health, the electrical grid and the environment.

Quail Brush will respond to the remainder of Sunset Greens HOA's (Intervenor) Data Requests, 53 through 57, on November 29, 2012.

I certify under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge

Regards,

A handwritten signature in black ink, appearing to read "C. Richard Neff". The signature is written in a cursive, flowing style.

C. Richard Neff
Vice President