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State of California
State Energy Resources Conservation and Development Commission

In the matter of:

Mission College Data Center

Docket 19-SPPE-05

ROBERT SARVEY'S PETITION FOR RECONSIDERATION

Robert Sarvey petitions this Commission for reconsideration of its Adoption Order, Findings and Order (collectively, "Decision") approving the SPPE for the Mission College Data Center and its backup diesel generating system. 20 CCR § 1720 (a) (1) allows the commission to Reconsider a Decision if , *"new evidence that despite the diligence of the moving party could not have been produced during evidentiary hearings on the case; or 2) an error in fact or change or error of law. The petition must fully explain why the matters set forth could not have been considered during the evidentiary hearings, and their effects upon a substantive element of the decision."*

In the last three weeks California has experienced its first rolling blackouts since 2001. Soaring temperatures have put an unprecedented strain on the grid. The situation was so dire that the California Energy Commission utilized 100 MW of diesel backup generators at data centers in Santa Clara to provide additional resources. The governor issued a State of emergency on September 2 , 2020 allowing backup generators to operate outside their permits negating any permit limits on CEC data center backup generation. On top of that the entire State is blanketed in smoke. PG&E has just employed an unprecedented early September PSPS event. At the September 9th Energy Commission Business meeting the California Air Resource Board and the Bay Area Air Quality Management district representatives appeared to explain that there are over 1,600 MW of diesel generators planned for data centers in the Bay Area. Both agencies explained their concerns for the significant impacts to air quality that these massive concentrations of diesel generators cause. They explained that all of the data centers must use cleaner technology and requested a proceeding be opened to explore

options for these diesel generators. In light of the testimony by the California Air Resources Board and the Bay Area Air Quality Management District the commission remanded the Sequoia proposed decision back to the Sequoia committee for analysis of energy emergencies and the air quality and public health impacts.

The Mission College Data Center also plans to deploy 107.5 MW of diesel generators at their facility so the Commission must reconsider its decision to allow backup diesel generators and require cleaner technologies in light of recent events and yesterday's testimony by CARB and BAAQMD leading to a remand of the Sequoia decision to the committee. Emergency operation is possible in light of the rolling blackouts and PSPS events that were not occurring until after the evidentiary hearing for the project was conducted. These are new facts for the commission to consider which indicate significant impacts to the environment could occur and call into question the decision on the Mission College Data Center approved on August 12, 2020.

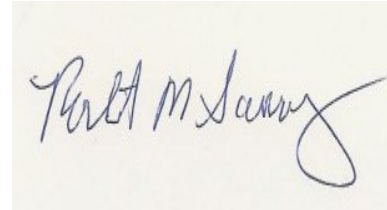
The decision for the Mission College Data center concludes that, *"In sum, we find there is evidence supporting the IS/PMND conclusion that the Backup Generators would operate very infrequently, if at all, for emergency operations."* Therefore, the decision did not require analysis of impacts from emergency operations. Analysis must be conducted to determine if in fact the emergency operations will result in significant impacts to air quality and public health. The recent rolling blackouts and the governors executive order call into question the assumption that, *the Backup Generators would operate very infrequently, if at all, for emergency operations."* The rolling blackouts also call into question whether the projects 78.1 MW load would be a significant impact to energy resources considering the CEC arranged for backup generators at Santa Clara Data Centers to operate in emergency mode during the recent Stage 3 Emergency.

Conclusion

In light of recent events, rolling blackouts, raging wildfires, and unexpected September PSPS events, plus the testimony of CARB and BAAQMD that the use of

diesel backup engines is a significant impact at the Sequoia PD adoption hearing the Commission must reconsider its decision for the Mission College Data Center.

Respectively Submitted,

A handwritten signature in blue ink on a light-colored background. The signature is cursive and appears to read "Robert M. Sarvey".

Robert M. Sarvey
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