

DOCKETED

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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

**COMMITTEE ORDER ON PETITION TO INTERVENE
FILED BY ROBERT SARVEY**

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 Walsh Backup Generating Facility (Project), the California Energy Commission² (CEC) committee (Committee) designated to conduct proceedings³ in this matter makes the following findings:

1. On March 30, 2020, a Petition in the above-captioned proceeding was filed by:

**Robert Sarvey
501 W. Grant Line Road
Tracy, CA 95376
sarveybob@aol.com
Telephone: (209) 835-7162**

2. The Petition contains the information required by the CEC's regulations.⁴
3. No opposition to the Petition has been filed, and the deadline for such opposition was April 13, 2020.
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.

¹ TN 232587.

² The CEC is formally known as the "State Energy Resources Conservation and Development Commission." (Pub. Resources Code, §25200)

³ The CEC appointed a committee consisting of Karen Douglas, Commissioner and Presiding Member, and Patty Monahan, Commissioner and Associate Member (the Committee), on July 15, 2019 (TN 228984).

⁴ Cal. Code Regs., tit. 20, § 1211.7, subd. (a).

6. Intervention is granted at the Committee's discretion to the degree that it finds intervention reasonable and relevant. The Committee may impose conditions on all intervenors' participation in the hearings in order to promote the orderly conduct of the proceeding.

THEREFORE, the Committee hereby **GRANTS** the Petition and **ORDERS** that the Petitioner may participate on the direct, indirect, and cumulative impacts of the following topic areas as requested by Petitioner:

- **ALTERNATIVES**
- **AIR QUALITY**
- **ENERGY RESOURCES**
- **GREENHOUSE GAS EMISSIONS**
- **PUBLIC HEALTH**
- **ENVIRONMENTAL JUSTICE**
- **UTILITIES AND SERVICE SYSTEMS**
- **HAZARDS AND HAZARDOUS MATERIALS**
- **RELIABILITY**
- **EFFICIENCY**
- **WATER RESOURCES**
- **TRAFFIC AND TRANSPORTATION**
- **BIOLOGICAL RESOURCES**

The Committee further **ORDERS** that Petitioner's name 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.⁵

The Petitioner's intervention is subject to further modification at the discretion of the Presiding Member or the Committee. Any limitations on Petitioner's participation in the capacity of intervenor do not affect Petitioner's ability to make public comments on other topics in the proceeding.

The CEC welcomes and values intervenor participation in its energy facility siting process. The Public Advisor's webpage describing public participation in power plant siting cases can be found at:

<https://www.energy.ca.gov/programs-and-topics/topics/power-plants/public-participation-siting-cases>.

Portions of the CEC's regulations relating to power plant siting cases can be found at:

⁵ Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

<https://www.energy.ca.gov/programs-and-topics/topics/power-plants/title-20-power-plant-siting-certification>.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the CEC’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,”⁶ the rules regarding filings,⁷ the rules of evidence that apply at the Evidentiary Hearings,⁸ and the rules prohibiting off-the-record contacts with commissioners, their advisors, or the hearing officer about the Project.⁹

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

Contact Information

The Public Advisor’s Office provides the public with assistance to participate in CEC proceedings. For assistance, please contact Noemí O. Gallardo, Public Advisor, by e-mail at publicadvisor@energy.ca.gov, (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) 654-3965.

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.

IT IS SO ORDERED.

Dated: April 24, 2020

Dated: April 24, 2020

Approved by:

Approved by:

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

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

⁶ TN 229159.

⁷ Cal. Code Regs., tit. 20, §§ 1208 – 1208.1, 1211.5.

⁸ Cal. Code Regs., tit. 20, § 1212.

⁹ Cal. Code Regs., tit. 20, § 1216.