

**DOCKETED**

<b>Docket Number:</b>	19-SPPE-02
<b>Project Title:</b>	Walsh Data Center
<b>TN #:</b>	233976
<b>Document Title:</b>	Transcript of July 10, 2020 Committee Conference Closed Session
<b>Description:</b>	N/A
<b>Filer:</b>	Cody Goldthrite
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	7/21/2020 3:16:25 PM
<b>Docketed Date:</b>	7/21/2020

## CALIFORNIA ENERGY COMMISSION

In the Matter of: ) Docket No. 19-SPPE-02  
 )  
 )  
 Application for Small Power ) COMMITTEE CONFERENCE  
 Plant Exemption for the: ) (CLOSED SESSION)  
 Walsh Backup Generating ) RE: Walsh Backup Generating  
 Facility ) Facility  
 \_\_\_\_\_ )

STATE ENERGY RESOURCES CONSERVATION AND  
DEVELOPMENT COMMISSION

COMMITTEE CONFERENCE (CLOSED SESSION)

REMOTE

FRIDAY, JULY 10, 2020

10:01 A.M.

Reported by: Peter Petty

**CALIFORNIA REPORTING, LLC**  
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## APPEARANCES

COMMISSIONERS PRESENT:

Commissioner Karen Douglas, Presiding Member  
Commissioner Patty Monahan, Associate Member

CEC STAFF PRESENT:

Susan Cochran, Hearing Officer  
Kourtney Vaccaro, Advisor to Commissioner Douglas  
Eli Harland, Advisor to Commissioner Douglas  
Jana Romero, Advisor to Commissioner Monahan  
Jared Babula, Staff Counsel

INTERVENORS:

Robert Sarvey

PUBLIC COMMENT:

None

## INDEX

	Page
1. Call to Order	4
2. Reportable Action from Closed Session	7
3. Adjournment	8
Reporter's Certificate	9
Transcriber's Certificate	10

## P R O C E E D I N G S

1  
2 July 10, 2020

10:01 A.M.

3 COMMISSIONER DOUGLAS: Well this is the Committee  
4 Conference in Closed Session for the Application for a Small  
5 Power Plant Exemption for the Walsh Backup Generating  
6 Facility.

7 I'm Karen Douglas, the presiding member of the  
8 Committee assigned to conduct proceedings on this  
9 application. Commissioner Patty Monahan is the associate  
10 member. We are all participating via teleconference. The  
11 notice of this committee conference in closed session was  
12 issued on June 26, 2020.

13 Before we begin, I'd like to make introductions of  
14 the following individuals assisting the Committee who may be  
15 participating via teleconference. My advisors Kourtney  
16 Vacarro and Eli Harland. Jana Romero, advisor to  
17 Commissioner Monahan. Jim Bartridge, special advisor to the  
18 Commission on Siting Matters. And Susan Cochran, hearing  
19 officer.

20 Patty Monahan, the associate member, is with us today  
21 and -- as well. And at this point, I'd like to introduce the  
22 Public Advisor's Office, Noemi Gallardo or Rosemary Avalos  
23 again here with the Public Advisor's Office.

24 I will now ask Commissioner Monahan, any opening  
25 remarks that you would like to make?

1 COMMISSIONER MONAHAN: No, I don't have any opening  
2 remarks. Thank you.

3 COMMISSIONER DOUGLAS: Great. Thank you.

4 Let me ask the parties to please introduce themselves  
5 and their representatives at this time, starting with the  
6 applicant.

7 HEARING OFFICER COCHRAN: I don't see Mr. Galati or  
8 anyone on behalf of the applicant either as a panelist or an  
9 attendee, Commissioner Douglas.

10 COMMISSIONER DOUGLAS: Got it. All right.  
11 What about staff?

12 MR. BABULA: This is Jared Babula for staff counsel  
13 for staff. Thanks.

14 COMMISSIONER DOUGLAS: Thank you.

15 Is anyone on from our intervenors? I'll read through  
16 them. Helping Hands -- Helping Hand Tools, California Unions  
17 for Reliable Energy, or Robert Sarvey.

18 Anyone on from the intervenors?

19 MR. SARVEY: This is Robert Sarvey, I'm on.

20 COMMISSIONER DOUGLAS: Excellent. Good morning,  
21 Mr. Sarvey.

22 MR. SARVEY: Good morning.

23 COMMISSIONER DOUGLAS: Any public agencies on the  
24 phone right now? Go ahead and speak up, whatever level of  
25 government.

1           Okay. I'll turn this over now to Hearing Officer  
2 Cochran.

3           HEARING OFFICER COCHRAN: Thank you. Good morning,  
4 everyone.

5           As stated in the notice for today's event, the  
6 primary purpose is for the Committee to meet in closed  
7 session to deliberate.

8           Do the parties have any comments at this time?

9           MR. BABULA: This is Jared Babula. I have no  
10 comments.

11           HEARING OFFICER COCHRAN: Thank you, Mr. Babula.  
12 Mr. Sarvey?

13           MR. SARVEY: I just had one comment. Recently become  
14 aware of it, I don't know if the Committee's aware of it or  
15 not. But the Lafayette Data Center has been posted in, the  
16 Lafayette Data Center is right next to the Walsh Data Center.  
17 And I don't know if the Committee's aware of that but they're  
18 adjacent to each other. Something I didn't know because  
19 Lafayette Data Center proceeding has recently been posted on  
20 the website, it wasn't before. But I just wanted to mention  
21 that and make the Committee aware of that. Thank you.

22           HEARING OFFICER COCHRAN: Thank you, Mr. Sarvey.

23           Would any member of the public care to make any  
24 comment to the Committee?

25           I don't think the public advisor has a representative

1 here so I cannot inquire as to whether the public advisor has  
2 received any comments from anyone that you need to relate.

3 So now the Committee will adjourn to closed session  
4 in accordance with California Government Code Section 11126,  
5 subdivision (c) (3) which allows a state body, including a  
6 delegated committee, to hold a closed session to deliberate  
7 on a decision to be reached in a proceeding the state body  
8 was required by law to conduct.

9 Commissioners Monahan and Douglas, I'm assuming that  
10 it's going to take us at least one hour, but no more than  
11 two. Do you have any other estimate of the time for closed  
12 session?

13 COMMISSIONER DOUGLAS: That sounds right to me.

14 COMMISSIONER MONAHAN: Me too.

15 HEARING OFFICER COCHRAN: Okay. So at that, we are  
16 now in closed session.

17 (Off the record at 10:06 a.m.)

18 (On the record at 12:05 p.m.)

19 HEARING OFFICER COCHRAN: We have returned from  
20 closed session at 12:05 p.m. The following is the reportable  
21 action from closed session. The closed session is being  
22 continued to Friday, July 17, 2020 at 10:00 a.m.

23 A formal notice of continuance will be filed today.  
24 That formal notice of continuance will include information  
25 for a new Zoom meeting for the public portion of the event.



1 Commissioner Douglas, you can adjourn us now.

2 COMMISSIONER DOUGLAS: All right. Thank you very  
3 much. We're adjourned.

4 HEARING OFFICER COCHRAN: Thank you.

5 (Thereupon, the Hearing was adjourned at 12:05 p.m.)

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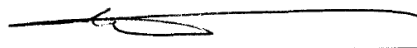
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And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of July, 2020.



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PETER PETTY  
CER\*\*D-493  
Notary Public

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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of July, 2020.



Jill Jacoby  
Certified Transcriber  
AAERT No. CERT\*\*D-633