

DOCKETED

Docket Number:	19-SPPE-01
Project Title:	Laurelwood Data Center (MECP I Santa Clara I, LLC)
TN #:	228730
Document Title:	Committee Order Granting CURE's Petition to Intervene
Description:	Order granting intervenor status to California Unions for Reliable Energy
Filer:	Susan Cochran
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
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**Before the Energy Resources Conservation and Development
Commission of the State of California**
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov

**APPLICATION FOR SMALL POWER PLANT
EXEMPTION FOR THE:**

LAURELWOOD DATA CENTER

Docket No. 19-SPPE-01

COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene (Petition) filed by California Unions for Reliable Energy (CURE or Petitioner)¹ in the Application for a Small Power Plant Exemption (SPPE) for the Laurelwood Data Center Project (Project), the committee designated to conduct proceedings (Committee)² in this matter makes the following findings:

1. On May 21, 2019, a Petition in the above-captioned proceeding was filed by:

**California Unions for Reliable Energy
Tanya A. Gulesserian
Yair Chaver**

**Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
Telephone: (650) 589-1660
Facsimile: (650) 589-5062**

**Email: tgulesserian@adamsbroadwell.com
ychaver@adamsbroadwell.com**

2. On May 30, 2019, CURE filed a supplement to the Petition (Supplement) specifying the topics on which it and its members would like to intervene.³
3. The Petition and Supplement contain the information required by the Energy Commission's regulations.⁴

¹ TN 228341-1.

² The Energy Commission appointed a committee consisting of Karen Douglas, Commissioner and Presiding Member, and Janea A. Scott, Vice Chair and Associate Member (the Committee), on April 10, 2019 (TN 227638).

³ TN 228424-1.

⁴ Cal. Code Regs., tit. 20, § 1211.7.

4. No opposition to the Petition has been filed, and the deadline for such opposition was June 4, 2019.
5. CURE's interests are relevant to the above-captioned proceeding.
6. CURE has demonstrated a bona fide interest in the Project and has demonstrated possession of information or expertise that may help the Committee in preparing a proposed decision.
7. Intervention is granted at the Committee's discretion to the degree that it finds intervention reasonable and relevant. The Presiding Member or Committee may impose conditions on all intervenors' participation in the hearings in order to promote the orderly conduct of the proceeding.

THEREFORE, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that CURE be placed upon the Proof of Service List as an Intervenor. Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in all orders issued in this matter and California Code of Regulations, title 20, section 1212. Deadlines and other matters shall not be extended or changed by the granting of this Petition.⁵

The Committee further **ORDERS** that the Petitioner's participation is limited to the direct, indirect, and cumulative impacts of the following topic areas as requested by Petitioner: **AIR QUALITY, PUBLIC HEALTH, GREENHOUSE GAS EMISSIONS, HAZARDOUS MATERIALS, ENERGY & ENERGY RESOURCES, WATER RESOURCES, and NOISE**. Petitioner's intervention is subject to further modification at the discretion of the Presiding Member or the Committee. These limitations of Petitioner's participation as an intervenor do not affect Petitioner's ability to make public comments on other topics in the proceeding.

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Energy Commission's regulations describing intervenor participation is posted on the right-hand side menu of the Public Adviser's webpage at: https://www.energy.ca.gov/public_adviser/index.html.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the Energy Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the "General Orders Regarding Motions, Electronic Filing, Service of Documents, and Other Matters,"⁶ the rules regarding filings,⁷ the rules of evidence that apply at the Evidentiary Hearings,⁸ and the rules prohibiting off-the-

⁵ Cal. Code Regs., tit. 20, § 1211.7, subd. (d).

⁶ TN 227867.

⁷ Cal. Code Regs., tit. 20, §§ 1208 – 1208.1, 1211.5.

⁸ Cal. Code Regs., tit. 20, § 1212.

record contacts with commissioners, their advisors, or the hearing officer about the Project.⁹

Petitioner’s failure to fulfill these responsibilities may result in the Committee limiting or precluding Petitioner’s participation in the proceedings.

Contact Information

If Petitioner needs any help with participating in the siting process, contact Jennifer Martin-Gallardo, Acting Public Adviser, by e-mail at publicadviser@energy.ca.gov or at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at susan.cochran@energy.ca.gov or at (916) 651-8893.

Technical questions concerning the Project should be addressed to Leonidas Payne, Staff Project Manager, by e-mail at leonidas.payne@energy.ca.gov or at (916) 651-0966.

Media inquiries should be sent to the Media and Public Communications Office by email at Mediaoffice@energy.ca.gov or at (916) 654-4989.

The Executive Director or his designee shall ensure that the Petitioner is immediately provided with a copy of the SPPE Application.

IT IS SO ORDERED.

Dated: June 10, 2019, at Sacramento, California

ORIGINAL SIGNED BY:

Karen Douglas
Commissioner and Presiding Member
Laurelwood Data Center SPPE Project
Committee

ORIGINAL SIGNED BY:

Janea A. Scott
Vice Chair and Presiding Member
Laurelwood Data Center SPPE Project
Committee

⁹ Cal. Code Regs., tit. 20, § 1216.