

<b>DOCKETED</b>	
<b>Docket Number:</b>	19-SPPE-02
<b>Project Title:</b>	Walsh Data Center
<b>TN #:</b>	233386
<b>Document Title:</b>	Orders after Evidentiary Hearing and Second Revised Scheduling Order
<b>Description:</b>	N/A
<b>Filer:</b>	Muoi-Lynn Tran
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Committee
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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](http://www.energy.ca.gov)**

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

***WALSH BACKUP GENERATING  
FACILITY***

**Docket No. 19-SPPE-02**

**ORDERS AFTER EVIDENTIARY HEARING AND SECOND REVISED  
SCHEDULING ORDER**

On June 28, 2019, 651 Walsh Partners, LLC (Applicant) submitted an application (Application) to the California Energy Commission (CEC)<sup>1</sup> for a small powerplant exemption for the Walsh Backup Generating Facility in Santa Clara, California.<sup>2</sup>

The Applicant proposes to construct the Walsh Backup Generating Facility (Backup Generators)<sup>3</sup> to be located at 651 Walsh Avenue in Santa Clara, California. The Backup Generators would be used to ensure an uninterruptible power supply for the Walsh Data Center (Data Center).

On May 27, 2020, the CEC Committee<sup>4</sup> appointed to conduct proceedings on the Application held an evidentiary hearing.

**ORDER ON BRIEFS**

The Committee welcomes legal briefs from the parties. Each party may submit only one brief; there will be no reply briefs allowed. Any party wishing to file a brief shall do so **no later than seven (7) business days** after the Reporter's Transcript from the May 27, 2020, Evidentiary Hearing is filed. All briefs shall be limited to 15 pages; shall be in a font size no less than 12 points; and shall not include any attachments. Briefs shall

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<sup>1</sup> The CEC is formally known as the "State Energy Resources Conservation and Development Commission." (Pub. Resources Code, § 25200. All subsequent citations are to the Public Resources Code unless otherwise specified.)

<sup>2</sup> [All of the documents related to the Application can be found at:](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=19-SPPE-02)

[https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=19-SPPE-02.](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=19-SPPE-02)

<sup>3</sup> The Backup Generators: 33 diesel-fired generators distributed in two different redundant configurations<sup>3</sup> to provide up to 80 MW, the maximum building load of the Data Center.

<sup>4</sup> The CEC designated a Committee consisting of Karen Douglas, Commissioner and Presiding Member, and Patty Monahan, Commissioner and Associate Member, to preside over the Application on July 15, 2019 (TN 228984).

apply the law to the evidence in the hearing record, citing the evidence by exhibit and page numbers.

While the parties may include other topics in their briefs, the parties are invited, but not required, to respond to the following questions:

1. Page 5.8-15 of the Initial Study/Mitigated Negative Declaration<sup>5</sup> states in pertinent part: "[T]he Cap-and-Trade Program, through the regulation of upstream electricity producers, would account for GHG emissions from the project and require emissions from covered sectors to be reduced by the amount needed to achieve AB 32's 2030 goal." How does the Cap-and-Trade Program apply, if at all, to the analysis under CEQA Guideline 15064.4, of the greenhouse gas emissions from the electricity consumption of the proposed project?
2. Explain whether the incremental contribution of the project's greenhouse gas emissions indirectly caused by the electricity consumption of the proposed project are significant.

## **SCHEDULING ORDER**

The schedule attached to this Notice **supersedes** all other schedules issued by the Committee.

## **PUBLIC ADVISOR AND OTHER CEC CONTACTS**

The CEC's Public Advisor's Office provides the public assistance in participating in CEC proceedings. For information on how to participate in this proceeding, please contact the [Public Advisor, Noemí O. Gallardo](#), at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or by phone at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a procedural nature should be directed to [Susan Cochran, Hearing Officer](#), at [susan.cochran@energy.ca.gov](mailto:susan.cochran@energy.ca.gov) or (916) 654-3965.

Technical questions concerning the SPPE should be addressed to [Leonidas \(Lon\) Payne, Project Manager](#), 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](#) at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or (916) 654-4989.

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<sup>5</sup> TN 232078.

**AVAILABILITY OF DOCUMENTS**

Information about the Application, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the [CEC's web page](#) at:

<https://ww2.energy.ca.gov/sitingcases/walsh/>

**IT IS SO ORDERED.**

Dated June 9, 2020

Dated June 9, 2020

***APPROVED BY:***

***APPROVED BY:***

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

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

**WALSH BACKUP GENERATING FACILITY SPPE (19-SPPE-02)  
JUNE 2020 REVISED SCHEDULE**

<b>EVENT</b>	<b>DATE</b>
<b>Staff Published the Initial Study and Proposed Mitigated Negative Declaration (IS/PMND)</b>	<b>February 18, 2020</b>
<b>Public Comment Period on the IS/PMND closed</b>	<b>March 23, 2020</b>
<b>Last Day to File Petition to Intervene</b>	<b>March 30, 2020</b>
<b>Evidentiary Hearing</b>	<b>May 27, 2020</b>
<b>Transcript from May 27, 2020 Evidentiary Hearing filed</b>	<b>June 3, 2020</b>
<b>Parties File Legal Briefs</b>	<b>June 12, 2020</b>
<b>Committee files Committee Proposed Decision</b>	<b>July 2020</b>
<b>Final Decision Adoption Hearing at CEC Business Meeting</b>	<b>August 12, 2020</b>