BINGHAM

Ella Foley Gannon

Direct Phone: +1.415.393.2572 Direct Fax: +1.415.262.9251 ella.gannon@bingham.com

January 9, 2013

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

DOCKETED 11-AFC-03

TN # 69063

JAN. 09 2013

Re: Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-03, Applicant's Eleventh 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 Carlyle Infrastructure Partners, L.P., Bingham McCutchen LLP hereby submits its *Eleventh 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
Boston
Frankfurt
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Washington

Bingham McCutchen LLP Three Embarcadero Center San Francisco, CA 94111-4067

> T +1.415.393.2000 F +1.415.393.2286 bingham.com

A/75347685.1

A Project Company of Cogentrix Power Holdings, LLC

9405 Arrowpoint Boulevard

Charlotte, North Carolina 28273-8110 (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: January 9, 2013

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. This status report is the eleventh 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 December 14, 2012.

Quail Brush Completed Project Milestones:

Since the previous status report on December 12, 2012, Quail Brush has met the following Project milestones:

- The Applicant's Response to CEC Staff Data Requests, 96 through 101 was filed on December 31, 2012.
- The Applicant's Letter Regarding Change of Ownership from Cogentrix Energy, LLC to Cogentrix Energy Power Management, LLC was filed on December 31, 2012.
- The Applicant's Response to Intervenor Sierra Club, San Diego Chapter's Data Requests 1 through 5 was filed on January 3, 2013.
- The Applicant's Initial Response to Intervenor HomeFed Fanita Rancho LLC's Data Requests 85 through 106 was filed on January 3, 2013.

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 on or prior to January 14, 2013.
- Quail Brush plans to provide responses to Intervenor HomeFed Fanita Rancho LLC's Data Requests 85.a, 85.b, 86.a, 87, 88, 89, 94.a, 97.a, 97.c, 97.d, 98, 101, 102, 103, 104, 105, and 106.b. on or prior to January 14, 2013.

Proposed Project Schedule:

• Quail Brush is not aware of any basis for changing the current schedule.

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

Regards,

C. Richard Neff Vice President

cc: Docket (11-AFC-03)



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 12/28/2012)

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 Karman Avenue, Ste. 500
Irvine, CA 92614-6213
barry.mcdonald@tetratech.com

COUNSEL FOR APPLICANT

Bingham McCutchen LLP
Ella Foley Gannon
Camarin Madigan
Three Embarcadero Center
San Francisco, CA 94111-4067
ella.gannon@bingham.com
camarin.madigan@bingham.com

INTERVENORS

Roslind Varghese 9360 Leticia Drive Santee, CA 92071 roslindv@gmail.com

Rudy Reyes 8655 Graves Avenue, #117 Santee, CA 92071 rreyes2777@hotmail.com

Dorian S. Houser 7951 Shantung Drive Santee, CA 92071 dhouser@cox.net

Kevin Brewster 8502 Mesa Heights Road Santee, CA 92071 Izpup@yahoo.com

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

Sierra Club, San Diego Chapter c/o Law Office of Robert W. Wright 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 (cont'd.)

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

*California Pilots Association Andy Wilson 31438 Greenbrier Lane Hayward, CA 94544 andy.wilson@calpilots.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

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

<u>ENERGY COMMISSION –</u> 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

DECLARATION OF SERVICE

I, Margaret Pavao, declare that on January 9, 2013, I served and filed copies of the attached Applicant's Eleventh Status Report, dated January 9, 2013. 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 par	rties and filing with	the Docket Unit at the	Energy Commission:
------------------------------	-----------------------	------------------------	---------------------------

<u>X</u>	I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it of deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; OR
	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. Margaret Pavao

Dated: January 9, 2013