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Memorandum

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

Date: October 26, 2021

From: California Energy Commission
715 P Street
Sacramento, CA 95814-5512

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Subject: STATUS REPORT #20 FOR THE SAN JOSE DATA CENTER SMALL POWER PLANT EXEMPTION (19-SPPE-04)

On October 14, 2021, the Committee filed, "Ruling On Staff Request for Revised Scheduling Order and Revised Scheduling Order", in which the Committee granted staff's request to publish its Draft Environmental Impact Report (EIR) no later than 60 days following staff acknowledgement in a status report that it has no further data requests. To address concerns of the applicant, staff agreed to determine within 7 working days that all data responses are complete.

On October 15, 2021, the applicant filed their responses to Staff Data Request, Set #6. Staff has reviewed the responses and has no further data requests on the responses provided. There were four data requests that did not have complete responses (DR #64, #65, #83, and #89). Two of the responses are incomplete because the applicant is awaiting information from the City of San Jose. If, and when, the applicant receives the missing information from the City and files it in the project's docket, staff will review this information and determine if staff has further questions related to this information. If staff has further questions, the estimated publication date could be affected. The project's Draft EIR will tentatively be published and submitted to the State Clearinghouse by December 23, 2021.