

DOCKETED

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Who benefits

Additional submitted attachment is included below.

To: California Energy Commission

Re: Corby Battery Energy Storage System Project — Docket No. 24-OPT-05

Subject: Request for Correction of CEC Staff's "Local Benefit" Characterization and Full Disclosure of Corby's Contracted Beneficiaries

Dear California Energy Commission Commissioners and Staff:

I am submitting this letter regarding the California Energy Commission's Staff Assessment and the statements made concerning the alleged "local benefits" of the proposed Corby Battery Energy Storage System Project.

At the September 1, 2026 Staff Assessment public meeting in Vacaville, CEC staff characterized the Corby project as providing benefits to Vacaville and Solano County. I believe that characterization requires substantially greater clarification and supporting evidence before the Commission relies upon it in making a decision on this project.

I am not arguing that the Corby project has no regional or statewide energy benefit. My concern is much more specific:

Who actually receives the economic and contractual benefits of this project, and who is being asked to bear the local risks and impacts?

1. Corby's contracted beneficiaries need to be clearly identified

Publicly available MCE documents identify an Energy Storage Service Agreement between Corby Energy Storage, LLC and Marin Clean Energy (MCE) for a 100 MW / 400 MWh battery energy storage facility located in Solano County. The agreement provides for a delivery term of fifteen contract years plus two months. MCE's procurement plan likewise identifies Corby Energy Storage LLC as a counterparty for a 100 MW BESS located in Solano County, with a contract term of 2027–2042.

MCE is a California joint powers authority and community choice aggregator. It should therefore not be described simply as "Marin County." Nevertheless, the existence of this contract demonstrates an important point: a substantial portion of Corby's contracted storage capacity is committed to a regional

energy customer rather than being a facility established specifically to provide electricity services to the City of Vacaville.

In addition, CleanPowerSF has announced a separate 15-year battery-storage contract with the Corby project and states that the project will strengthen grid reliability for approximately 385,000 CleanPowerSF customers and the State of California.

These contractual relationships raise an important question that should be answered in the CEC proceeding:

If the principal purpose and contracted benefits of the facility are regional and statewide, on what factual basis is the project being characterized as providing a significant “local benefit” to Vacaville and Solano County?

2. Solano County is the host community — but that does not automatically make it the primary beneficiary

Solano County and the Vacaville area would host the physical infrastructure and experience the direct consequences of the project.

Those consequences include, among other things:

industrial development on agricultural land;
battery-fire and thermal-runaway risks;
demands on local fire and emergency-response resources;
potential water-resource impacts;
traffic and construction impacts;
visual and noise impacts;
potential impacts to surrounding agricultural operations;
potential effects on neighboring property values;
potential homeowners-insurance consequences;
long-term cleanup and remediation risks; and

the permanent presence of major electrical and battery infrastructure in the local community.

These are predominantly local impacts.

If the principal economic, contractual, or grid-service benefits are regional or statewide, then the CEC should not simply place those regional benefits into a category labeled “local benefits” without identifying how much of those benefits actually accrue to Vacaville and Solano County.

A project can provide a statewide benefit while simultaneously imposing disproportionate local costs.

Those two facts are not mutually exclusive.

3. I respectfully request that the CEC quantify the actual local benefit

Before certification, I request that the Commission identify, with evidence:

What specific benefits will accrue to the City of Vacaville?

What specific benefits will accrue to Solano County?

How much of the Corby project's total contracted capacity is committed to MCE?

How much is committed to CleanPowerSF?

Are there other purchasers, counterparties, or contractual beneficiaries associated with the project, and if so, who are they?

Of MCE's contracted capacity, what portion of the resulting benefit is expected to accrue to MCE customers in Marin County, Napa County, Solano County, and other MCE member jurisdictions?

Does the CEC consider general California grid-reliability benefits to be “local benefits” to Vacaville or Solano County?

If so, what methodology does the CEC use to distinguish a local benefit from a regional or statewide benefit?

Has the CEC quantified the direct economic benefits to Solano County, including property taxes, sales/use taxes, employment, construction spending, permanent employment, or other revenues?

Has the CEC quantified the local public costs associated with fire protection, emergency response, infrastructure, water resources, road impacts, agricultural impacts, environmental monitoring, and potential remediation?

Has the CEC actually netted the local costs against the local benefits, rather than presenting benefits and impacts separately?

Has the CEC quantified potential economic impacts to surrounding property owners, including property-value effects and homeowners-insurance impacts?

If the CEC has determined that the project creates a net local economic benefit, please identify the underlying calculations, assumptions, data sources, and geographic area used to reach that conclusion.

4. The CEC should distinguish “California benefit” from “Vacaville benefit”

I believe this distinction is particularly important.

The fact that California needs energy storage does not establish that every proposed location for energy storage creates a net benefit for the community where the facility is located.

Likewise, the fact that Corby may provide valuable grid services to California does not establish that Vacaville is the appropriate location for the facility or that Vacaville receives benefits proportionate to the risks it is being asked to accept.

If Corby is primarily a regional or statewide grid asset, the public record should say so clearly.

If the project provides substantial and measurable benefits specifically to Vacaville and Solano County, those benefits should likewise be identified and quantified.

The Commission should not blur these categories.

5. The location question deserves greater scrutiny

The CEC's proceeding should also address whether the proposed location is necessary to accomplish the project's contractual and grid objectives.

If substantial contracted services are being provided to regional customers outside the immediate Vacaville community, then the Commission should explain why the project must be located on this particular agricultural site near Vacaville rather than on a more appropriate industrial site.

This question is especially important because the docket already contains comments requesting that the Lambie Industrial Park alternative receive further evaluation.

If an industrial location can provide substantially the same grid services while reducing impacts to agricultural land, neighboring property owners, emergency-response agencies, and the surrounding community, the CEC should explain why that alternative is not preferable.

6. Local tax revenue alone should not be treated as sufficient justification

I also ask the Commission not to rely upon potential tax revenue as proof of a net local benefit.

A project may generate tax revenue while simultaneously imposing significant costs on a community.

For example, if a project generates local revenue but increases emergency-response requirements, places additional burdens on public agencies, creates risks requiring specialized equipment, affects agricultural operations, increases insurance costs, or negatively affects surrounding property values, those costs must be considered.

The proper question is not simply:

“Does the project generate some revenue for Solano County?”

The proper question is:

“After accounting for the project's local economic, environmental, public-safety, infrastructure, agricultural, property, and emergency-response impacts, does this project produce a demonstrable net benefit to the community that is being asked to host it?”

7. The host community should not bear disproportionate risks for predominantly external benefits

Solano County is being asked to host a major battery energy storage facility and assume the associated local land-use, public-safety, environmental, emergency-response, and property risks.

At the same time, the publicly available contractual information demonstrates that significant project benefits are directed through regional energy entities, including MCE and CleanPowerSF.

That does not make the project illegitimate.

It does, however, make it essential that the CEC accurately disclose who benefits, how much they benefit, and who bears the risks.

It would be inappropriate for the Commission to characterize the project as a “local benefit” without demonstrating that proposition with objective evidence.

8. Request for correction and inclusion in the administrative record

Accordingly, I respectfully request that the CEC:

Review and correct any Staff Assessment language that characterizes Corby as providing a local benefit without adequately distinguishing local, regional, and statewide benefits.

Identify all known contractual beneficiaries of the project.

Quantify the portion of the project's contracted capacity associated with each beneficiary.

Identify the specific economic and operational benefits expected to accrue to Vacaville and Solano County.

Quantify the local costs and risks associated with hosting the project.

Provide a net local-benefit analysis that accounts for both benefits and costs.

Reevaluate the location and alternatives analysis in light of the actual beneficiaries and contracted uses of the facility.

Address whether an industrial alternative, including the Lambie Industrial Park alternative raised in the docket, could provide substantially the same regional or statewide grid benefits while reducing local impacts.

Place the Commission's response and supporting analysis into the public docket before any final certification decision is made.

Conclusion

After 46 years in the construction industry, I understand that large projects can provide economic and infrastructure benefits. I also understand that a project should be evaluated honestly based on who receives the benefits and who assumes the risks.

I am not asking the Commission to disregard the statewide need for energy storage.

I am asking the Commission to accurately identify whether the proposed Corby project is primarily a benefit to the immediate Vacaville/Solano community, a regional energy resource, a statewide resource, or some combination of the three.

If the facility is being built in Solano County but substantial contracted benefits are being delivered to customers and entities outside the immediate host community, the public deserves to know that distinction.

Solano County is hosting the facility and bearing the local land-use, fire, emergency-response, environmental, agricultural, property, and public-safety risks, while significant contracted benefits flow through regional energy providers to customers outside the immediate Vacaville community. CEC staff therefore needs to identify exactly what benefits accrue to Vacaville and Solano County and quantify them, rather than simply characterize the project as a local benefit.

The central question should be straightforward:

Why should Solano County bear the local impacts and risks of this facility unless the CEC can demonstrate, with evidence, that the host community receives a fair and proportionate share of the benefits?

I respectfully request that these issues be fully addressed in the administrative record before the Commission considers certification of the Corby Battery Energy Storage System Project.

Respectfully submitted,

CEC Docket No. 24-OPT-05