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San Jose Mercury News

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CALIFORNIA ENERGY COMMISSION
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PROOF OF PUBLICATION IN THE CITY OF SAN JOSE IN THE STATE OF CALIFORNIA COUNTY OF SANTA CLARA

FILE NO. J. Bubbico: Application, Lafayette Backup Gen. San Jose Mercury News

In the matter of

The undersigned, being first duly sworn, deposes and says: That at all times hereinafter mentioned affiant was and still is a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above entitled proceedings; and was at and during all said times and still is the principal clerk of the printer and publisher of the San Jose Mercury News, a newspaper of general circulation printed and published daily in the City of San Jose, County of Santa Clara, State of California as determined by the court's decree dated June 27, 1952, Case Numbers 84096 and 84097, and that said San Jose Mercury News is and was at all times herein mentioned a newspaper of general circulation as that term is defined by Sections 6000; that at all times said newspaper has been established, printed and published in the said County and State at regular intervals for more than one year preceding the first publication of the notice herein mentioned. Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a true printed copy, has been published in each regular or entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

07/31/2020

Dated at San Jose, California
July 31, 2020

I declare under penalty of perjury that the foregoing is true and correct.



Principal clerk of the printer and publisher of the San Jose Mercury News

Legal No.

0006505927

PROPOSED LAFAYETTE BACKUP GENERATING FACILITY APPLICATION SUBMITTED TO THE CALIFORNIA ENERGY COMMISSION FOR REVIEW

Overview: On May 20, 2020, Digital Realty (applicant) filed an application with the California Energy Commission (CEC) seeking an exemption from the CEC's jurisdiction (Small Power Plant Exemption, or SPPE) for the Lafayette Backup Generating Facility (LBGF) (20-SPPE-02). The LBGF would be part of the Lafayette Data Center (LDC) to be located in the City of Santa Clara. Both the LDC and LBGF components are collectively referred to as the project.

The approximately 15.45-acre project site is located at 2625 Lafayette Street in Santa Clara. The property is zoned Heavy Industrial. The site is currently developed with two two-story office buildings that would be demolished to construct a three-story 576,120 square foot data center building, generator equipment yard, surface parking, and landscaping. The LDC would be supplied electricity by Silicon Valley Power (SVP) through a new distribution substation to be constructed on the project site as part of the LDC. The substation would be owned and operated by SVP. The LBGF would provide uninterruptible power for the LDC tenant's servers in the event electricity cannot be supplied from SVP and delivered to the LDC building. LBGF would consist of 44 three-megawatt (MW) diesel-fired backup generators, and one 0.8 MW emergency generator for the administrative/office areas of the LDC. The maximum generating capacity of the LBGF would be limited to 99.8 MW by the maximum load for the LDC building. Project elements also include switchgear and distribution cabling to interconnect the generators to the LDC. The LBGF would not be electrically interconnected to SVP's electrical transmission grid.

CEC Jurisdiction and Exemption Consideration Process: The CEC has the exclusive authority to certify all thermal power plants (50 MW and greater) and related facilities proposed for construction in California. The SPPE process allows applicants proposing to construct thermal power plants between 50 and 100 MW to obtain an exemption from the CEC's jurisdiction and proceed with local permitting rather than requiring CEC certification. The CEC can grant an exemption if it finds that the proposed facility would not create a substantial adverse impact on the environment or energy resources. Public Resources Code section 25519(c) designates CEC as the lead agency, in accordance with the California Environmental Quality Act (CEQA), for all facilities seeking an SPPE. CEQA requires the lead agency to consider the whole of the action; therefore, CEC will include the entire project in its analysis, which includes the construction and operation of the data center building, backup generators, and electric distribution substation. CEC staff has begun its review of the application. Over the coming months, staff will evaluate the project and prepare an environmental assessment document, which will be published and made available for a 30-day public comment period. The assigned Committee of two Energy Commissioners will then conduct a hearing to determine whether to propose that the full Commission adopt the proposed CEQA documents and to determine whether to recommend to the full Commission that the facility should be exempt from the CEC's power plant certification process. This hearing will provide the public as well as local, state and federal agencies and California Native American tribes the opportunity to provide input on the SPPE request. Subsequent steps include issuance of a proposed decision by the Committee, and possible adoption of that decision by the CEC at a Business Meeting. Should the exemption be granted, the applicant would still need to secure the appropriate entitlements and permits from relevant local, regional, state, and federal agencies to construct and operate the proposed project.

Public Participation: The CEC welcomes public participation in the SPPE review process. A copy of the SPPE application as well as other project information can be found on the CEC website at: <https://www2.energy.ca.gov/siting/cases/lafayette/>. To stay informed about this project and receive notice of upcoming meetings and workshops, please sign up on the project list serve, which can be accessed on the same project webpage. The list serve sends out e-mail notifications when documents and notices are posted to the project webpage.

For questions about the project, please contact: Leonidas Payne, Project Manager
Phone: (916) 651-0966
E-mail: leonidas.payne@energy.ca.gov

For questions about public participation, please contact the CEC Public Advisor's Office.
Phone: (916) 654-4489
Toll Free In California: 1-800-822-6228
E-mail: publicadvisor@energy.ca.gov

Media questions should be directed to the

