

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

April 8, 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

**Re: Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-03,  
Request for Project Suspension**

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 the Quail Brush Generation Project Request for Project Suspension. The Quail Brush Generating 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/75475375.1

BINGHAM MCCUTCHEN LLP  
Ella Foley Gannon  
ella.gannon@bingham.com  
Three Embarcadero Center  
San Francisco, California 94111-4067  
Telephone: 415.393.2000  
Facsimile: 415.393.2286

Attorneys for Applicant Quail Brush Genco, LLC

STATE OF CALIFORNIA  
State Energy Resources  
Conservation and Development Commission

In the matter of:

QUAIL BRUSH GENERATION PROJECT

No. 11-AFC-03

REQUEST FOR PROJECT SUSPENSION

On behalf of Quail Brush Genco, LLC (the “Applicant”), we respectfully submit this Request for Project Suspension pursuant to California Code of Regulations, title 20, section 1716.5. The Applicant hereby requests a twelve (12)-month suspension of the Application for Certification (“AFC”) for the Quail Brush Generating Project (the “Project”), docket 11-AFC-03.


The Applicant has been developing the Project to supply electricity to San Diego Gas and Electric (SDG&E). As the Commission is aware, on March 21, 2013 the California Public Utilities Commission (“CPUC”) approved Decision (“D.”) 13-03-029, in which, among other things, it denied without prejudice SDG&E’s request for authority to enter into a Power Purchase Tolling Agreement (“PPTA”) with the Applicant at this time. The CPUC also ordered that SDG&E “is authorized to meet a local capacity requirement need of up to 298 MW beginning in 2018 . . . either by issuing a new request for offers or, in the alternative, it may bring an application for approval of purchase power tolling agreements with either Pio Pico Energy Center and/or Quail Brush Power amended to coordinate with the anticipated retirement in 2018

of once-through cooling generation units . . . and other changing conditions in its service territory.”

In light of D.13-03-029, the Applicant believes that it would be prudent for the Commission to suspend review of the Project’s AFC for a period of twelve (12) months. The suspension will provide time for the Applicant and SDG&E to analyze commercial opportunities for the Project in light of the current or changed circumstances in SDG&E’s service territory as well as any amendments that may be needed in the PPTA in light of the CPUC’s decision. The Applicant continues to believe that SDG&E and the citizens of San Diego need the flexible generation that the Project would provide, and that development of the Project remains feasible. Accordingly, the Applicant is not requesting withdrawal of the AFC, and the Applicant may elect to file a request to reinstate the AFC proceeding from suspension during the 12-month period.

DATED: April 8, 2013

Bingham McCutchen LLP

By:   
\_\_\_\_\_  
Ella Foley Gannon  
Attorneys for Applicant Quail Brush  
Genco, LLC



**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 03/26/2013)**

**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

**APPLICANT'S CONSULTANTS**

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@tetrattech.com  
sarah.mccall@tetrattech.com

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

**APPLICANT'S COUNSEL**

Ella Foley Gannon  
Camarin Madigan  
Bingham McCutchen LLP  
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  
lzpup@yahoo.com

Helping Hand Tools  
Mr. Rob Simpson, CEO  
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

**INTERVENORS (Cont'd.)**

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

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  
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

**INTERVENORS (Cont'd.)**

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

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

**ENERGY COMMISSION STAFF**

Eric Solorio  
Project Manager  
eric.solorio@energy.ca.gov

Stephen Adams  
Staff Counsel  
stephen.adams@energy.ca.gov

**ENERGY COMMISSION –  
PUBLIC ADVISER**

Blake Roberts  
Assistant Public Adviser  
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  
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KAREN DOUGLAS  
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Commissioner and Associate Member

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Hearing Adviser

Galen Lemei  
Adviser to Commissioner Douglas

Jennifer Nelson  
Adviser to Commissioner Douglas

Hazel Miranda  
Adviser to Commissioner McAllister

Patrick Saxton  
Adviser to Commissioner McAllister

Eileen Allen  
Commissioners' Technical  
Adviser for Facility Siting

DECLARATION OF SERVICE

I, Margaret Pavao, declare that on April 8, 2013, I served and filed copies of the attached Quail Brush Genco's Request for Project Suspension, dated April 8, 2013. This document is accompanied by the most recent Proof of Service, 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 persons on the Service List above in the following manner:

*(Check one)*

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

- 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**
- 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: April 8, 2013



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