

**DOCKETED**

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HEARING BEFORE THE  
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
CALIFORNIA ENERGY COMMISSION

In the matter of, )  
 ) Docket No. 19-SPPE-03  
Application for Small Power Plant) )  
Exemption for the Sequoia ) )  
Backup Generating Facility ) )

COMMITTEE CONFERENCE FOR THE PRIMARY  
PURPOSE OF CONDUCTING A CLOSED SESSION

REMOTE ACCESS ONLY  
VIA ZOOM VIRTUAL MEETING PLATFORM

FRIDAY, MARCH 12, 2021  
9:00 A.M.

Reported by:

Elise Hicks

## APPEARANCES

COMMISSIONERS (AND THEIR ADVISORS) PRESENT:

Karen Douglas, Commissioner, Presiding Member

Kourtney Vaccaro, Advisor to Commissioner Douglas

Eli Harland, Advisor to Commissioner Douglas

Patty Monahan, Commissioner, Associate Member

Mona Badie, Advisor to Commissioner Monahan

Ben De Alba, Advisor to Commissioner Monahan

Jim Bartridge, Technical Advisor to the Commission on Siting  
Matters

HEARING OFFICER:

Susan Cochran, California Energy Commission

CEC STAFF PRESENT:

Lisa DeCarlo, Staff Counsel

Leonidas Payne

Rosemary Avalos, Public Advisor's Office

APPLICANT:

C-1 Santa Clara, LLC

Scott Galati, Esq.

DayZen, LLC

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

1  
2 MARCH 12, 2021

9:00 A.M.

3 COMMISSIONER DOUGLAS: So, this is the Committee  
4 Conference for the Application for a Small Power Plant  
5 Exemption for the Sequoia Backup Generating Facility.

6 I'm Karen Douglas, the Presiding Member of the  
7 Committee assigned to conduct proceedings on the application.

8 Commissioner Patty Monahan is here today and is the  
9 Associate Member of this Committee.

10 We are all participating remotely today, using Zoom.

11 Before we begin, I would like to make introductions  
12 of the following individuals who may be participating via  
13 teleconference. Kourtney Vaccaro and Eli Harland, my  
14 Advisors. Mona Badie and Ben De Alba, Commissioner Monahan's  
15 Advisors. Jim Bartridge, Technical Advisor to the Commission  
16 on Siting Matters, and Susan Cochran, the Hearing Officer for  
17 this proceeding. I would also like to introduce Rosemary  
18 Avalos from the Public Advisor's Office.

19 At this point I'd like to ask the parties to please  
20 introduce themselves and their representatives, starting with  
21 the Applicant.

22 MR. GALATI: Good morning, Committee. This is Scott  
23 Galati representing C-1 Santa Clara, LLC, CyrusOne, on the  
24 Sequoia Project. As attendees, in case you wanted to speak  
25 to them, Jeff Devine from CyrusOne, Steve Branoff, Air

1 Quality Consultant from Ramboll, supported by Sarah Manzano,  
2 as well as Briana Bohonok from Circlepoint, and Marcela  
3 DeLong from Corgan.

4 COMMISSIONER DOUGLAS: Thank you. Well go now to  
5 staff, please.

6 MR. PAYNE: Hello everyone, Lon Payne, the Project  
7 Manager for staff. Lisa De Carlo, Staff Counsel, is here  
8 with me as well. There's probably others listening in, in  
9 case you have any particular questions.

10 And two things, since we may not speak anymore on  
11 this meeting, I just wanted to see if we can get confirmation  
12 that status reports will no longer be required now that we're  
13 at this testimony filing phase. And also, would like to get  
14 confirmation that when it says five days on the scheduling  
15 order for exhibits that everyone thinks that's calendar days,  
16 and those are due Wednesday, the 17th. If that could be  
17 addressed and report out, we'd appreciate it. Thanks.

18 COMMISSIONER DOUGLAS: Thank you. Let's go now to  
19 Intervenors. Robert Sarvey? California Unions for Reliable  
20 Energy or CURE? All right, it sounds like they are --  
21 neither of them are here today.

22 Let's go to -- I'd now invite any public agencies to  
23 introduce themselves. Are there any federal government  
24 agencies participating today?

25 All right, moving on to state agencies, do we have

1 anyone from the California Air Resources Board?

2 Do we have any representatives from local agencies,  
3 or from Native American Tribes or Nations?

4 All right, Commissioner Monahan, do you have any  
5 opening remarks?

6 COMMISSIONER MONAHAN: No, I don't. Thank you.

7 COMMISSIONER DOUGLAS: Thank you. At this point I'll  
8 hand over the conduct of this proceeding to the Hearing  
9 Officer, Susan Cochran.

10 HEARING OFFICER COCHRAN: Thank you and good morning.

11 Notice of today's Committee Conference was provided  
12 on February 22nd, 2021. In that notice and in the agenda  
13 that's on the screen today we indicated that the primary  
14 purpose is for the Committee to meet in closed session to  
15 deliberate.

16 Do the parties have any comments or questions at this  
17 time? I know that Mr. Payne just asked about status reports  
18 and exhibits. Mr. Galati, do you have any questions or  
19 comments?

20 MR. GALATI: No, just that we filed our exhibits  
21 today and we're prepared to answer any questions the  
22 Committee may have.

23 HEARING OFFICER COCHRAN: Okay, thank you. And I  
24 believe during the check in that Mr. Sarvey and California  
25 Unions for Reliable Energy were not present. I don't know

1 that they have shown up in the interim.

2 So, we'll skip over that and move to public comment.

3 Would any public agency representatives or members of the  
4 public like to make comment to the Committee? Ms. Avalos,  
5 have you seen anyone?

6 MS. AVALOS: As to now, no, there are no raised hands  
7 either on the phone or on Zoom.

8 HEARING OFFICER COCHRAN: Okay. Have you received  
9 any written comments?

10 MS. AVALOS: No.

11 HEARING OFFICER COCHRAN: Okay. At this point, then,  
12 the Committee will now adjourn to closed session in  
13 accordance with California Government Code section 11126,  
14 subdivision (c)(3), which allows a state body, including a  
15 delegated committee, to hold a closed session to deliberate  
16 on a decision to be reached in a proceeding the state body  
17 was required by law to conduct.

18 We anticipate returning from closed session around  
19 ten o'clock. And so, at this point we are adjourned to  
20 closed session.

21 (Adjourn to Closed Session at 9:09 a.m.)

22 (Reconvene Public Session at 10:07 a.m.)

23 COMMISSIONER DOUGLAS: So, we are back on the record  
24 following closed session and it is 10:07.

25 And I'll turn this over to the Hearing Officer, Susan



1 Cochran.

2 HEARING OFFICER COCHRAN: Thank you very much. So,  
3 the reportable action from the closed session is as follows:  
4 The Committee will be issuing a revised scheduling order. At  
5 this time the parties are not required to file status reports  
6 for the month of March. The deadline for the filing of  
7 exhibit lists will be extended and will be as set forth in  
8 the subsequent scheduling order.

9 The subsequent scheduling order will also include  
10 minor questions and clarifications that the Committee is  
11 requesting from the parties.

12 Finally, we would like to alert staff that we, that  
13 the Committee would like for staff to prepare a second  
14 revised ISPMD that incorporates not only the changes  
15 occurring as the result of the change in project description,  
16 with the substitution of Tier 4 engines for Tier 2, but that  
17 a single document be prepared that also incorporates the  
18 changes that are reflected in Exhibits 201 and 203 to  
19 Greenhouse Gases and the Public Health portions of the  
20 decision, and any other changes that may have occurred in  
21 those two exhibits.

22 And with that, we are adjourned. Thank you all for  
23 participating.

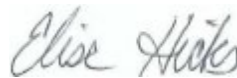
24 (Thereupon, the Conference was adjourned at  
25 10:09 a.m.)

## CERTIFICATE OF REPORTER

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 reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

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 18th day of March, 2021.



ELISE HICKS, IAPRT CERT\*\*2176

**TRANSCRIBER'S CERTIFICATE**

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 18th day of March, 2021.



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Barbara Little  
Certified Transcriber  
AAERT No. CET\*\*D-520