

DOCKETED	
Docket Number:	19-SPPE-02
Project Title:	Walsh Data Center
TN #:	229429
Document Title:	Notice of Committee Conference and Related Orders
Description:	Committee Conference is scheduled for August 29, 2019, at 2:00 p.m. in Sacramento
Filer:	Susan Cochran
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
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State of California
State Energy Resources Conservation and
Development Commission
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov

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

WALSH BACKUP GENERATING FACILITY

Docket No. 19-SPPE-02

NOTICE OF COMMITTEE CONFERENCE AND RELATED ORDERS

On June 28, 2019, 651 Walsh Partners, LLC (Applicant) submitted an application for a small power plant exemption (hereafter, the application is referred to as the “SPPE”)¹ for the Walsh Backup Generating Facility to the California Energy Commission (Energy Commission).

PLEASE TAKE NOTICE that the Energy Commission has designated a committee (Committee) of two commissioners to conduct proceedings on the SPPE.² The Committee has scheduled a Committee Conference:

**THURSDAY, AUGUST 29, 2019
2:00 p.m.**

**California Energy Commission
Art Rosenfeld Hearing Room (Hearing Room A)
1516 Ninth Street
Sacramento, CA 95814
(Wheelchair accessible)**

REMOTE ACCESS AVAILABLE BY COMPUTER OR PHONE VIA WEBEX™
(For instructions, please see the **Remote Attendance** section below.)

BACKGROUND AND PROPOSED PROJECT DESCRIPTION

Small Power Plant Exemptions

The Energy Commission has the exclusive authority to consider, and ultimately approve or deny, applications for the construction and operation of thermal power plants that will

¹ All of the documents comprising the SPPE application can be found at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=19-SPPE-02>

² The Energy Commission appointed a Committee consisting of Karen Douglas, Commissioner and Presiding Member, and Patty Monahan, Commissioner and Associate Member, at an Energy Commission Business Meeting on July 15, 2019 (TN 228984).

generate 50 megawatts (MW) or more of electricity.³ An SPPE is subject to an expedited process designed to determine whether thermal power plants that will generate between 50 MW and 100 MW should be exempt from the Energy Commission's certification jurisdiction.⁴ As required by the California Environmental Quality Act (CEQA),⁵ the Energy Commission evaluates the whole of the proposed project to determine generating capacity and to analyze whether the construction or operation of the project would result in substantial adverse impacts on the environment or energy resources.⁶ In considering an SPPE, the Energy Commission is the CEQA "lead agency."⁷ The SPPE process provides a public forum allowing the Applicant, Energy Commission staff (Staff), intervenors, governmental agencies, and members of the public to participate in the decision-making process.

If an SPPE is granted, responsible local land use authorities and other agencies, most notably any local air management or air pollution control district, conduct further review of the project, including any necessary environmental review under CEQA.

The Walsh SPPE

The Applicant proposes to build the Walsh Data Center and the Walsh Backup Generating Facility (Proposed Project) at 651 Walsh Avenue in Santa Clara, California (Project Site). The Project Site is currently developed with a warehouse and associated paved parking and loading areas. The Applicant would demolish the existing improvements on the Project Site and would then construct:

- the Walsh Data Center, a four-story, 435,050 square foot data center building that will house computer servers in a secure and environmentally controlled structure;
- a three-story administrative building, which would contain support facilities such as the building lobby, restrooms, conference rooms, and office space;
- the Walsh Backup Generating Facility (i.e., a generator equipment yard);
- a substation;
- surface parking; and
- landscaping.

Silicon Valley Power (SVP) would be the primary power provider to the Proposed Project. The Proposed Project would include the construction and operation of an on-site, 90-megavolt amps electrical substation. The substation will allow delivery of power from SVP

³ Pub. Resources Code, §§ 25120, 25500

⁴ See Cal. Pub. Resources Code, § 25541; Cal. Code Regs., tit. 20, §§ 1934 et seq.

⁵ The CEQA statute, California Public Resources Code § 21000 et seq., codifies a statewide policy of environmental protection. The California Resources Agency promulgates the CEQA Guidelines, California Code of Regulations, title 14, section 15000 et seq. (Guidelines), that detail the protocol by which state and local agencies comply with CEQA requirements. We refer to the statute and the Guidelines collectively as "CEQA."

⁶ Pub. Resources Code, §§ 25500, 25541.

⁷ Pub. Resources Code, § 25519, subd (c).

but will not allow any electricity generated from the backup generators to interconnect to the transmission grid. The Proposed Project also includes electrical switchgear and distribution lines between the substation and buildings as well as from the backup generator yards and each respective building.

To ensure an uninterruptible power source, the Applicant proposes to install the Walsh Backup Generating Facility, which consists of a total of 33 diesel-fired, back-up generators. The data center building would be supported by 32 3-MW diesel-fired, back-up generators in a two-level stacked configuration. The generators would be distributed in two different redundant configurations⁸ to provide up to 80 MW, the maximum building load of the Proposed Project. Each pair of units would have a 12,800-gallon diesel fuel tank, with the upper tank also being supported by a 600-gallon day tank.

The administrative building would have a single 2-MW diesel-fired generator to serve the administration space, shipping and receiving, and common building systems such as elevators. This generator would have a 4,000-gallon fuel storage tank. The generators for both the data center building and the administrative would have a total combined storage of 218,400 gallons—an amount sufficient to provide 24 hours of emergency generation at full demand of the Proposed Project.

CEQA requires the lead agency to consider the “whole of an action.”⁹ Therefore, the Energy Commission will include the entire data center project in its analysis, which includes the demolition of the existing development, and the construction and operation of the Walsh Data Center, the Walsh Backup Generating Facility, and other related facilities.

ORDER REGARDING PROPOSED SCHEDULE AND ISSUES IDENTIFICATION REPORT

To assist participants in understanding the Proposed Project, Staff shall file a proposed schedule for the Proposed Project review and an Issues Identification Report summarizing the major issues identified to date. This report will also indicate what additional information is necessary to resolve issues of concern. The proposed schedule and Staff’s Issues Identification Report shall be filed **no later than August 22, 2019**. The Applicant shall file its response, if any, **no later than August 26, 2019**.

The Applicant shall be prepared to offer an overview of the Proposed Project at the Committee Conference. Staff shall also be prepared to offer an overview of the SPPE process, their Issues Identification Report, and their proposed schedule. Overviews may include presentations and should not be longer than 15 minutes. If presentations are used, they must be filed to the docket by **4:00 p.m., August 27, 2019**.

⁸ The Proposed Project would have four systems where five units would be available, but only four would actually run and two systems where six units would be available, but only five would actually run.

⁹ Cal. Code Regs., tit. 14, § 15378, subd. (a).

Copies of these documents will be posted on the Energy Commission's web page at <https://ww2.energy.ca.gov/sitingcases/walsh/>

PURPOSE OF THE COMMITTEE CONFERENCE

The purpose of this Committee Conference is to allow the Committee, the parties, and the public to have a dialogue on the process and proceeding, including scheduling future dates to resolve the Application and to receive additional input on the Issues Identification Report discussed above.

NOTICE OF CLOSED SESSION DELIBERATIONS

At any time during the Committee Conference, the Committee may adjourn to a closed session in accordance with California Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.

PUBLIC ADVISER AND PUBLIC PARTICIPATION

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral comments are considered by the Committee and are part of the record, but are not part of the evidence upon which the Energy Commission can base its decision. The Energy Commission must base its decision on the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

The Energy Commission's Public Adviser's Office is available to assist the public in participating in the SPPE review process. For information on how to participate, contact Jennifer Martin-Gallardo, Acting Public Adviser, at publicadviser@energy.ca.gov, (916) 654-4489, or (800) 822-6228.

OTHER ENERGY COMMISSION CONTACTS

Questions of a procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at susan.cochran@energy.ca.gov or (916) 654-3965.

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

Media inquiries should be directed to the Media and Public Communications Office at mediaoffice@energy.ca.gov or (916) 654-4989.

If you have a disability and require assistance to participate in this event, please contact Yolanda Rushin at Yolanda.Rushin@energy.ca.gov or (916) 654-4310 at least five days in advance.

REMOTE ATTENDANCE

You may participate in this meeting through WebEx, the Energy Commission's on-line meeting service. Any presentations will appear on your computer screen and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

Via Computer: Go to <https://energy.webex.com> and enter the meeting number **929 614 195**. When prompted, enter your name and email address. No meeting password is needed.

The “Join Conference” menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your direct dial phone number (no extensions are permitted) and click "Call Me."
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on “Use Computer Headset,” then “Call Using Computer.”

Via Telephone Only (No Visual Presentation): Call (866) 469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number **929 614 195**. International callers may select their number from:

<https://energy.webex.com/energy/globalcallin.php>

Via Mobile Access: Access to WebEx meetings is now available from your mobile device. To download an app, go to:

www.webex.com/products/web-conferencing/mobile.html

Please be aware that WebEx audio and on-screen activity may be recorded. WebEx Technical Support is available at (866) 229-3239.

Muting

We greatly appreciate your cooperation in reducing noise on the audio connection by muting your line when you are not speaking. Mute your line rather than placing your phone on hold. Using WebEx, you may mute yourself by right clicking on your name in the panelists or attendees list and selecting “Mute.” If you are only using a telephone connection, press “*6” once to mute and again to unmute.

AVAILABILITY OF DOCUMENTS

Information regarding the status of the Proposed Project, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the Energy Commission's web page at <https://ww2.energy.ca.gov/sitingcases/walsh/>.

IT IS SO ORDERED.

Dated August 14, 2019, at Sacramento, California

ORIGINAL SIGNED BY:

Karen Douglas
Commissioner and Presiding Member
Walsh Backup Generating Facility SPPE
Committee

ORIGINAL SIGNED BY:

Patty Monahan
Commissioner and Associate Member
Walsh Backup Generating Facility SPPE
Committee

Mailed to list number(s): 7530

AGENDA
Walsh Backup Generating Facility (19-SPPE-02)
Committee Conference

August 29, 2019, at 2:00 p.m.

California Energy Commission
Art Rosenfeld Room (Hearing Room A)
1516 Ninth Street
Sacramento, CA 95814

1. Call to Order
2. Committee Conference
 - a. Applicant's overview of the proposed Walsh project
 - b. Staff's overview of SPPE process and Issues Identification Report for the proposed Walsh project
 - c. Presentation by the Public Adviser
 - d. Discussion of issues identified by Staff, Applicant, or Committee
 - e. Discussion of proposed schedules

3. Public Comment

Members of the public and other interested persons and entities may speak up to three minutes on a matter related to this proceeding.

4. Closed Session¹⁰
Committee closed session consideration of the following items:

***DELIBERATION ON THE SMALL POWER PLANT EXEMPTION FOR THE
WALSH BACKUP GENERATING FACILITY***

5. Adjourn
6. Agency Contact: Susan Cochran, Hearing Officer, phone: (916) 654-3965, or e-mail at susan.cochran@energy.ca.gov.

¹⁰ The Committee may adjourn to closed session in accordance with Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.