

DOCKETED

Docket Number:	23-BUSMTG-01
Project Title:	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
TN #:	248505
Document Title:	Presentation - Item 7 - Lafayette Backup Generating Facility (20-SPPE-02)
Description:	N/A
Filer:	Kristine Banaag
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	1/24/2023 11:35:26 AM
Docketed Date:	1/24/2023



Item 7: Lafayette Backup Generating Facility (20-SPPE-02)

January 25, 2023

Deborah Dyer, Senior Staff Attorney and Hearing Officer
Hearing & Advisory Unit
Chief Counsel's Office



Lafayette Data Center

2825 Lafayette Dr., Santa Clara, CA

- Multi-story 576,120 square-foot Data Center Building
- Backup Generating Facility
 - 44 3-MW diesel-fired generators
 - Single 1-MW diesel-fired generator
- Application for SPPE filed May 20, 2020



Artist's rendition, source: Application (TN 233041-1)



Updated Small Power Plant Exemption (SPPE) Regulations

1. Updated SPPE regulations, effective 12/14/22, eliminated adjudicatory process for SPPEs.
2. Project retains environmental review and public participation requirements under California Environmental Quality Act.
3. Applicant filed a motion on 12/12/22, seeking to dissolve Committee; no longer needed pursuant to updated regulations.



Findings in Proposed Order

1. Amended SPPE regulations, effective 12/14/22, apply to all existing SPPE proceedings.
2. Adjudicatory process for SPPE proceedings has been eliminated.
3. Services of Lafayette Committee and its ongoing orders are no longer necessary.



Recommendation & Next Steps:

1. Adopt proposed order granting Applicant's motion.
2. Withdraw Lafayette proceeding from Committee, dissolve Committee, and vacate ongoing Committee rulings and orders.
3. CEC remains lead agency under Warren-Alquist Act and California Environmental Quality Act.
 - a. Staff will conduct the remaining steps necessary:
 - i. Prepare appropriate environmental document
 - ii. Recommend whether CEC should grant SPPE
 - b. CEC will decide whether to grant an SPPE.