

**DOCKETED**

<b>Docket Number:</b>	17-SPPE-01
<b>Project Title:</b>	McLaren Backup Generating Facility
<b>TN #:</b>	224460
<b>Document Title:</b>	MOTION OF HELPING HAND TOOLS (2HT) TO AMEND THE PROCEDURAL SCHEDULE
<b>Description:</b>	motion
<b>Filer:</b>	Robert Sarvey
<b>Organization:</b>	Robert Sarvey
<b>Submitter Role:</b>	Intervenor
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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of  
McLaren Backup Generating Facility

Docket Number 17-SPPE-01

MOTION OF HELPING HAND TOOLS (2HT) TO AMEND THE PROCEDURAL  
SCHEDULE

On July 23, 2018 the committee for the McLaren Data Center issued a scheduling order. The order called for CEC staff to publish the Final Initial Study and the Mitigated Negative Declaration on August 3, 2018. The order called for intervenors to file testimony on August 13 and rebuttal testimony on August 20 with evidentiary hearing scheduled for August 30. Under the circumstances the schedule was extremely rushed and allowed the intervenors little time to prepare testimony in response to Staff's Final Initial study. On July 24 the intervenors filed their comments on the initial study which raised complex issues related to noise, air quality, public health and environmental justice. Subsequently on August 2 two days before Staff was to publish the Final Initial Study CEC Staff informed the Committee that they needed to consult with the BAAQMD and CARB on the issues raised by the intervenors. CEC Staff now proposes to not provide a final initial study or mitigated negative declaration for the project.<sup>1</sup>

Its apparent the current schedule is untenable as intervenors are scheduled to provide opening testimony on the same day CEC Staff posts its opening testimony. 2HT objects to CEC Staff's proposal to not issue a Final Initial Study and Mitigated Negative Declaration. 2HT believes that the Commissions process will be informed by the BAAQMD permit (ATC) as this project lies within one of BAAQMD's Community At Risk Evaluation Program areas. (CARE) The project lies within one of the Community at Risk areas because of the heavy pollution

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<sup>1</sup> The Committee has yet to alter the procedural schedule

burden the environmental justice community faces. BAAQMD already has a program in place to evaluate the projects cumulative impacts.

Accordingly, 2HT proposes the following schedule.

BAAQMD Issues ATC	TBD
CEC Staff Issues Final Initial Study	10 days following BAAQMD ATC
Intervenors provide opening Testimony	15 days after Final Initial Study
Parties provide rebuttal testimony	15 days after Opening testimony
Prehearing conference and evidentiary hearing	15 Days after rebuttal testimony filed.

Respectfully Submitted,

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Rob Simpson  
Director 2HT  
Original signed and in  
possession of 2HT  
501 W. Grant Line Rd  
Tracy CA 95376  
209-835-7162