

DOCKETED

Docket Number:	23-SPPE-01
Project Title:	STACK SVY03A Data Center Campus
TN #:	262875
Document Title:	May 8, 2025, Business Meeting Agenda
Description:	Item 11, Small Power Plant Exemption (SPPE) for STACK SVY03A Data Center Campus (Docket No. 23-SPPE-01)
Filer:	Renee Longman
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	4/30/2025 2:30:49 PM
Docketed Date:	4/30/2025



California Energy Commission **Business Meeting Agenda**

May 8, 2025
10:00 a.m. – 3:00 p.m.

In-person at:

California Natural Resources Agency Building
715 P Street
First Floor Auditorium
Sacramento, California 95814
(Wheelchair Accessible)

Remote Access via Zoom™

<https://zoom.us/> Meeting ID: **863 3538 9460** Passcode: **energy**

Remote participation instructions are below, after the agenda items.

The California Energy Commission (CEC) aims to begin the business meeting promptly at the start time, and the end time is an estimate based on the agenda. The meeting may end sooner or later than the time indicated depending on various factors. Commissioners may attend remotely in accordance with Government Code section 11123.2(j). Agenda items may be taken out of order as needed.

Pursuant to the California Code of Regulations (CCR), title 20, section 1104(e), any person may make an oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to two minutes or less per person.

Please visit the CEC [Business Meeting web page](#) for more information and backup materials for all voting items at <https://www.energy.ca.gov/proceedings/business-meetings>.

THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:

1. Public Comment.

Any person wishing to comment on information items (non-voting items) shall provide comments during this period.

2. Agency Announcements.

The Chair may announce relevant matters to the public and the CEC, including agency updates, events, and other opportunities. Discussion may follow.

3. Consent Calendar.

Items will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.

- a. 2022 Energy Code Residential Automated Window Shading Exceptional Method Application. Proposed order denying application for an Energy Code exceptional method for residential automated window shading. ConSol submitted a formal application requesting the CEC develop an Energy Code compliance credit for automated window shades into the 2022 residential California Building Energy Code Compliance software (CBECC-Res) for residential buildings in accordance with Title 24, Part 6, Section 10-109(e). Upon review of the submitted materials and public comments, staff recommends the CEC deny the application. Contact: Thao Chau
- b. Town of Discovery Bay. Proposed resolution approving agreement 009-24-ECI with the Town of Discovery Bay for a \$3,000,000 one-percent interest loan, and adopting staff's recommendation that this action is exempt from the California Environmental Quality Act (CEQA). This loan will finance a 327.8 kilowatt (kW) photovoltaic (PV) system, light emitting diode (LED) lighting, and multiple heat pumps at the town-owned community center and district office in Contra Costa County. The project is estimated to reduce 463,872 kilowatt hours (kWh) of electricity consumption, saving \$187,081 in utility costs per year. (ECAA Funding) Contact: Stephen Banister
- c. Form Energy, Inc. Proposed resolution approving amendment 2 to agreement LDS-22-004 with Form Energy, Inc. to reduce the energy storage system size from 5 megawatt (MW)/500 megawatt hours (MWh) to 1.5MW/150MWh; decrease CEC funding from \$30,000,000 to \$25,000,000; increase match share from \$6,000,000 to \$25,000,000; and adopting staff's recommendation that this action will not result in additional environmental impacts beyond those already considered in the December 13, 2023 adoption of the CEC Initial Study (IS) and Mitigated Negative Declaration (MND). This agreement will demonstrate a long-duration energy storage system at PG&E's Mendocino Substation to support grid reliability, resilience and decarbonization. (LDES Funding) Contact: Yahui Yang
- d. Swift Solar Inc. Proposed resolution approving amendment 1 to agreement EPC-21-012 with Swift Solar Inc. to revise the Scope of Work (SOW) to remove both the development of curved perovskite tandem modules as well as their integration into onboard electric vehicle (EV) charging applications, and adopting staff's recommendation that this action is exempt from CEQA. The revised SOW now focuses on the development of flat perovskite tandem modules for residential, commercial, and utility solar applications. (EPIC Funding) Contact: Michael Ferreira
- e. Clairity Technology Inc. Proposed resolution approving agreement CRI-24-007 with Clairity Technology Inc. for a \$1,000,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will evaluate a series of materials to improve the lifespan and reduce the costs of solid salt-based sorbents used in carbon capture systems and assess new

materials that could lower energy use and enhance the efficiency of direct air capture systems in Culver City. (CRISP Funding) Contact: Maryam Haddad

- f. Carbon Capture, Inc. Proposed resolution approving agreement CRI-24-008 with Carbon Capture, Inc. for a \$990,678 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will design, build, and test a modular, regenerative carbon dioxide removal unit in Los Angeles. Using a structured solid sorbent, the unit applies a steam-assisted temperature-vacuum swing process to remove carbon dioxide to decrease the cost and energy consumption of capturing carbon dioxide. (CRISP Funding) Contact: Maryam Haddad
- g. The Northern California Land Trust, Inc. Proposed resolution approving agreement EPC-24-051 with The Northern California Land Trust, Inc. for a \$8,000,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will support the build-out an all-electric affordable housing, mixed-use development in Berkeley featuring a suite of advanced energy assets and efficiency strategies and seek to validate the scalability and replicability of zero-net energy building design to advance decarbonization goals. (EPIC Funding) Contact: Molly Mahoney
- h. Barr Engineering Co. dba Barr Engineering Co. – Midwest. Proposed resolution approving agreement EPC-24-044 with Barr Engineering Co. dba Barr Engineering Co. – Midwest for a \$3,252,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will fund the development and demonstration of a novel barrier coating, optimized to resist scaling and corrosion when used to line piping in Salton Sea geothermal power plants for demonstration at a geothermal power plant in Imperial County. (EPIC Funding) Contact: Chuck Gentry
- i. City of Livermore. Proposed resolution approving agreement ARV-24-017 with the City of Livermore for a \$1,600,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will install at least 96 Level 2 EV charging ports and at least four EV direct current fast charging ports across approximately five city-owned sites that will power fleet vehicles for three city departments including the Police Department, Public Works Department and Community Development Department. (Clean Transportation Program Funding) Contact: Sarah Birnbaum
- j. City of Sacramento. Proposed resolution approving agreement ARV-24-018 with the City of Sacramento for a \$2,399,524 grant, and adopting staff's recommendation that this action is exempt from CEQA. This project will deploy and collect data on at least 160 Level 2 EV charging ports and at least four direct current fast charging ports across approximately ten city-owned sites to support electrification and charging needs of the city's government fleet vehicles. (Clean Transportation Program Funding) Contact: Sarah Birnbaum
- k. County of Santa Barbara. Proposed resolution approving agreement ARV-24-022 with the County of Santa Barbara for a \$4,746,355 grant, and adopting staff's recommendation that this action is exempt from CEQA. This project will install at

least 114 Level 2 EV charging ports and 36 EV direct current fast charging ports across county fleet locations to serve municipal fleet vehicles and accelerate the transition of the county's light-duty fleet to EVs. (Clean Transportation Program Funding) Contact: Sarah Birnbaum

- I. County of Sonoma. Proposed resolution approving agreement ZVI-24-009 with County of Sonoma for a \$1,575,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will install at least 100 Level 2 EV charging ports and at least 10 EV direct current fast charging ports across approximately 18 county-owned sites to serve fleets across various County of Sonoma departments. (General Fund Funding) Contact: Sarah Birnbaum

4. Home Energy Rating System (HERS) Provider and Data Registry Application for Golden State Registry (GSR).

Proposed order approving GSR's applications to become a HERS provider and to operate as a residential data registry under the 2022 Energy Code. The approval applies to prescriptive space conditioning system alterations in single-family residential buildings. Contact: Archana Etikala (Staff Presentation: 5 minutes)

5. Load Management Standards Compliance Plans.

Proposed orders approving six Load Management Standards compliance plans, and adopting staff's recommendation that the approvals are exempt from CEQA. The Load Management Standards regulations require regulated investor-owned utilities, publicly-owned utilities, and community choice aggregators to submit Load Management Standards compliance plans to the CEC for approval. These plans detail how the regulated entities will comply with the Load Management Standards regulations. The CEC's approval of the plans signifies that the plans are compliant with the Load Management Standards regulations. Contact: Scott McCarthy (Staff Presentation: 1 minutes)

- a. Pacific Gas & Electric Load Management Standards Compliance Plan
- b. Southern California Edison Load Management Standards Compliance Plan
- c. San Diego Gas & Electric Load Management Standards Compliance Plan
- d. San Jose Clean Energy Load Management Standards Compliance Plan
- e. Valley Clean Energy Load Management Standards Compliance Plan
- f. Peninsula Clean Energy Authority Load Management Standards Compliance Plan

6. City of Burbank Water and Power Integrated Resource Plan (IRP).

Proposed order adopting CEC staff's determination that the City of Burbank Water and Power IRP and accompanying filing complies with Public Utilities Code section 9621 including greenhouse gas emission reductions, renewable energy resource procurement, carbon neutrality, reliability, and other requirements. Public Utilities Code section 9622 requires publicly owned utilities to submit their adopted IRPs to the CEC for review. Contact: Bryan Neff (Staff Presentation: 10 minutes)

7. City of Redding Electric Utility IRP.

Proposed order adopting CEC staff's determination that the City of Redding Electric Utility IRP and accompanying filing complies with Public Utilities Code section 9621 including greenhouse gas emission reductions, renewable energy resource procurement, carbon neutrality, reliability, and other requirements. Public Utilities Code section 9622 requires publicly owned utilities to submit their adopted IRPs to the CEC for review. Contact: Alyssa Tavares (Staff Presentation: 10 minutes)

8. Vernon Public Utilities IRP.

Proposed order adopting CEC staff's determination that the Vernon Public Utilities IRP and accompanying filing complies with Public Utilities Code section 9621 including greenhouse gas emission reductions, renewable energy resource procurement, carbon neutrality, reliability, and other requirements. Public Utilities Code section 9622 requires publicly owned utilities to submit their adopted IRPs to the CEC for review. Contact: Angela Tanghetti (Staff Presentation: 10 minutes)

9. City of Pasadena Water and Power Department.

Proposed resolution adopting CEQA findings for the City of Pasadena's Glenarm Battery Energy Storage System Project, and approving grant agreement DBA-24-006 with the City of Pasadena Water and Power Department. (DEBA Funding) Contact: O'Shea Bennett (Staff Presentation: 5 minutes)

- a. CEQA Findings: As a responsible agency, based on the whole record including the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program adopted by the City of Pasadena for the Glenarm Battery Energy Storage System, it is the independent judgement of the CEC that there is no substantial evidence that the actions under the agreement will have a significant effect on the environment.
- b. City of Pasadena Water and Power Department. Proposed approval of agreement DBA-24-006 with the City of Pasadena Water and Power Department for a \$9,660,000 grant to purchase, install, and report performance of a four-hour lithium-ion battery system with a nameplate capacity of 25MW (100 MWh) at the City's Glenarm Power Plant.

10. Tribal Electric Vehicle Infrastructure, Planning, and Workforce Training and Development – GFO-23-607.

This solicitation sought to fund projects that will accelerate zero-emission vehicle adoption among California Native American tribes by funding EV charging infrastructure, EV infrastructure planning, and EV workforce training and development. This item includes three projects totaling \$4,394,602. (Clean Transportation Program Funding) Contact: Pilar Magaña (Staff Presentation: 10 minutes)

- a. Vector Energy Group LLC. Proposed resolution approving agreement ARV-24-019 with Vector Energy Group LLC for a \$898,017 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will install 75 Level 2 EV charging ports at the Chumash Casino and Resort

Enterprise located in Santa Ynez.

- b. Paskenta Band of Nomlaki Indians. Proposed resolution approving agreement ARV-24-020 with Paskenta Band of Nomlaki Indians for a \$685,909 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will assess electric vehicle supply equipment (EVSE) installation opportunities on the Paskenta Band of Nomlaki Indians Reservation and develop a blueprint that other California Native American tribes can use as a framework for their own EVSE installation assessment.
- c. Agua Caliente Band of Cahuilla Indians. Proposed resolution approving agreement ARV-24-021 with the Agua Caliente Band of Cahuilla Indians for a \$2,810,676 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will install five Level 2 EV charging ports and 32 EV direct current fast charging ports across three locations owned by the Agua Caliente tribe in Palm Springs, Cathedral City, and Rancho Mirage to support tribal sustainability goals, grow EV adoption among tribal members, and increase overall availability of EV charging ports in the region.

11. Small Power Plant Exemption (SPPE) for STACK SVY03A Data Center Campus (Docket No. 23-SPPE-01).

Proposed order finding the requirements of Public Resources Code section 25541 are met; the Initial Study (IS)/Mitigated Negative Declaration (MND) was prepared in compliance with CEQA; and adopting the Executive Director's recommendation that the CEC adopt the IS/MND and Mitigation Monitoring and Reporting Program and grant the 67.2 MW STACK SVY03A Data Center Campus, proposed in the City of Hayward an SPPE from the Application for Certification provisions of the CEC's powerplant licensing process. The proposed project would include a new three-story data center building; a security building; backup generators to support the data center building; an on-site project substation; a Pacific Gas and Electric Company (PG&E) switching station; an on-site transmission line, and related infrastructure improvements including new access driveways, loading dock, and other items. The SPPE process allows proposed facilities not exceeding 100 MW to obtain an exemption from CEC powerplant licensing jurisdiction and proceed with local permitting rather than CEC certification. To grant the exemption, CEC must find that the proposed facility will not create a substantial impact on the environment or energy resources. Contact: Renee Longman (Staff Presentation: 5 minutes)

12. Disadvantaged Communities Advisory Group (DACAG) Appointments.

Proposed resolution approving five appointments to the DACAG for terms beginning May 2025: reappointment of three members, Román Partida-López, Elena Krieger, and Senait Forthal; and appointment of two new members: Gem Montes and Chris Walker. The DACAG is an eleven-member advisory body to the CEC and the California Public Utilities Commission established pursuant to Senate Bill 350 (de León, Chapter 547, Statutes of 2015). Contact: Ryan Briscoe Young (Staff Presentation: 5 minutes)

13. Silicon Valley Clean Water.

Proposed resolution approving agreement EPC-24-050 with Silicon Valley Clean Water of an up to \$4,000,000 grant, and adopting staff's recommendation that this action is exempt from CEQA. This agreement will fund the demonstration and installation of a predictive biogas microgrid controller that flexibly dispatches 730 kW of clean, renewable generation using three biogas-fueled linear generators at a municipal wastewater treatment facility in Redwood City. (EPIC Funding) Contact: Baldomero Lasam (Staff Presentation: 5 minutes)

14. Lead Commissioner and Presiding Member Reports.

Lead commissioners on policy matters and presiding members on delegated committees may report to the CEC on relevant matters and discussion may follow.

15. Executive Director's Report.

16. Public Advisor's Report.

17. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(a)(1), the CEC may adjourn to closed session with its legal counsel to consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.
- b. Pursuant to Government Code section 11126(e)(1), the CEC may adjourn to closed session with its legal counsel to discuss the following pending litigation:
 - i. Shasta County and Pit River Tribe, et al. vs. California Energy Commission (Shasta County Superior Court, Case No. 23CV-0203737).
 - ii. California Fuels and Convenience Alliance v. California Energy Commission, et al. (Sacramento Superior Court, Case No. 24WM000058).
 - iii. Interlink Products International, Inc., v. California Energy Commission (Sacramento County Superior Court, Case No. 25WM000001)
- c. Pursuant to Government Code section 11126(c)(3), Commissioners may adjourn to closed session to deliberate on a decision to be reached in the following proceedings the state body is required by law to conduct:
 - i. Morton Bay Geothermal Project, Docket 23-AFC-01
 - ii. Elmore North Geothermal Project, Docket 23-AFC-02
 - iii. Black Rock Geothermal Project, Docket 23-AFC-03
- d. Pursuant to Government Code section 11126(e), the CEC may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the CEC, which might include personnel matters.

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Public comments are welcomed at the business meeting during announced times. Comments may be limited to two minutes or less per speaker and one speaker per entity depending on the proposed agenda and number of commenters.

If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment. The Public Advisor will open your line to speak. Please restate and spell your name for the record, indicate any affiliation, and begin your comments.

If participating by telephone, press *9 to "raise your hand" and *6 to mute/unmute. The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking, restate and spell your name for the record, indicate any affiliation, and begin your comments.

Zoom's closed captioning service will be enabled for the CEC business meetings. Attendees can use the service by clicking on the "live transcript" CC icon and then choosing either "show subtitle" or "view full transcript." The closed captioning service can be stopped by exiting the "live transcript" or selecting the "hide subtitle" icon. If using a phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. A full and formal transcript rendered by a professional court reporter will be docketed in the CEC business meeting docket.

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Adjournment. Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129.)