



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

## REVISED COMMITTEE SCHEDULING ORDER

## Background

On August 29, 2011, Quail Brush Genco, LLC submitted an Application for Certification (AFC) to the California Energy Commission seeking permission to construct and operate a nominal 100-megawatt (MW) intermediate/peaking load, electrical generating facility that would employ a set of 11 natural gas-fired, reciprocating, Wartsila engine generators to be called the Quail Brush Generation Project (QBGP). The QBGP is proposed to be developed on a 21.6-acre parcel, located in the city of San Diego. The proposed site is located west of the city of Santee, south of the Sycamore landfill, and north of State Route 52.

## Summary

The Energy Commission assigned a Committee of two Commissioners to conduct proceedings on the AFC. The Committee held a public site visit and informational hearing at the City of San Diego Mission Trails Visitor Center on January 25, 2012, to discuss the review process and to identify issues that could affect the schedule. Pursuant to Title 20, California Code of Regulations, section 1709.7(c), the Committee issued a schedule on March 5, 2012 based on Staff's proposed schedule and related discussions at the informational hearing. The schedule was revised in June, 2012 and October, 2012.

This revised schedule is based upon developments since issuance of the last schedule. It contains a list of events that must occur in order to complete the certification process. This schedule covers the period up to the prehearing conference with the balance of the schedule to be determined at the prehearing conference. The Committee encourages the parties to consider this schedule an outer boundary and make their best efforts to complete the milestones ahead of these dates. Some deadlines may be contingent upon reviews to be conducted by federal, state, and local agencies. The Applicant must provide sufficient review time for the responsible agencies to meet the deadlines specified in the schedule.

## Status Reports

Through their status reports, the parties have advised the Committee of certain issues that have impacted the schedule. The attached revised schedule reflects revisions necessitated by those issues. It also requires a status report to be submitted by each party by January 9, 2013. Status reports shall inform the Committee whether or not case development is progressing satisfactorily, and bring potential schedule delays and other relevant matters to the Committee's attention.

## Public Adviser and Public Participation

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral public comments are considered by the Commissioners and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to make recommendations for meaningful participation. For assistance, contact Jennifer Jennings, the Public Adviser, at (916) 654-4489 or 800-822-6228 or e-mail at: publicadviser@energy.ca.gov.

### **Contact Information**

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Adviser, at (916) 651-2020 or e-mail: raoul.renaud@energy.ca.gov.

Technical questions concerning the project should be addressed to Eric Solorio, the Staff Project Manager, at (916) 651-0966 or e-mail: eric.solorio@energy.ca.gov.

Media inquiries should be directed to the Energy Commission's Media Office at (916) 654-4989 or e-mail at: mediaoffice@energy.ca.gov.

If you have a disability and need assistance to participate, please contact Lourdes Quiroz at (916) 654-5146 or e-mail at: lou.quiroz@energy.ca.gov.

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet web page at: http://www.energy.ca.gov/sitingcases/quailbrush/index.html.

Dated: December 14, 2012

Original Signed By: KAREN DOUGLAS Commissioner and Presiding Member Quail Brush Generation Project AFC Committee

Original Signed By:

ANDREW McALLISTER Commissioner and Associate Member Quail Brush Generation Project AFC Committee

# COMMITTEE SCHEDULE QUAIL BRUSH GENERATION PROJECT

	ACTIVITY	DATE
1	Applicant files Supplement to Alternatives	10-31-12
2	Status conference	12-10-12
3	Discovery phase ends	12-14-12
4	All parties file status reports	01-09-13
5	SDAPCD issues Preliminary Determination of Compliance (PDOC)	01-23-13
6	Preliminary Staff Assessment (PSA) filed	01-31-13
7	Status Conference (if needed)	TBD
8	PSA workshop(s)*	02-08-13
9	Public and agency comments on PSA are due	03-04-13
10	SDAPCD issues Final Determination of Compliance (FDOC)	03-06-13
11	Final Staff Assessment (FSA) filed	03-22-13
12	Prehearing Conference**	TBD
13	Evidentiary Hearing**	TBD
14	Committee files Presiding Member's Proposed Decision (PMPD)**	TBD
15	Hearing on the PMPD**	TBD
16	Committee files errata or revised PMPD (if necessary)**	TBD
17	Full Commission issues its Final Decision**	TBD
	*Staff workshop dates are tentative and subject to change	
	**Items to be scheduled by the Committee	

TBD – to be determined

Revised: December, 2012



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## APPLICATION FOR CERTIFICATION FOR THE QUAIL BRUSH GENERATION PROJECT

DOCKET NO. 11-AFC-03 PROOF OF SERVICE (Revised 12/17/2012)

## SERVICE LIST:

#### APPLICANT

Cogentrix Energy, LLC C. Richard "Rick" Neff, Vice President Environmental, Health & Safety John Collins, VP Development Lori Ziebart, Project Manager Quail Brush Generation Project 9405 Arrowpoint Boulevard Charlotte, NC 28273 rickneff@cogentrix.com johncollins@cogentrix.com loriziebart@cogentrix.com

#### CONSULTANTS FOR APPLICANT

Tetra Tech EC, Inc. Connie Farmer Sr. Environmental Project Manager Sarah McCall Sr. Environmental Planner 143 Union Boulevard, Suite 1010 Lakewood, CO 80228 connie.farmer@tetratech.com sarah.mccall@tetratech.com

Tetra Tech EC, Inc. Barry McDonald VP Solar Energy Development 17885 Von Karmen Avenue, Ste. 500 Irvine, CA 92614-6213 barry.mcdonald@tetratech.com

#### COUNSEL FOR APPLICANT

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## **INTERVENORS**

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Mr. Rob Simpson, CEO Helping Hand Tools 1901 First Avenue, Suite 219 San Diego, CA 92101 rob@redwoodrob.com

Sierra Club, San Diego Chapter Robert W. Wright c/o Law Office of Robert W. Wright 716 Castro Street Solana Beach, CA 92075 bob.wright@mac.com

Sunset Greens Homeowners Association \*c/o Briggs Law Corporation Cory J. Briggs Isabel E. O'Donnell 99 East "C" Street, Suite 111 Upland, CA 91786 cory@briggslawcorp.com isabel@briggslawcorp.com

### INTERVENORS (con't.)

HomeFed Fanita Rancho, LLC c/o Allen Matkins Leck Gamble Mallory & Natsis LLP Jeffrey A. Chine Heather S. Riley 501 West Broadway, 15<sup>th</sup> Floor San Diego, CA 92101 jchine@allenmatkins.com hriley@allenmatkins.com yhoy@allenmatkins.com

Preserve Wild Santee Van Collinsworth 9222 Lake Canyon Road Santee, CA 92071 savefanita@cox.net

Center for Biological Diversity John Buse Aruna Prabhala 351 California Street, Suite 600 San Francisco, CA 94104 jbuse@biologicaldiversity.org aprabhala@biologicaldiversity.org

#### INTERESTED AGENCIES

California ISO e-recipient@caiso.com

City of Santee Department of Development Services Melanie Kush Director of Planning 10601 Magnolia Avenue, Bldg. 4 Santee, CA 92071 mkush@ci.santee.ca.us

#### **INTERESTED AGENCIES (con't.)**

City of San Diego Morris E. Dye Development Services Dept. 1222 First Avenue, MS 501 San Diego, CA 92101 mdye@sandiego.gov

County of San Diego Mindy Fogg Land Use Environmental Planner Advance Planning Department of Planning & Land Use 5510 Overland Avenue, Suite 310 San Diego, CA 92123 mindy.fogg@sdcounty.ca.gov

## ENERGY COMMISSION – PUBLIC ADVISER

Jennifer Jennings Public Adviser's Office publicadviser@energy.ca.gov

#### **COMMISSION DOCKET UNIT**

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT Attn: Docket No. 11-AFC-03 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 docket@energy.ca.gov

#### OTHER ENERGY COMMISSION PARTICIPANTS (LISTED FOR CONVENIENCE ONLY):

After docketing, the Docket Unit will provide a copy to the persons listed below. <u>Do not</u> send copies of documents to these persons unless specifically directed to do so.

#### KAREN DOUGLAS Commissioner and Presiding Member

ANDREW McALLISTER Commissioner and Associate Member

Raoul Renaud Hearing Adviser

#### Eileen Allen Commissioners' Technical Adviser for Facility Siting

Galen Lemei Adviser to Commissioner Douglas

Jennifer Nelson Adviser to Commissioner Douglas

David Hungerford Adviser to Commissioner McAllister

Patrick Saxton Adviser to Commissioner McAllister

Eric Solorio Project Manager

Stephen Adams Staff Counsel

#### PETITIONER

\*California Pilots Association c/o Andy Willson 31438 Greenbrier Lane Hayward, CA 94544 andy.wilson@calpilots.org

## **DECLARATION OF SERVICE**

I, RoseMary Avalos, declare that on December 17, 2012, I served and filed copies of the attached REVISED COMMITTEE SCHEDULING ORDER, dated December 14, 2012. This document is accompanied by the most recent Proof of Service list, which I copied from 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, as appropriate, in the following manner:

## (Check one)

For service to all other parties and filing with the Docket Unit at the Energy Commission:

- X I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; OR
- X Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: December 17, 2012

Original Signed By:

RoseMary Avalos Hearing Advisers Office