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Executive Order 14421

Additional submitted attachment is included below.

To: California Energy Commission

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

Subject: Supplemental Public Comment Regarding Executive Order 14421, Bulk-Power System Security, Equipment Sourcing, Cybersecurity, and the Corby BESS Project

Dear California Energy Commission Commissioners and Staff:

I respectfully submit this supplemental comment concerning the proposed Corby Battery Energy Storage System Project in Solano County, California.

This comment addresses a significant federal development that occurred after the California Energy Commission issued its Staff Assessment for the Corby project: the President's August 26, 2026, **Executive Order 14421, “Declaring a National Emergency to Secure the United States Bulk-Power System.”**

<https://www.whitehouse.gov/presidential-actions/2026/08/declaring-a-national-emergency-to-secure-the-united-states-bulk-power-system/>

Executive Order 14421, 91 Fed. Reg. 55995 (Aug. 31, 2026).

I am not asserting that Executive Order 14421 automatically prohibits the Corby project. Rather, I am asking the Commission to recognize that the order raises **new and directly relevant questions concerning the proposed project's transmission connection, battery equipment, inverters, control systems, software, remote access, equipment sourcing, cybersecurity, and long-term reliability** that should be addressed before the Commission makes a final decision.

I. The Corby project directly implicates the type of infrastructure addressed by Executive Order 14421

The proposed Corby project is a 300-megawatt/1,200-megawatt-hour battery energy storage facility with associated inverters, a project substation, and a supervisory control and data acquisition (SCADA) system. The project remains under CEC review in Docket No. 24-OPT-05.

Most importantly, the project proposes a **230-kilovolt transmission interconnection** with the PG&E Vaca-Dixon Substation.

Executive Order 14421 declares a national emergency based upon risks associated with foreign-produced equipment used in the United States bulk-power system and directs the Secretary of Energy to address risks involving the security, integrity, reliability, supply chain, operation, and maintenance of such equipment.

The order also addresses associated components, software, firmware, digital services, maintenance services, and remote-access capabilities.

The proposed Corby facility therefore warrants specific consideration under this new federal framework.

II. The timing of Executive Order 14421 is significant

The CEC Staff Assessment was issued before Executive Order 14421 was issued. The Corby proceeding, however, remains pending.

Executive Order 14421 was issued on August 26, 2026—after the Staff Assessment was prepared.

This is therefore not simply an argument that the Commission should reconsider information that was already available when the Staff Assessment was prepared. It is a **new federal policy and national-security development occurring while the Corby proceeding remains pending**.

The Commission should determine whether this new development requires supplemental analysis or additional information from the applicant.

III. Corby's 230-kV transmission connection warrants additional scrutiny

The Corby project is not merely a stand-alone battery installation.

Its proposed configuration includes a new high-voltage transmission connection to the existing Vaca-Dixon transmission system. The proposed 230-kV connection is significant because Executive Order 14421 is directed at the security and reliability of the Nation's bulk-power system and the equipment associated with that system.

The Commission should therefore determine whether the project's proposed transmission facilities, project substation, protection systems, controls, and associated equipment have been evaluated in light of the newly declared federal national emergency.

This should include consideration of:

- the proposed 230-kV gen-tie;
- the project substation;
- high-voltage breakers and switching equipment;
- protective relays;
- metering equipment;
- control systems;
- communications systems;
- SCADA equipment;
- remote-access capabilities;
- software and firmware;
- equipment maintenance and update procedures; and
- the ownership, control, and supply chains associated with these systems.

The question is not merely whether the proposed interconnection is technically feasible.

The Commission should also determine whether the proposed configuration represents an appropriate and secure way to add a large, remotely controlled energy-storage facility to the transmission system.

IV. The battery system itself requires additional supply-chain review

The federal order is particularly relevant because it addresses not only traditional transmission equipment but also equipment and associated digital systems that can affect the security and reliability of the bulk-power system.

The Corby project involves a large-scale battery energy-storage system, inverters, battery-management systems, controls, and other sophisticated electrical equipment.

The CEC docket contains confidential filings concerning detailed battery-system documentation. The Commission should nevertheless have sufficient information to determine whether the proposed equipment and its supply chain satisfy the security and reliability concerns raised by Executive Order 14421.

The applicant should therefore provide the Commission with a public-facing summary, together with any necessary confidential supporting material, addressing:

1. The manufacturer of each major battery-system component;
2. The country where critical components are manufactured;
3. The identity and location of the legal entity supplying the equipment;
4. Ownership and control of the relevant supplier;
5. The origin of battery cells, modules, packs, and containerized systems;
6. The software and firmware associated with the battery-management system;
7. Who controls and updates that software and firmware;
8. Whether any manufacturer or vendor has remote access to the equipment;
9. Where remote-access services are operated or hosted;
10. Whether any foreign entity has continuing access to, control over, or maintenance responsibility for critical systems; and
11. What protections are in place against unauthorized remote access or malicious modification.

V. The change in battery technology makes this issue particularly important

The Corby proceeding has already involved a change in the proposed battery technology and associated equipment.

The current record includes documentation concerning **LG Energy Solution (LGES) JF2 DC LINK** battery equipment.

This change should be evaluated in light of the federal government's newly articulated concerns regarding foreign supply chains and critical electric equipment.

The fact that equipment may be described as “domestic” or supplied through a domestic entity should not end the inquiry.

The Commission should determine where the critical components are actually manufactured, which legal entities manufacture and supply them, who owns or controls those entities, and who controls the associated software, firmware, maintenance, and remote-access capabilities.

This is particularly important because Executive Order 14421 reaches beyond the physical origin of equipment. It addresses equipment and associated critical components, software, firmware, digital services, maintenance services, and remote-access capabilities supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a Covered Foreign Entity.

VI. The project's remote SCADA operation creates an additional issue

The CEC's project documentation identifies a SCADA system as part of the proposed Corby facility.

A large energy-storage facility that can be operated and monitored remotely presents different security considerations from a conventional facility that is continuously staffed on site.

The Commission should therefore obtain additional information regarding:

- the architecture of the SCADA system;
- communications between the facility and off-site control locations;
- remote-access privileges;
- vendor access;
- authentication and authorization;
- network segmentation;
- software and firmware updates;
- emergency shutdown capabilities;
- communications failure procedures;
- cybersecurity monitoring;
- incident response; and
- the ability to isolate the facility from external networks if necessary.

Again, I am not alleging that Corby's proposed system is insecure.

The concern is that **the public record should demonstrate that these issues have been affirmatively evaluated**, particularly now that the federal government has declared a national emergency concerning vulnerabilities in the bulk-power system.

VII. Federal implementation of Executive Order 14421 makes this issue especially timely

The federal government is now beginning the process of implementing Executive Order 14421.

The Department of Energy's implementation process addresses issues including covered foreign entities, supply-chain risks, risk evaluation, existing equipment, mitigation, licensing, prequalification, domestic manufacturing, secure replacement capacity, and related matters.

This demonstrates that the federal framework is still developing.

The CEC should not proceed as though the federal issue has already been resolved when the federal implementation process is only beginning.

VIII. The Commission should evaluate the possibility of future federal requirements

Executive Order 14421 directs the federal government to develop implementing rules and authorizes federal action concerning equipment presenting unacceptable risks to the bulk-power system.

That creates an important issue for a facility that is proposed to operate for decades.

The Commission should determine:

What happens if equipment approved for Corby today is later determined by the federal government to present an unacceptable bulk-power-system risk?

Would Corby be required to:

- isolate equipment;
- cease remote access;
- replace equipment;
- replace software or firmware;
- replace control systems;
- change vendors;
- modify communications systems;
- disconnect equipment; or
- undertake other substantial corrective measures?

If so, who bears those costs?

What is the proposed mitigation plan?

What happens to system reliability during replacement?

These are legitimate project-risk questions, not speculative objections.

IX. The Lambie Industrial alternative deserves renewed consideration

The new federal policy also provides an additional reason for the Commission to examine whether the proposed Corby site is the most appropriate location for a major piece of critical electric infrastructure.

The question should not be limited to:

Can the Corby property technically accommodate the project?

The broader question is:

Is this the most appropriate location for new critical energy infrastructure when alternative industrial locations and existing transmission infrastructure are available?

The **Lambie Industrial alternative** deserves meaningful consideration in this context.

If the Lambie Industrial location can accommodate a large-scale energy-storage facility in an established industrial setting with existing energy infrastructure and transmission infrastructure, the Commission should compare that alternative against Corby using the new considerations raised by Executive Order 14421.

The comparison should include:

- existing transmission infrastructure;
- need for new transmission corridors;
- overhead transmission structures;
- land-use compatibility;
- agricultural land impacts;
- physical security;
- cybersecurity and communications infrastructure;
- proximity to existing energy facilities;
- emergency response;
- construction impacts;
- long-term maintenance; and
- the ability to integrate additional critical infrastructure without unnecessarily creating new transmission corridors through agricultural areas.

The purpose of this comparison is not to suggest that an industrial site is automatically superior.

Rather, the federal government's new emphasis on **security, resilience, supply-chain integrity, and secure electric infrastructure** makes it especially important that the Commission determine whether the proposed location is the most appropriate location reasonably available.

X. The Commission should not treat the new federal concerns as merely speculative

The applicant may argue that Executive Order 14421 does not currently prohibit the Corby project.

That is not the issue presented by this comment.

The Executive Order establishes a national emergency and directs federal agencies to develop a framework addressing precisely the types of equipment and systems proposed for Corby.

The appropriate response from the CEC is not to speculate that Corby will ultimately be prohibited.

The appropriate response is to **obtain enough information to determine whether the project can be safely, securely, reliably, and appropriately integrated into the electric system under the emerging federal framework.**

XI. Requested Commission action

For these reasons, I respectfully request that the California Energy Commission:

1. Enter this supplemental comment into the record in Docket No. 24-OPT-05.
2. Determine whether Executive Order 14421 constitutes new information requiring supplemental review or analysis before the Commission makes a final decision on Corby.
3. Require the applicant to provide a comprehensive equipment-sourcing and supply-chain disclosure for the project's battery systems, inverters, project substation, protective equipment, SCADA system, communications equipment, software, firmware, and related critical systems.
4. Require identification of the countries in which critical components are manufactured, rather than relying solely upon the location of the vendor's headquarters or the location of final assembly.
5. Require disclosure of the ownership and control of entities supplying critical bulk-power-system equipment and associated software, firmware, digital services, maintenance services, and remote-access capabilities.
6. Require additional information concerning the project's SCADA architecture, remote-access capabilities, cybersecurity protections, software and firmware update procedures, and vendor access.
7. Determine whether any proposed equipment or associated services could become subject to restrictions, mitigation requirements, replacement requirements, or other federal action under Executive Order 14421 or implementing regulations.
8. Require the applicant to explain how the project would respond if the federal government subsequently determines that particular equipment, software, firmware, vendors, or remote-access capabilities present an unacceptable risk.
9. Evaluate the potential reliability, cost, and safety consequences of future equipment replacement or isolation requirements.
10. Reevaluate the proposed site and alternatives in light of the federal government's new emphasis on secure and resilient electric infrastructure.
11. Give meaningful consideration to the **Lambie Industrial alternative**, including its existing industrial setting and transmission infrastructure, when determining whether Corby's proposed location is the most appropriate location for this critical electric infrastructure.
12. If the Commission determines that the existing record does not adequately address these issues, defer final action until the necessary information and analysis have been provided.

CONCLUSION

Executive Order 14421 does not, by itself, establish that the Corby Battery Energy Storage System Project is prohibited.

It does, however, establish a **new federal national-security and infrastructure-resilience framework that directly intersects with the fundamental components of the proposed project**: a large battery energy-storage system, grid-connected inverters, high-voltage transmission infrastructure, substation equipment, remote SCADA controls, software, firmware, communications systems, and complex equipment supply chains.

The CEC Staff Assessment predates this federal development, and the federal implementation process is still developing.

The Commission should therefore ensure that the Corby record is complete before making a final decision.

At a minimum, the Commission should require the applicant to demonstrate that the proposed equipment, software, remote-access architecture, supply chain, transmission configuration, and long-term operating plan are consistent with the emerging federal requirements for a secure and resilient bulk-power system.

The Commission should also determine whether a more appropriate industrial alternative—particularly the **Lambie Industrial alternative**—could provide the needed energy-storage capacity while making better use of existing industrial and transmission infrastructure and reducing the need to introduce additional critical electric infrastructure into an agricultural setting.

Respectfully,

Deanna Cole
Vacaville, California
CEC Docket No. 24-OPT-05
Corby BESS Project