

**DOCKETED  
11-AFC-3**

TN # 68723

NOV. 30 2012

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November 30, 2012

Siting Committee  
Raoul Renaud, Hearing Officer  
Eric Solorio, Project Manager  
California Energy Commission  
Docket No. 11-AFC-03  
1516 9th Street  
Sacramento, CA 95814

**Re: Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-03,  
Ninth Status Report**

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, Bingham McCutchen LLP hereby submits the ninth *Quail Brush Generation Project Status Report*. 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 (415) 393-2572.

Sincerely yours,



Ella Foley Gannon

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

Beijing  
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Frankfurt  
Hartford  
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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 11/19/2012)

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\*indicates change

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DECLARATION OF  
SERVICE

I, Margaret Pavao, declare that on November 30, 2012, I served and filed copies of the attached Quail Brush Generation Project Ninth Status Report, dated November 30, 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](mailto: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](mailto: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.



\_\_\_\_\_  
Margaret Pavao



# Quail Brush Genco, LLC

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A Project Company of Cogentrix Energy, LLC

9405 Arrowpoint Boulevard  
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(704) 525-3800  
(704) 525-9934 – Fax

## Memorandum

**To:** Commissioner Karen Douglas, Presiding Member  
Commissioner Andrew McAllister, Associate Member

**From:** C. Richard Neff, Vice President - Environment, Health & Safety

**Date:** November 30, 2012

**Subject:** Quail Brush Generation Project Status Report (Docket No. 11-AFC-03)

Per the Committee Scheduling Order for the Quail Brush Generation Project (Project), monthly status reports will be prepared to inform the Committee whether or not case development is progressing satisfactorily, and to bring potential schedule delays and other relevant matters to the Committee's attention. Additionally, the Committee has requested parties submit status reports by December 3, 2012, prior to Committee Meeting on December 4, 2012 and the Status Conference on December 10, 2012. This status report is the ninth status report for the Project, and includes a summary of completed Project milestones, upcoming Project deliverables, and potential Project schedule delays since the submittal of the previous status report on November 15, 2012.

### Quail Brush Completed Project Milestones:

Since the previous status report on November 15, 2012, Quail Brush has met the following Project milestones:

1. The *Applicant's Slides from the CEC October 3, 2012 Workshop, dated November 14, 2012*, were docketed on November 15, 2012.
2. The *Applicant's Slides from the CEC October 19, 2012 Workshop, dated November 14, 2012*, were docketed on November 16, 2012.
3. The *Applicant's Cluster Phase II Interconnection Study Second Addendum* was docketed on November 16, 2012.

4. The *Applicant's Initial Response to Rudy Reyes' Intervenor Data Requests, 1 through 46*, was docketed on November 19, 2012.
5. The *Applicant's Initial Response to Center for Biological Diversity and Preserve Wild Santee Intervenor Data Requests, 1 through 17*, was docketed on November 19, 2012.
6. The *Applicant's Initial Response to Sunset Greens Homeowners Association's Intervenor Data Requests, 53 through 57*, was docketed on November 19, 2012.
7. The *Applicant's Initial Response to Dorian Houser's Intervenor Data Requests, 36 through 40*, was docketed on November 19, 2012.
8. The *Applicant's Initial Response to Helping Hand Tools' Intervenor Data Requests, 1 through 27*, was docketed on November 19, 2012.
9. The *Applicant's Initial Response to CEC Staff Data Requests, 94 and 95*, was docketed on November 19, 2012.
10. Quail Brush filed responses to Intervenor Rudy Reyes Data Requests 13, 15 through 19, 24, 27, 29, 33, and 36 on November 29, 2012.
11. Quail Brush filed responses to Intervenor Preserve Wild Santee and Center for Biological Diversity Data Requests 1 through 6, and 13 through 16 on November 29, 2012.
12. Quail Brush filed responses to Intervenor Sunset Greens Homeowners Association Data Requests 53, 54, and 56 on November 29, 2012.
13. Quail Brush filed responses to Intervenor Houser Data Requests 36, and 38 through 40 on November 29, 2012.
14. Quail Brush filed responses to CEC Staff Data Requests 90 through 93 on November 29, 2012.
15. Quail Brush filed responses to Intervenor HomeFed Fanita Rancho, LLC Data Requests 7, 9, 11, 13, 25 through 28, 42, 43, and 50 through 53 on November 30, 2012.
16. Per discussions with CEC staff and the San Diego Fire Department during the public workshop held on October 19, 2012, Quail Brush prepared a Fire and Emergency Response Study that was filed on November 30, 2012.
17. Quail Brush filed responses to intervenor data requests that related to the Fire and Emergency Response Study - Rudy Reyes Request No. 32; Preserve Wild Santee Request Nos. 8, 11, and 17; Sunset Greens Homeowners Association Request No. 57; HomeFed Fanita Rancho Request Nos. 17, 22 - on November 30, 2012.

**Upcoming Project Deliverables:**

The following is an update on responses to data requests.

- Quail Brush plans to provide responses to CEC Staff Data Requests 94 and 95 by December 15, 2012.

**Proposed Project Schedule:**

Below is an updated Quail Brush schedule.

Activity	Calendar Day
Status Reports	December 3, 2012
Committee Meeting	December 4, 2012
Status Conference (if needed)	December 10, 2012
SDAPCD issues Preliminary Determination of Compliance (PDOC)	December 14, 2012
Discovery phase ends	December 14, 2012
Applicant files responses to CEC Data Requests 94-95	December 15, 2012
Status Reports	December 15, 2012
Preliminary Staff Assessment (PSA) filed	January 16, 2013
SDAPCD issues Final Determination of Compliance (FDOC)	January 31, 2013
Preliminary Staff Assessment workshop(s)	February 1, 2013
Public and Agency comments on PSA due	February 18, 2013
Final Staff Assessment filed	March 8, 2013
Prehearing Conference	TBD
Evidentiary Hearings	TBD
Committee files Presiding Member's Proposed Decision (PMPD)	TBD
Hearing on PMPD	TBD
Committee files Errata or Revised PMPD (if necessary)	TBD
Commission issues Final Decision	TBD

November 30, 2012

Page 4 -- Quail Brush Generation Project Status Report (Docket No. 11-AFC-03)

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', written in a cursive style.

---

C. Richard Neff  
Vice President

cc: Docket (11-AFC-03)