



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

<b>DOCKET</b> 11-SPPE-01
DATE FEB 10 2012
RECD. FEB 10 2012

APPLICATION FOR SMALL POWER PLANT  
EXEMPTION FOR THE SANTA CLARA  
SC-1 DATA CENTER

DOCKET NO. 11-SPPE-01


### STAFF PREHEARING CONFERENCE STATEMENT

1. Staff believes that no issues are contested or require adjudication. Staff has no substantive disagreement with the prior environmental analyses and documents prepared for this project by the air district and the City of Santa Clara.
2. Staff witnesses are identified for each topic area at pages 97-98 of the Initial Study/Negative Declaration. Gerry Bemis should be added to the witness list for Biology (nitrogen deposition modeling) in addition to Wenjun Qian. Staff does not propose to have testimony absent a specific request from the Committee.
3. As indicated above, Staff proposes no cross-examination or witness testimony.
4. Staff's exhibit list is attached.
5. Staff proposes no conditions of certification. Mitigation for the project has already been required by local agencies, including the air district in its permit and the City of Santa Clara in its Mitigated Negative Declaration.

An errata to the Initial Study/Negative Declaration is attached.

Date: 2/10/2012

Respectfully submitted

  
RICHARD C. RATLIFF  
Staff Counsel IV

PROOF OF SERVICE (REVISED 2-10-12) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 2-10-12



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Project Name: Application for Small Power Plant Exemption for the Santa Clara SC-1 Data Center; Docket No. 11-SPPE-01

**ENERGY COMMISSION STAFF EXHIBIT LIST**

<b>Exhibit</b>	<b>Brief Description</b>	<b>Offered</b>	<b>Admitted</b>
<b>COMMISSION STAFF'S EXHIBITS 200-299</b>			
<b>200</b>	Xeres Ventures LLC, Santa Clara SC-1 Application for an SPPE-2 Vols. tn:62957	<b>11/21/11</b>	
<b>201</b>	City of Santa Clara: Initial Study for SC-1- as Appendix A in Vol.2 above	<b>11/21/11</b>	
<b>202</b>	City of Santa Clara: Mitigated Negative Declaration for SC-1- as Appendix B in Vol.2 above	<b>11/21/11</b>	
<b>203</b>	City of Santa Clara: Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for SC-1- as Appendix C in Vol.2 above	<b>11/21/11</b>	
<b>204</b>	Bay Area Air Quality Management District Authority to Construct for Permit Application No. 1702, Plant No. 18801 (July 15, 2010). - as Appendix D in Vol.2 above.	<b>11/21/11</b>	
<b>205</b>	Addendum to Mitigated Negative Declaration for SC-1. June 15, 2010, - as Appendix E in Vol.2 above.	<b>11/21/11</b>	
<b>206</b>	Xeres Ventures, LLC: Supplemental Informal Data Responses-Air Quality, and Visible Plume and Plume Velocity Information. tn:62975	<b>11/18/11</b>	
<b>207</b>	Staff's Notice of Intent to Adopt a Negative Declaration for Santa Clara SC-1. Filed on 2/1/12. tn:63497	<b>2/1/12</b>	
<b>208</b>	Staff's Initial Study and Negative Declaration Recommendation for Santa Clara SC-1. Filed 2/1/12. tn:63496	<b>2/1/12</b>	
<b>209</b>	Email dated 2/1/12: Nora Monette to R. Worl: Supplemental Cooling Tower Information. tn:63602	<b>2/9/12</b>	
<b>210</b>	Staff Errata for the Initial Study and Negative Declaration Recommendation	<b>2/10/12</b>	

**Errata for Staff's Initial Study:  
Based upon staff review and comments from the applicant**

<b>Page #</b>	<b>Comment/Edit</b>
12 & 15	Phase I commercial operation start date should be September <b>2011</b> , not 2010.
12	Note: The applicant's phasing is related to spreading out capital costs while meeting client demand.
16	Building size is <b>312,000</b> (not 131,000)
54	Greenhouse Gas Emissions : The current mandatory reporting regulation for Greenhouse Gas Emissions (Division 3, Chapter 1, Subchapter 10, Article 2, sections 95100 to 95133, title 17, California Code of Regulations): Section 95101 (f)(2) does not require reporting for backup or emergency generators; (f) Exclusions: “(2) Generating units designated as backup or emergency generators in a permit issued by an air pollution control district or air quality management district.”
65	Environmental Setting: In the third sentence regarding the UPRR, substitute “tracks” for “tracts”.
77	Environmental Setting: In the first sentence add “...states that...” after “General Plan...”.
83	Top of page-Reference to plume analysis: change “...detailed results...” to ...discussion of...”
88	Environmental Setting: add at the end of the sentence “...and began commercial operations in September of 2011.”
89	Note: that the site is not within one-quarter mile of a school.



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**APPLICATION FOR SMALL POWER PLANT  
EXEMPTION For The SANTA CLARA  
SC-1 DATA CENTER**

DOCKET NO. 11-SPPE-01  
PROOF OF SERVICE  
(revised 1/20/12)

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**DECLARATION OF SERVICE**

I, Elizabeth Stewart declare that on February 10, 2012, I served and filed a copy of the attached Santa Clara SC-1 Data Center Staff Prehearing Conference Statement, dated February 10, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/santaclaraindex.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 or Chief Counsel, as appropriate, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "e-mail preferred."

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- by sending an electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 11-SPPE-01  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



\_\_\_\_\_  
Elizabeth Stewart