

DOCKETED

Docket Number:	20-SPPE-03
Project Title:	Gilroy Backup Generating Facility
TN #:	241553
Document Title:	Memo re Request for a Revised Notice of Withdrawal
Description:	N/A
Filer:	Ngoc Tran
Organization:	California Energy Commission
Submitter Role:	Committee
Submission Date:	2/16/2022 10:48:17 AM
Docketed Date:	2/16/2022

Memorandum

To: Amazon Data Services, Inc.
Scott Galati
In the Matter of: Application For Small Power Plant Exemption
for the Gilroy Backup Generating Facility
(20-SPPE-03)

From: Ralph Lee, Hearing Officer
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Subject: **Request for a Revised Notice of Withdrawal**

On December 17 and 18, 2020, Amazon Data Services, Inc. (Applicant) submitted an application for a small power plant exemption (SPPE) for the Gilroy Backup Generating Facility (Application).¹

On February 9, 2022, counsel for Applicant filed a Notice of Withdrawal of the Application.² The truth and accuracy of the contents of the Notice to Withdraw were verified under penalty of perjury by Applicant's counsel.

Section 1936(e) permits an applicant to withdraw an application as set forth in Section 1709.8. Section 1709.8 states that the notice of withdrawal must be authorized and verified in the same manner as the original notice or application, as provided in Section 1707.³ Section 1707 in turn requires verification by the Applicant rather than its counsel.

Upon receipt of a withdrawal verified by the Applicant, the Presiding Member shall immediately issue a written order to terminate the application proceeding and close the docket.⁴

¹ Information about this proceeding, including a link to the electronic docket, may be found on the CEC's [web page](https://www.energy.ca.gov/powerplant/reciprocating-engine/gilroy-backup-generating-facility) at <https://www.energy.ca.gov/powerplant/reciprocating-engine/gilroy-backup-generating-facility>. Documents related to this proceeding may be found in the [online docket](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-SPPE-03) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-SPPE-03>. The Application and related addenda are TN 236004, TN 236007 to TN 236016 and TN 237352, TN 237353, TN 237425, and TN 237502.

² TN 241498, citing Cal. Code Regs., tit. 20, §§ 1936(e) and 1709.8. All further references are to Cal. Code Regs., tit. 20 unless otherwise specified.

³ The application also was not dated and signed by the applicant as required under section 1707.

⁴ §§ 1936(e) and 1709.8.