

DOCKETED

Docket Number:	19-SPPE-01
Project Title:	Laurelwood Data Center (MECP I Santa Clara I, LLC)
TN #:	228376
Document Title:	Committee Order Granting Petition to Intervene
Description:	Order
Filer:	Darlene Burgess
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	5/23/2019 10:46:50 AM
Docketed Date:	5/23/2019



**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

**APPLICATION FOR SMALL POWER PLANT
EXEMPTION FOR THE:**

LAURELWOOD DATA CENTER

Docket No. 19-SPPE-01

COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene (Petition) filed by Robert Sarvey (Petitioner)¹ in the Application for a Small Power Plant Exemption (SPPE) for the Laurelwood Data Center Project (Project), the committee designated to conduct proceedings (Committee) in this matter makes the following findings:

1. On May 6, 2019, a Petition in the above-captioned proceeding was filed by:

Robert Sarvey
501 W. Grant Line Road
Tracy, California 94376
Email: sarveybob@aol.com
Phone: (209) 836-0277

2. The Petition contains the information required by the Energy Commission's regulations.²
3. No opposition to the Petition has been filed, and the deadline for such opposition was May 20, 2019.
4. Petitioner's interests are relevant to the above-captioned proceeding.
5. Petitioner has demonstrated a bona fide interest in the Project and has demonstrated possession of information or expertise that may help the Committee in preparing a proposed decision.
6. Intervention is granted at the Committee's discretion to the degree that it finds intervention reasonable and relevant. The Presiding Member or Committee may impose conditions on all intervenors' participation in the hearings in order to promote the orderly conduct of the proceeding.

¹ TN 228057.

² Cal. Code Regs., tit. 20, § 1211.7.

THEREFORE, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioner be placed upon the Proof of Service List as an Intervenor. Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in all orders issued in this matter and California Code of Regulations, title 20, section 1212. Deadlines and other matters shall not be extended or changed by the granting of this Petition.³

The Committee further **ORDERS** that the Petitioner's participation is limited to the following topic areas as requested by Petitioner: **ALTERNATIVES, AIR QUALITY, GHG EMISSIONS, HAZARDOUS MATERIALS, PUBLIC HEALTH, RELIABILITY, EFFICIENCY, WATER RESOURCES, TRAFFIC AND TRANSPORTATION, BIOLOGY, and ENVIRONMENTAL JUSTICE**. Petitioner's intervention is subject to further modification at the discretion of the Presiding Member or the Committee. These limitations of Petitioner's participation as an intervenor do not affect Petitioner's ability to make public comments on other topics in the proceeding.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Energy Commission's regulations describing intervenor participation is posted on the right-hand side menu of the Public Adviser's webpage at:

http://www.energy.ca.gov/public_adviser.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the Energy Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the "General Orders Regarding Motions, Electronic Filing, Service of Documents, and Other Matters,"⁴ the rules regarding filings,⁵ the rules of evidence that apply at the Evidentiary Hearings,⁶ and the rules prohibiting off-the-record contacts with commissioners or the hearing officer about the Project.⁷

Petitioner's failure to fulfill these responsibilities may result in the Committee limiting or precluding Petitioner's participation in the proceedings.

Contact Information

If Petitioner needs any help with participating in the siting process, contact Jennifer Martin-Gallardo, the Acting Public Adviser, by e-mail at publicadviser@energy.ca.gov or at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at susan.cochran@energy.ca.gov or at (916) 651-8893.

³ Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

⁴ TN 227867.

⁵ Cal. Code Regs., tit. 20, §§ 1208 – 1208.1, 1211.5.

⁶ Cal. Code Regs., tit. 20, § 1212.

⁷ Cal. Code Regs., tit. 20, § 1216.

Technical questions concerning the Project should be addressed to Leonidas Payne, Staff Project Manager, by e-mail at leonidas.payne@energy.ca.gov or at (916) 651-0966.

Media inquiries should be sent to the Media and Public Communications Office by email at Mediaoffice@energy.ca.gov or at (916) 654-4989.

The Executive Director or his designee shall ensure that the Petitioner is immediately provided with a copy of the SPPE Application.

IT IS SO ORDERED.

Dated: May 23, 2019, at Sacramento, California

ORIGINAL SIGNED BY:

Karen Douglas
Commissioner and Presiding Member
Laurelwood Data Center SPPE Project
Committee

ORIGINAL SIGNED BY:

Janea A. Scott
Commissioner and Associate Member
Laurelwood Data Center SPPE Project
Committee