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STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

Application For Small Power Plant
Exemption for the **CA3 BACKUP
GENERATING FACILITY**

DOCKET NO: 21-SPPE-1

VDC STATUS REPORT 1

Vantage Data Centers (VDC), in accordance with the Committee Scheduling Order dated, October 26, 2021 (TN239992), hereby files its Status Report Number 1 for the CA3 Backup Generating Facility (CA3BGF) and CA3 Data Center (CA3DC).

City of Santa Clara Project Clearance Committee (PCC) Review

As the Commission is aware from processing other Applications for SPPE for other projects in the City of Santa Clara (City), the City conducts a PCC review of the project plans in parallel with the CEC SPPE Process. During the PCC review, different City Departments review the plans and provide comments to help the City be able to ensure the plans and specifications conform to City requirements and ultimately enable the City to issue building permits if the project is ultimately approved. It is not uncommon for issues identified in the PCC review to require minor project changes. Not all of the changes are significant enough to warrant the environmental review being conducted by the CEC to become invalid.

VDC presented a set of plans for PCC review that involved additional modifications to respond to the comments provided by the City Fire Department involving site access

and the ability to access the roof of the proposed data center building. The comments required VDC to modify the project as follows:

1. The Data Center Building size will be modified by removing approximately 8 feet of the building footprint along the eastern edge (back of the building) to accommodate additional fire access.
2. The northeastern entrance to the site from Walsh Avenue has been redesigned to enable a fire truck to access the eastern fire access road directly from this entrance.
3. The administrative portion of the building has been redesigned from a triangular shape to a strip along the northern portion of the building to allow fire truck better ladder access to the roof of the building.
4. Redesign of the administrative portion of the building and fire access road has required a slight shift in the substation and switchyard to the north.

VDC will be submitting these revised PCC Drawings to the City and to the CEC by October 22, 2021. VDC has had its air quality consultant conduct a preliminary analysis of the building revisions and since none of the changes involve modifications to the generation yard or generators and the changes to the building do not negatively impact the air quality modeling results, the modifications do not result in significant air quality or public health impacts.

Additionally, none of the modifications affect the prior conclusions or mitigation proposed for the CA3BGF and CA3DC contained in the SPPE Application and the subsequent CEC data requests and responses.

VDC believes the Staff has all it needs to prepare its Land Use, Aesthetics, and Air Quality and Greenhouse Gas Emissions section of the Draft EIR.

Outstanding Information

VDC has prepared responses to Staff's Data Request Set 4, but since these responses are affected by the minor modifications described above, the Responses to Data Request Set 4 will be docketed on October 22, 2021 in addition to the Revised PCC Drawing Set and a Revised Project Description reflecting the slight decrease in square footage of the building. With this submittal VDC believes that Staff will have all that it needs to publish the Draft EIR.

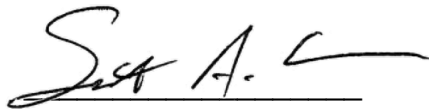
VDC acknowledges that Staff may have additional questions related to the prior air quality analysis and is scheduled to discuss the issues with Staff next week.

Schedule

VDC needs to begin construction as soon as possible in 2022 to accommodate a tenant for Phase I of the building. Therefore, time is of the essence. To accommodate the timeline, VDC has responded to data requests quicker than 30 days throughout the SPPE Process. VDC has agreed to all of Staff's changes to Project Design Measures. and has agreed to the preparation of an EIR even though it strongly believes an EIR is unnecessary. VDC urges Staff to publish the Draft EIR quicker than 60 days to help VDC meet its schedule and to acknowledge VDC's quick responses and cooperation with Staff during the SPPE process.

Dated: October 20, 2021

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Scott A. Galati", with a horizontal line underneath.

Scott A. Galati
Counsel to Vantage Data Centers