

DOCKETED	
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Document Title:	Memorandum - Executive Director's Recommendation on Levy Alameda, LLC Opt-In Application for the Potentia-Viridi BESS
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MEMORANDUM

TO: Chair David Hochschild
Vice Chair Siva Gunda
Commissioner Noemí Otilia Osuna Gallardo
Commissioner J. Andrew McAllister, Ph.D.
Commissioner Nancy Skinner

FROM: Drew Bohan, Executive Director

SUBJECT: Executive Director's Recommendation on Levy Alameda, LLC Opt-In Application for the Potentia-Viridi Battery Energy Storage System (24-OPT-04)

DATE: April 24, 2026

I. Introduction

Public Resources Code section 25545.6 and California Code of Regulations, title 20, section 1879(c) require the California Energy Commission's (CEC) Executive Director to file a recommendation, concurrent with the Updated Staff Assessment, on whether the CEC should certify the environmental impact report and issue a certificate for the construction and operation of the facility. This memorandum sets forth my recommendation to the CEC.

The Levy Alameda LLC, Opt-In Application for the Potentia-Viridi Battery Energy Storage System (24-OPT-04) (proposed project) seeks to construct and operate an up to 400 megawatt (MW), 3,200-MW-hour, battery energy storage system (BESS) facility, operations and maintenance (O&M) buildings, a project substation/control building, a 500-kilovolt (kV) overhead intertie transmission (gen-tie) line, and interconnection facilities within the Pacific Gas and Electric Company (PG&E) owned and operated Tesla Substation on approximately 102 acres in Alameda County.

On January 26, 2026, CEC staff filed to the CEC docket a Staff Assessment for the project. The Staff Assessment included an analysis of the project's engineering and its consistency with all applicable local, state, and federal laws, ordinances, regulations, and standards, including mandatory provisions required for projects under the Opt-In Certification Program, as well as a draft environmental impact report (EIR), prepared in accordance with the California Environmental Quality Act (CEQA) (TN 268314).

In the draft EIR, the CEC identified that the proposed project, as submitted, had significant, unavoidable environmental impacts on visual resources. As required by CEQA, CEC staff analyzed

five alternatives to the project. CEC staff concluded no environmentally superior alternative can reasonably be identified for the proposed project. If a No Project Alternative were approved, the basic project objectives would not be attained. A key project objective is to assist California in complying with the California Public Utility Commission's (CPUC) 2021 reliability decision for 2023–2026 (D.21-06-035), which includes a requirement to procure at least 1,000 megawatts of long-duration storage resources by 2026. CPUC Decision D.23-02-040 extended the schedule for bringing these resources online to 2028.

CEC staff found, on balance, the project's significant impacts to visual resources are outweighed by the project's benefits, such as providing a new source of energy storage; contributing to the state's electrical grid reliability by providing renewable electricity during increased load demand; and providing economic benefits to Alameda County. CEC staff thus recommended that the CEC issue a Statement of Overriding Considerations for the significant and unavoidable impacts to visual resources.

II. Recommendation

Based on the entire record of this proceeding, including the Opt-In Application and Updated Staff Assessment, I recommend the CEC:

1. Certify the Final Environmental Impact Report included within the Updated Staff Assessment and adopt a Statement of Overriding Considerations as set forth in the Staff Assessment in **Section 11, Project's Inconsistency with State and Local Laws and Staff's CEQA Override Findings and Recommendation.**
2. Issue a certificate for the construction and operation of the Potentia-Viridi Battery Energy Storage System facility.