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En español:

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=246755&DocumentContentId=81101>

NOTICE OF RECEIPT OF AN APPLICATION FOR A SMALL POWER PLANT EXEMPTION FOR SAN JOSÉ DATA CENTER 04

In a series of filings dated September 9 and 12, 2022, Microsoft Corporation (applicant) filed an application with the California Energy Commission (CEC) seeking an exemption from the CEC's jurisdiction (Small Power Plant Exemption or SPPE) for the San José Data Center Campus (SJDC 04 or project) (22-SPPE-02). The project site encompasses approximately 22.29 acres on two properties located at the northwest corner of the intersection of Orchard Parkway and Component Drive in San José, California.

Project Description

SJDC 04 would include two data center buildings; emergency backup generating facilities; recycled water storage, fire water storage, pipelines, and support buildings; building cooling equipment; an on-site substation and switchyard; potentially two distribution transmission lines; and ancillary support facilities. Together, these constitute the "project under the California Environmental Quality Act (CEQA).

The project's generating facility would include Tier 4 compliant diesel-fired generators to provide up to 97.8 megawatts (MW) to the data center in the event of a loss of electric service from Pacific Gas and Electric Company. Specifically proposed are 32 3-MW primary emergency generators; 2 0.5-MW administrative emergency generators; and 2 0.8-MW storage tank area emergency generators.

CEC Jurisdiction and SPPE Process

The CEC has the exclusive authority to certify all thermal power plants (50 MW and greater) and related facilities proposed for construction in California. The SPPE process allows applicants proposing to construct thermal power plants between 50 and 100 MW to obtain an exemption from the CEC's jurisdiction and proceed with local permitting rather than requiring CEC certification. The CEC can grant an exemption if it finds that the proposed facility would not create a substantial adverse impact on the environment or energy resources (Pub.

Resources Code, § 25541). Public Resources Code section 25519(c) designates the CEC as lead agency, in accordance with CEQA, for all facilities seeking an SPPE.

As the lead agency, the CEC is required by Public Resources Code section 21080.3 and CEQA Guidelines, California Code of Regulations, title 14, section 15063(g), to consult with responsible and trustee agencies to ascertain whether a negative declaration or environmental impact report is required. The CEC staff has begun its review of the application. Over the coming months, the staff will evaluate the proposed project and prepare the appropriate environmental analysis document for public review.

At the conclusion of the evaluation and opportunity for public review and comment regarding the project, a decision will be made by the CEC at a noticed business meeting on whether the application meets the requirements of Public Resources Code, section 25541. Should the exemption be granted, the applicant would still need to secure the appropriate entitlements and permits from the relevant local, regional, state, and federal agencies to construct and operate the proposed project. The CEC's regulations setting forth the SPPE process are primarily located in California Code of Regulations, title 20, sections 1934-1947.

Public Participation

The CEC welcomes public participation in the SPPE review process. A copy of the SPPE application and project information can be found on the CEC website at <https://www.energy.ca.gov/powerplant/reciprocating-engine/san-jose-data-center-04>. To stay informed about this project and receive notice of upcoming meetings and workshops, subscribe to the project's automated email notifications, which can be accessed on the project webpage. The GovDelivery system sends out email notifications when documents and notices are posted to the project webpage.

For questions about the project please contact Lisa Worrall, project manager, at (916) 661-8367 or by email at lisa.worrall@energy.ca.gov.

The CEC Public Advisor's Office is available to provide information on, and assistance with, public participation in CEC proceedings. The Public Advisor's Office can be reached by phone at (916) 957-7910 and by email at publicadvisor@energy.ca.gov.

Media questions should be directed to the CEC's Media Office by phone at (916) 654-4989 or by email at mediaoffice@energy.ca.gov.

Attachments (from the SPPE application):

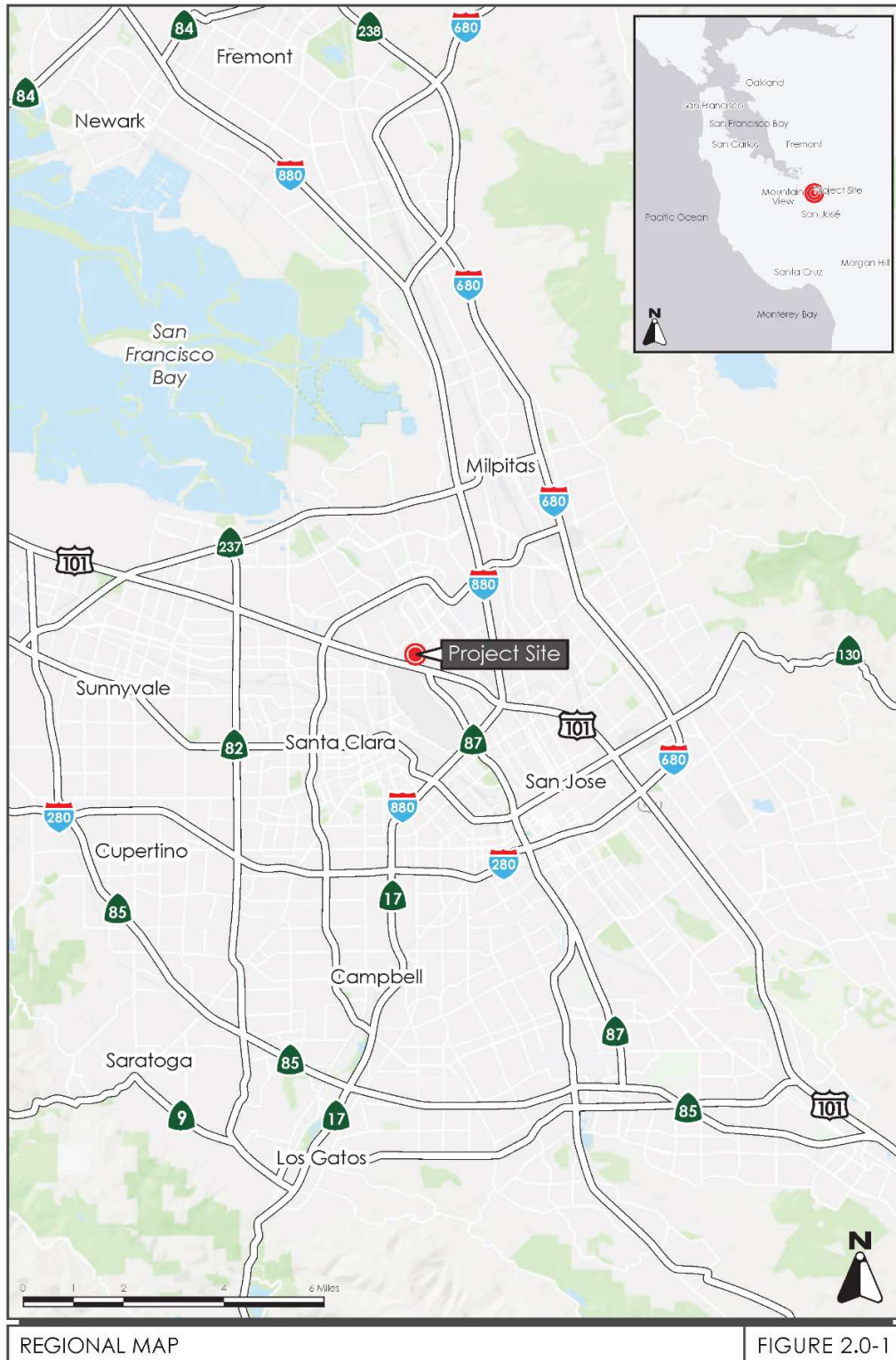
Regional Map (Figure 2.0-1)

Aerial Photograph and Surrounding Land Uses (Figure 2.0-3)

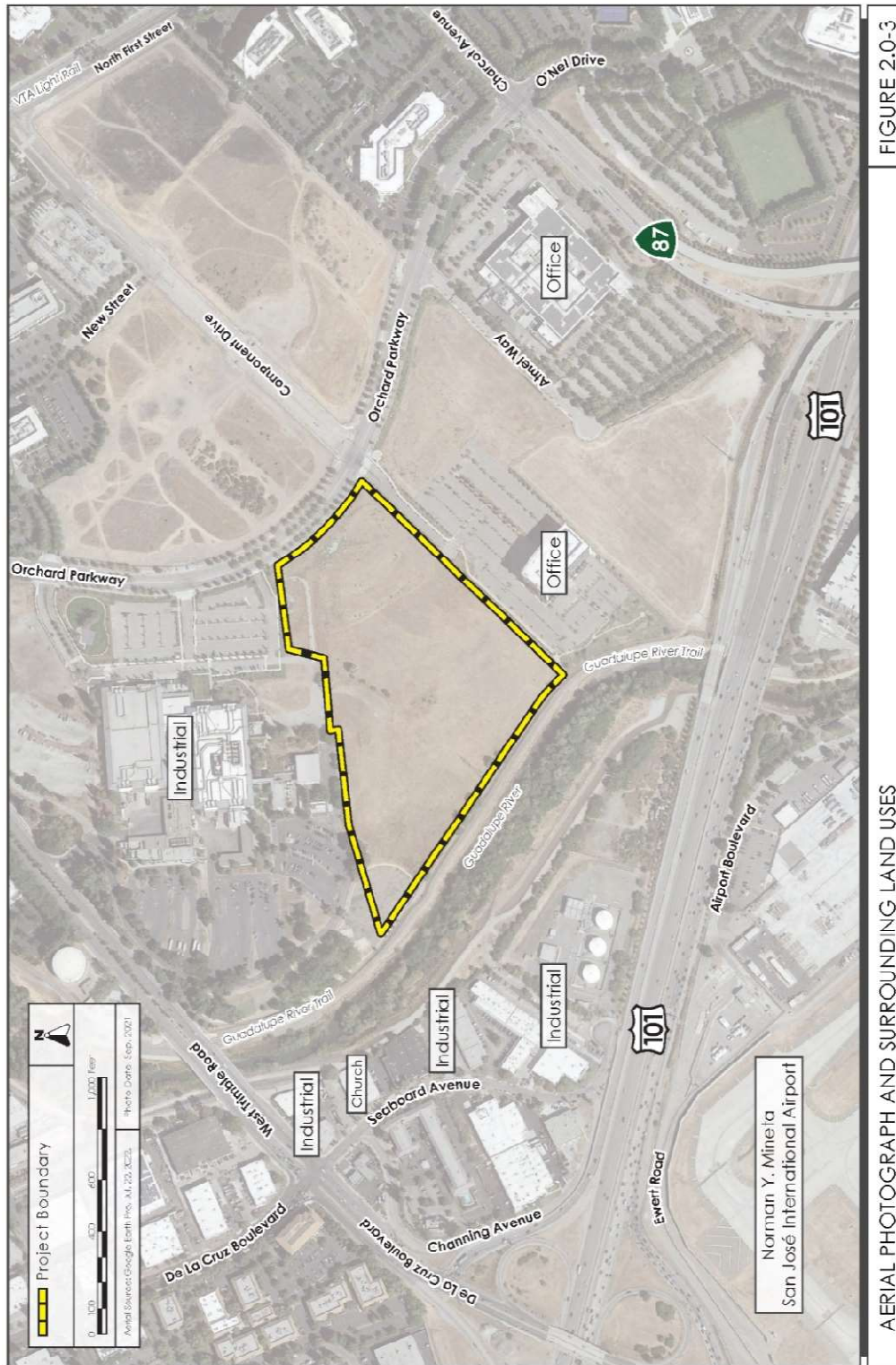
Site Plan (Figure 3.3-1)

Proposed Recycled Water Line Extension (Figure 3.3-10)

Proposed Bike Path (Figure 3.3-11)



Regional Map (Figure 2.0-1)



Aerial Photograph and Surrounding Land Uses (Figure 2.0-3)

FIGURE 2.0-3

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

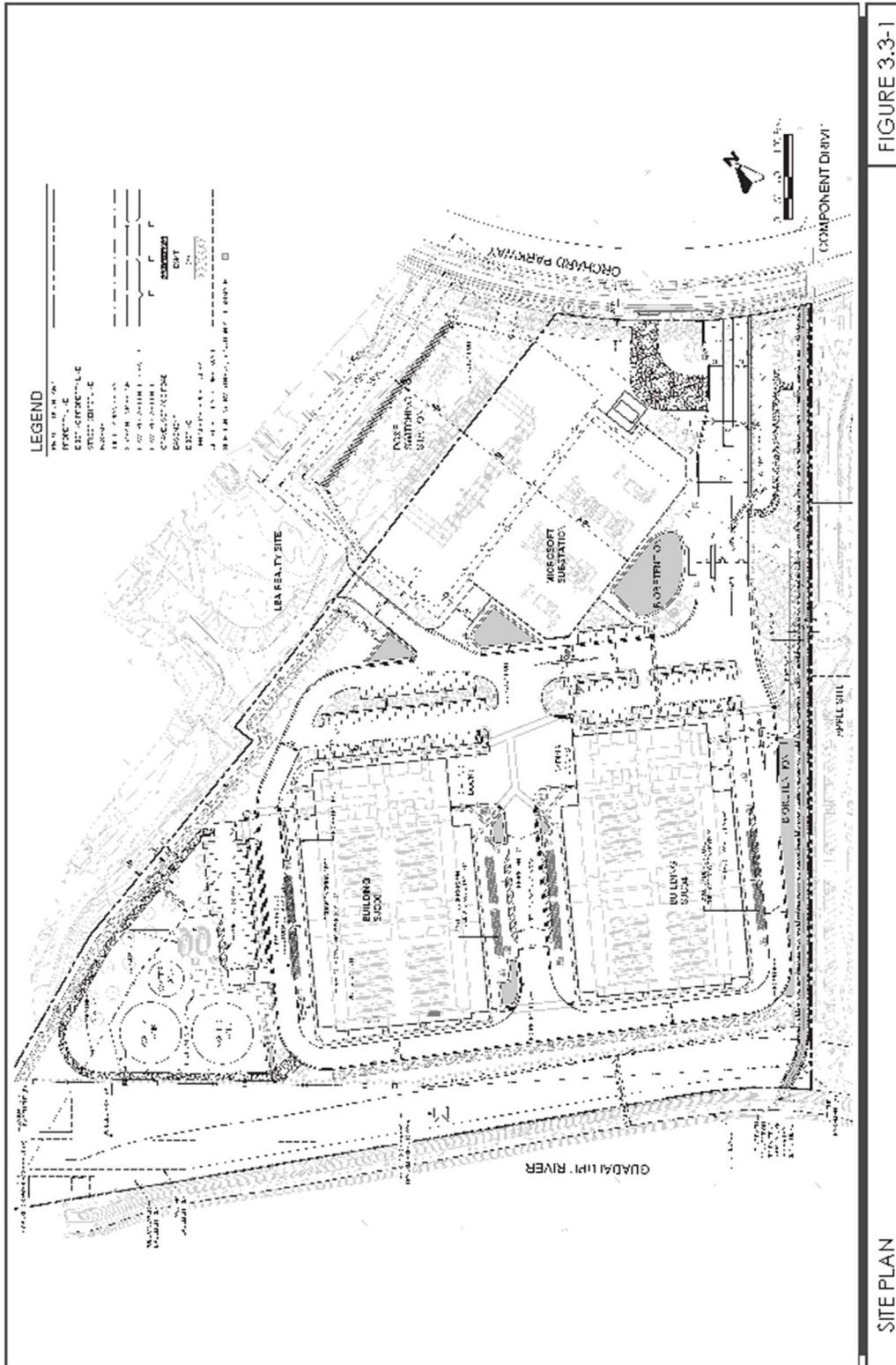


FIGURE 3.3-1

Site Plan (Figure 3.3-1)

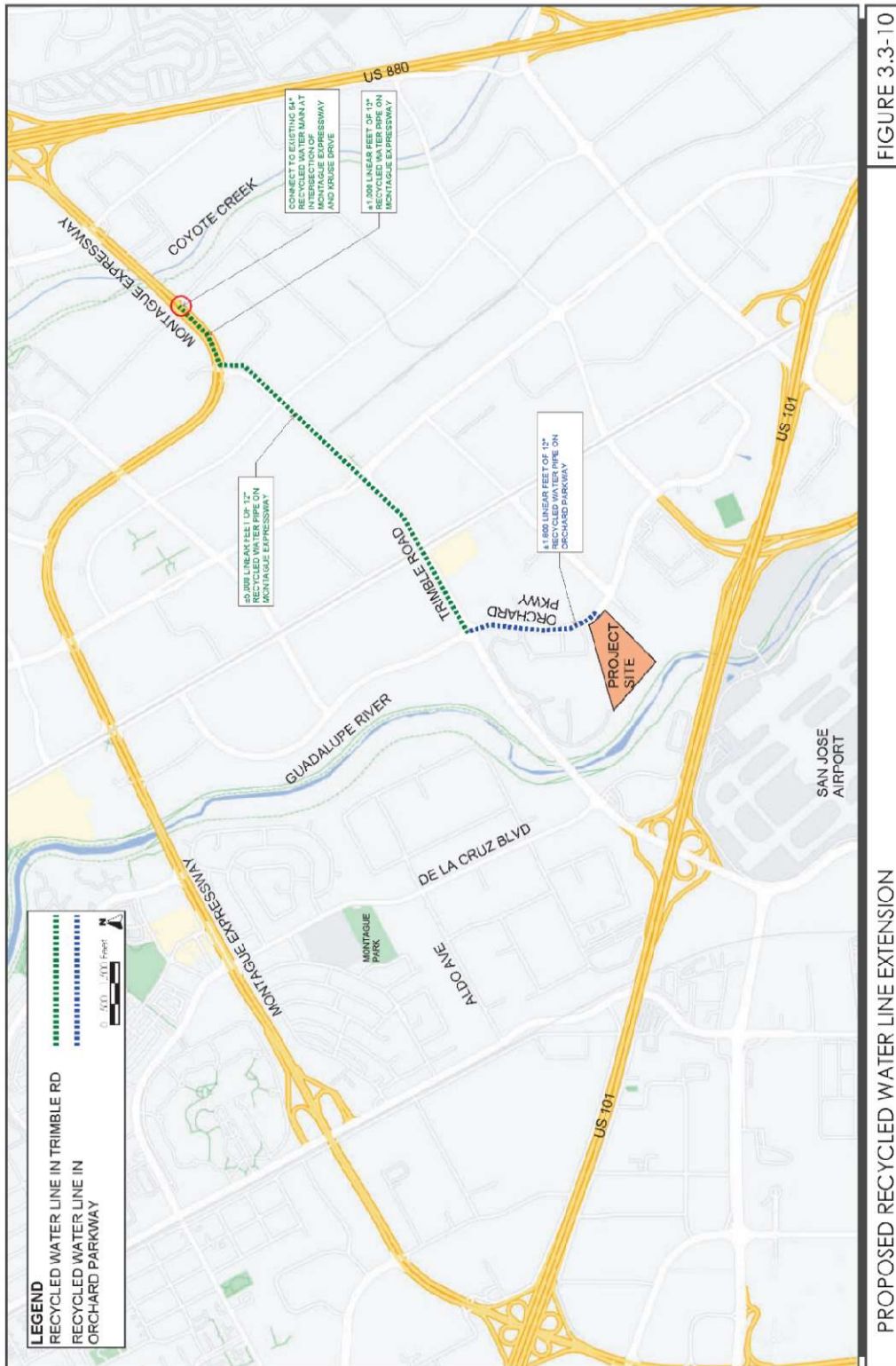
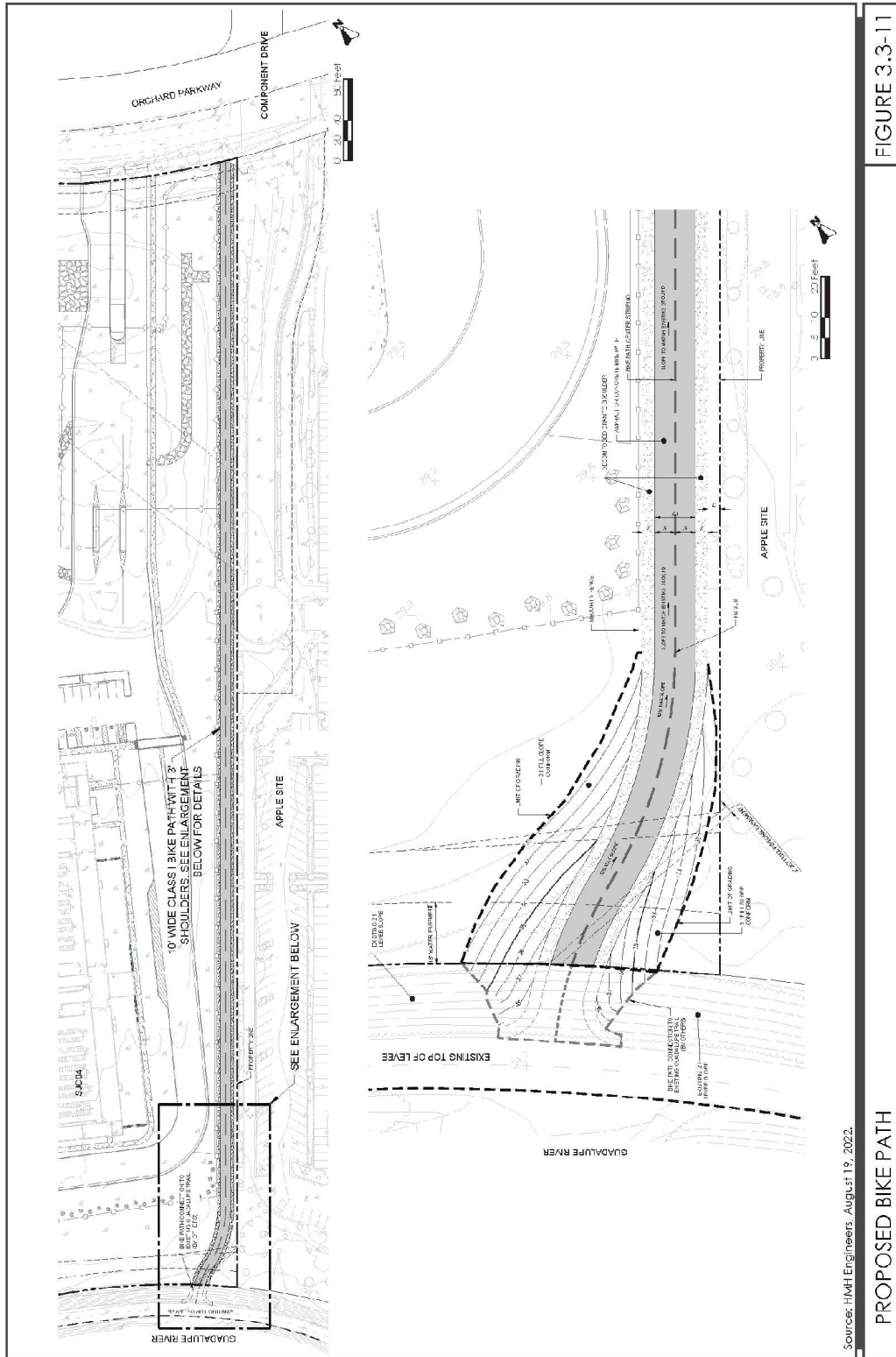


FIGURE 3.3-10

PROPOSED RECYCLED WATER LINE EXTENSION

Proposed Recycled Water Line Extension (Figure 3.3-10)



Source: HMT Engineers August 19, 2022.

PROPOSED BIKE PATH

FIGURE 3.3-11

Proposed Bike Path (Figure 3.3-11)