

**DOCKETED**

<b>Docket Number:</b>	21-OIR-04
<b>Project Title:</b>	Rulemaking to Amend Regulations for Small Power Plant Exemptions
<b>TN #:</b>	244108
<b>Document Title:</b>	Sarvey initial comments on 21-OIR-04
<b>Description:</b>	Sarvey comments on OIR
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<b>Organization:</b>	Robert Sarvey
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	7/16/2022 8:56:36 AM
<b>Docketed Date:</b>	7/18/2022

State of California  
State Energy Resources Conservation and Development Commission

In the matter of:

Rulemaking to amend regulations for Small Power  
Plant Exemptions

Docket # 21-OIR-04

Robert Sarvey's Initial Comments on Regulations to Amend SPPE Regulations

Staff's latest proposal to amend SPPE regulations seeks to eliminate intervenors and the adjudicatory process for Small Power Plant Exemptions. The SPPE data center applications that have been before the commission have been more environmentally damaging than the same size AFC applications and all of the data center SPPE applications have been sited in minority communities. The adjudicatory process and intervenors are an important part of the Small Power Plant Exemption process. As Commissioner Vaccaro stated at the prehearing conference for the San Jose Data Center on June 3, 2022.

14 Because I do think hearing what Mr.  
15 Sarvey had to say today, positions that he's  
16 taken in the past, information that he's brought  
17 into various records, and seeing how this project  
18 is unfolding, I just think that's really  
19 important and powerful. I mean, that's, again,  
20 why it's important to have intervenors and why  
21 it's important to listen.<sup>1</sup>

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<sup>1</sup> San Jose Data Center TN 234431 Transcript of the Prehearing conference  
[file:///C:/Users/sarve/Downloads/TN243431\\_20220603T170214\\_Transcript%20of%20Prehearing%20Conference%20on%20May%2018,%202022%20\(1\).pdf](file:///C:/Users/sarve/Downloads/TN243431_20220603T170214_Transcript%20of%20Prehearing%20Conference%20on%20May%2018,%202022%20(1).pdf) Page 36