

DOCKETED	
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**State of California
State Energy Resources Conservation and
Development Commission
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov**

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

***SAN JOSE CITY BACKUP
GENERATING FACILITY***

Docket No. 19-SPPE-04

**RULING ON STAFF'S SECOND MOTION FOR LEAVE
TO FILE ADDITIONAL DATA REQUESTS**

On November 15, 2019, Microsoft Corporation (Applicant) submitted an application for a small power plant exemption (SPPE) for the San Jose City Backup Generating Facility to the California Energy Commission (CEC).¹

On March 16, 2020, CEC Staff (Staff) filed a Second Motion for Leave to File Additional Data Requests (Motion).² In its Motion, Staff explains it has become aware of certain errors in the Transportation section of the SPPE application (Section 3.17). Staff seeks leave to file Data Request Set 4 (Motion Appendix A).

On March 25, 2020, Applicant filed its Status Report #1 (Status Report).³ In its Status Report, Applicant states it does not oppose Staff's Motion, and will file a response to Data Request Set 4 as expeditiously as feasible.

The deadline for response to the Motion was 14 days from the day of service of the motion, or March 30, 2020. (Cal. Code Regs., tit. 20, section 1211.5, subd. (a).) No additional comments were submitted in response to Staff's Motion.

¹ Information about this proceeding, including a link to the electronic docket, may be found on the CEC's web page at <https://ww2.energy.ca.gov/sitingcases/sj2/>. Documents related to this proceeding may be found in the online docket at: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-SPPE-04>. The application is TN 230741.

² TN 232418.

³ TN 232529.

The Committee hereby **GRANTS** Staff's Second Motion for Leave to File Additional Data Requests.

IT IS SO ORDERED.

Dated: April 8, 2020

Approved by:

Karen Douglas
Commissioner and Presiding Member
San Jose City Backup Generating Facility SPPE Committee

Dated: April 8, 2020

Approved by:

Patty Monahan
Commissioner and Associate Member
San Jose City Backup Generating Facility SPPE Committee