

**DOCKETED**

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| <b>Docket Number:</b>   | 19-SPPE-02   |
| <b>Project Title:</b>   | Walsh Data Center  |
| <b>TN #:</b>            | 231385   |
| <b>Document Title:</b>  | Committee Proposed Schedule  |
| <b>Description:</b>     | Comments on the Proposed Schedule are due by 5:00 p.m. on January 8, 2020. |
| <b>Filer:</b>           | Susan Cochran  |
| <b>Organization:</b>    | Energy Commission Hearing Office   |
| <b>Submitter Role:</b>  | Committee  |
| <b>Submission Date:</b> | 1/6/2020 3:02:14 PM  |
| <b>Docketed Date:</b>   | 1/6/2020   |



State of California  
State Energy Resources Conservation and  
Development Commission  
1516 Ninth Street, Sacramento, CA 95814  
1-800-822-6228 – [www.energy.ca.gov](http://www.energy.ca.gov)

APPLICATION FOR SMALL POWER PLANT  
EXEMPTION FOR THE:

**WALSH BACKUP GENERATING  
FACILITY**

Docket No. 19-SPPE-02

## COMMITTEE PROPOSED SCHEDULE

### BACKGROUND

On December 2, 2019, the California Energy Commission (CEC) Committee (Committee)<sup>1</sup> issued the “Committee Order on Evidentiary Hearing and Requiring a Joint Stipulated Schedule and Status Report,” requiring the Applicant and CEC staff (Staff) to file a joint schedule and status report no later than December 13, 2019. The other parties were allowed, but not required, to submit schedules and status reports by December 13, 2019.<sup>2</sup> At the Applicant’s request, the Committee then extended the submission deadline, for all parties, to December 20, 2019.<sup>3</sup>

Staff and the Applicant met the December 20, 2019, deadline but did not submit a joint schedule and status report as ordered. Instead, Staff emailed the Hearing Officer with proposed dates for the schedule, stating that Staff and Applicant were not able to reach full agreement on a joint schedule.<sup>4</sup> The Applicant sent an email to the Hearing Officer responding to and modifying aspects of Staff’s proposal.<sup>5</sup> No status reports or proposed schedules were received from the other parties.

### PROPOSED SCHEDULE

The Committee hereby proposes the attached schedule, which reflects its own judgment and consideration of the Applicant’s and Staff’s proposed schedules.

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<sup>1</sup> The CEC appointed a committee consisting of Karen Douglas, Commissioner and Presiding Member, and Patty Monahan, Commissioner and Associate Member (the Committee), on July 16, 2019 (TN 228984).

<sup>2</sup> TN 230966.

<sup>3</sup> TN 231191.

<sup>4</sup> Staff viewed its email as constituting the schedule and status report required by the Committee. We agree.

<sup>5</sup> TN 231302.

The parties are invited to file comments on the proposed schedule by 5:00 p.m., January 8, 2020, after which time the Committee will submit a schedule to guide this proceeding.

**CONTACT INFORMATION**

The Public Advisor’s Office provides the public with assistance to participate in CEC proceedings. For assistance, please contact Noemí O. Gallardo, Public Advisor, by e-mail at [publicadvisor@energy.ca.gov](mailto:publicadvisor@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](mailto:susan.cochran@energy.ca.gov), or at (916) 654-3965.

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

Media inquiries should be sent to the Media and Public Communications Office by e-mail at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov), or at (916) 654-4989.

**IT IS SO ORDERED.**

Dated: January 6, 2020

***ORIGINAL SIGNED BY:***

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Karen Douglas  
Commissioner and Presiding Member  
Walsh Backup Generating Facility SPPE Committee

Dated: January 6, 2020

***ORIGINAL SIGNED BY:***

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Patty Monahan  
Commissioner and Associate Member  
Walsh Backup Generating Facility SPPE Committee

**WALSH BACKUP GENERATING FACILITY SPPE PROPOSED SCHEDULE  
JANUARY 2020**

**Note:** The Committee encourages the parties to consider this schedule an outer boundary and make their best efforts to complete the milestones ahead of these dates.

| <b>ACTIVITY</b>   | <b>DEADLINE</b>   |
|---|---|
| Staff Publishes its Environmental Review Document                     | No later than February 18, 2020   |
| Public Comment Period on Staff's Environmental Review Document Closes | 30 days after publication of Staff's Environmental Review Document <sup>6</sup>             |
| Staff responds to comments  | 7 days after close of public comment period   |
| Last Day to File Petition to Intervene <sup>7</sup>                   | March 30, 2020  |
| All Parties File Opening Testimony                                    | 7 days after Staff publishes responses to comments on Staff's Environmental Review Document |
| All Parties to File Reply testimony <sup>8</sup>                      | 7 days after opening testimony filed  |
| Prehearing Conference (PHC) statement filed                           | 3-5 days after reply testimony filed  |
| PHC   | 7-10 days after PHC statement filed   |
| Evidentiary hearing (EH)  | 7 days after PHC <sup>9</sup>   |
| Committee files Proposed Decision <sup>10</sup>                       | 30 days after EH  |
| Final Adoption Hearing by the Commission                              | Second Quarter 2020   |

<sup>6</sup> Please note that the State Clearinghouse has 3 days to distribute. (Pub. Resources Code, §21091, subd. (c)(3).)

<sup>7</sup> The deadline to file a petition for intervention shall be established by the presiding member, or if no deadline is established, at least 30 days prior the first evidentiary hearing. (Cal. Code Regs., tit. 20, §1211.7, subd. (b).)

<sup>8</sup> Seven days prior to evidentiary hearings or other day set by the presiding member. (Cal. Code Regs., tit. 20, § 1943.)

<sup>9</sup> Evidentiary hearings shall commence no later than 100 days after filing the application for an SPPE unless otherwise ordered by the presiding member. In the "Committee Order on Evidentiary Hearing and Requiring a Joint Stipulated Schedule and Status Report," the Committee extended the deadline for the hearing pursuant to California Code of Regulations, title 20, sections 1203, subdivision (f) and 1944, subdivision (b). (TN 230966)

<sup>10</sup> Cal. Code Regs., tit. 20, §1945, subd. (a).