

DOCKETED

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PROOF OF PUBLICATION IN THE CITY OF SAN JOSE IN THE STATE OF CALIFORNIA COUNTY OF SANTA CLARA

FILE NO. Energy Commission Notice - Bowers Backup Generating Facility San Jose Mercury News

The undersigned, being first duly sworn, deposes and says: That at all times hereinafter mentioned affiant was and still is a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above entitled proceedings; and was at and during all said times and still is the principal clerk of the printer and publisher of the San Jose Mercury News, a newspaper of general circulation printed and published daily in the City of San Jose, County of Santa Clara, State of California as determined by the court's decree dated June 27, 1952, Case Numbers 84096 and 84097, and that said San Jose Mercury News is and was at all times herein mentioned a newspaper of general circulation as that term is defined by Sections 6000; that at all times said newspaper has been established, printed and published in the said County and State at regular intervals for more than one year preceding the first publication of the notice herein mentioned. Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a true printed copy, has been published in each regular or entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

11/04/2022

Dated at San Jose, California
November 7, 2022

I declare under penalty of perjury that the foregoing is true and correct.

Principal clerk of the printer and publisher of the San Jose Mercury News

Legal No. 0006710583

NOTICE OF RECEIPT OF AN APPLICATION FOR A SMALL POWER PLANT EXEMPTION FOR BOWERS BACKUP GENERATING FACILITY

On August 31, 2022, GI Partners (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 Bowers Backup Generating Facility (BBGF) (22-SPPE-01). The BBGF would be part of the Bowers Data Center (BDC) proposed to be located in the city of Santa Clara.

Project Description

The BBGF, the BDC, and related utility infrastructure, together constitute the "project" under the California Environmental Quality Act (CEQA). The proposed project site encompasses approximately 5.12 acres and is located at 2805 Bowers Avenue in Santa Clara, California, APN 216-28-063.

The BBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 72 megawatts (MW) to support the need for the BDC to provide uninterruptible power supply for its tenant's servers. The BBGF would consist of thirty-two 3 MW Tier 4 compliant diesel-fired emergency backup generators arranged in one generation yard on the north side of the BDC. All 32 of the generators, would be dedicated to replacing the electricity needs of the BDC data center building in case of a loss of electrical power from the utility (with redundancy) and, additionally, to support redundant critical cooling equipment and other general building and life safety services. Project elements would also include a new 72 MVA (mega volt-ampere) electrical substation as well as switchgear and distribution cabling to interconnect the generators to their respective portion of the building, surface parking and landscaping and utility pipeline connections, including an approximately 2,600-foot offsite recycled water pipeline extension.

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 as well as other project information, can be found on the CEC website at <https://www.energy.ca.gov/power-plant/reciprocating-engine/bowers-backup-generating-facility>. 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 same 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 Ann Crisp, project manager, at (916) 776-7975 or by email at ann.crisp@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.

SJMN #6710583; November 4, 2022