

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:**

***MISSION COLLEGE BACKUP
GENERATING FACILITY***

Docket No. 19-SPPE-05

[PROPOSED] COMMISSION ADOPTION ORDER

By this **ORDER**, the California Energy Commission (CEC) hereby adopts as its own Commission Decision the Committee Proposed Decision dated July 31, 2020¹ [and Errata, dated August __, 2020].²

The Commission Decision addresses the Application for a Small Power Plant Exemption submitted by Oppidan Investment Company³ (Applicant) for the Mission College Backup Generating Facility, which includes 43 2.5-megawatt and two 600-kilowatt diesel generators (Backup Generators) to support the Mission College Data Center's uninterruptible power supply system. The Mission College Data Center, the Backup Generators, and related activities, are collectively referred to herein as "the Project."

The Commission Decision is based upon the hearing record of these proceedings. The Initial Study/Mitigated Negative Declaration and the entire hearing record are on file in the CEC's Docket Unit, located at 1516 Ninth Street, Sacramento, CA, 95814, and are available for inspection by any interested person. The documents and other materials that make up the record of this proceeding relied upon in making this decision are also available online on the [CEC's web page](http://www2.energy.ca.gov/sitingcases/missioncollege/) at <http://www2.energy.ca.gov/sitingcases/missioncollege/>.

¹ TN 234113.

² TN TBD.

³ On November 25, 2019, Oppidan Investment Company submitted an application (Application) to the CEC for a SPPE for the Mission College Backup Generating Facility in Santa Clara, California. (TN 230848.)

FINDINGS

We hereby adopt the following findings pursuant to Public Resources Code sections 21000 et seq. and 25541 and applicable implementing regulations, in addition to those contained in the Commission Decision:

1. That the Backup Generators will not generate electricity in excess of 100 megawatts.
2. The demolition, construction and operation activities of the Project will not create a substantial adverse impact on the environment.
3. The demolition, construction and operation activities of the Project will not create a substantial adverse impact on energy resources.

ORDER

Therefore, we order the following:

1. The Mission College Backup Generating Facility is **GRANTED** a Small Power Plant Exemption from the Application for Certification provisions of the CEC's power plant licensing process.
2. The Hearing and Policy Unit of the CEC Chief Counsel's Office shall incorporate the Commission Decision and any modifications made by the Commission during the August 12, 2020, Business Meeting into a single document.
3. The CEC staff shall file a Notice of Determination with the State Clearinghouse within five (5) business days of August 12, 2020, subject to Applicant being responsible for payment of all applicable filing fees.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on August 12, 2020.

AYE:

NAY:

ABSENT:

ABSTAIN:

Cody Goldthrite
Secretariat