

DOCKETED

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Document Title:	Petition to Intervene Robert Sarvey
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State of California
State Energy Resources Conservation and Development Commission

In the matter of:

San Jose Data Center

Docket 19-SPPE-04

Robert Sarvey's Petition to Intervene

Robert Sarvey hereby petitions to intervene in the San Jose Data Center. Section 1207 of the Commission's Rules of Practice and Procedure allow that, "Any person may file with the Docket Unit or the presiding committee member a petition to intervene in any proceeding. The petition shall set forth the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, address, and telephone number of the petitioner."

Petitioner is concerned that some CEC Staff and data center attorney Scott Galati continue to try to limit and even eliminate public participation in Energy Commission proceedings sometimes in concert with one another. This raises the question of whether the CEC Staff is still an independent party. CEC Staff's latest request in this proceeding seeks to eliminate intervention entirely. CEC Staff requested in Status Report 18 that, "***given the limited hearing and use of an EIR, intervention would not be allowed in this proceeding.***"

Petitioner is concerned about the GHG and criteria pollutant impacts of the large data centers being located in Santa Clara and San Jose. The petitioner will advocate for full mitigation of the projects GHG and criteria pollutant emissions. Petitioner will advocate for the cleanest generating alternative that is feasible.

If granted intervention petitioner would like to address recent attempts to limit public participation in commission proceedings. Petitioner would like to participate in Public Health, Alternatives, Air Quality, Energy Resources, Hazardous Materials and GHG Emissions. Petitioner intends to participate fully in the proceeding including testimony, briefing and cross-examination of the parties' witnesses.

submitted,

Respectfully

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