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Memorandum

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

Date: November 15, 2021

From: California Energy Commission
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Subject: STATUS REPORT #21 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. In Status Report #20 filed on October 26, 2021, staff informed the Committee that all the data responses received were complete, noting that a few responses were pending. On November 8, 2021, the applicant filed some more responses to Staff's Data Request Set #6 (TN 240407 - "1 file(s) in queue SJC Data Request Set 6A Response-2021-11-06"). Staff is reviewing the applicant's responses. Staff is making progress on the Draft EIR and remains on schedule for publication by December 23, 2021.

On November 1, 2021, Ada Marquez filed a data request addressed to CEC staff related to air quality (TN 240189 - "Ada Marquez Comments- Air Quality Data Request Letter"). Because Ms. Marquez is not a party to the proceeding, staff is treating the request as a Public Records Act request. Staff filed a response on November 10, 2021 (TN 240562 - "Staff Response to Ada Marquez Air Quality Data Request Letter for the San Jose Data Center").