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IN THE MATTER OF:

STACK Backup Generating Facility

ORDER VACATING REQUEST FOR SUPPLEMENTAL INFORMATION REGARDING WATER SUPPLY ASSESSMENT

BACKGROUND

On September 15, 2022, the California Energy Commission (CEC) Committee¹ for the application for a Small Power Plant Exemption for the SVY Backup Generating Facility (Application)² issued a Committee Scheduling Order and Order Requesting Supplemental Information (Scheduling Order).³ The Scheduling Order directs that by September 28, 2022, the parties provide supplemental information regarding whether a water supply assessment is required for the project.⁴

On September 21, 2022, Applicant filed a response to the Scheduling Order stating that “while STACK does not concede a Water Supply Assessment is required, the issue is moot as the City of San Jose has determined it will request a Water Supply Assessment be performed by San Jose Water Company.” Applicant therefore requests that the Committee relieve the parties of the order to brief the questions identified in the Scheduling Order.⁵

ORDER

The preparation of a water supply assessment moots the need to determine whether a water supply assessment is required for the project.

¹ On May 11, 2022, the CEC appointed a committee consisting of Andrew McAllister, Commissioner and Presiding Member, and Kourtney Vaccaro, Commissioner and Associate Member, to preside over any proceedings arising from the Application. (TN 243043.)
² Information about this proceeding, including a link to the electronic docket, may be found on the CEC’s web page at https://www.energy.ca.gov/powerplant/tradezonepark. Documents related to this proceeding may be found in the online docket at https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-02. The Application consists of various documents filed in the online docket beginning with TN 240910.
³ TN 246119.
⁴ Id. at p. 5.
⁵ TN 246166.
The Committee orders as follows: the Committee’s Order for Further Information Regarding Water Supply Assessment on page 5 of the Scheduling Order\(^6\) is hereby vacated.

All other orders and notifications in the Scheduling Order\(^7\) remain in effect.

**PUBLIC ADVISOR AND OTHER CEC CONTACTS**

The CEC’s Public Advisor provides assistance to members of the public with participating in CEC proceedings. For information on how to participate in this proceeding, please contact the Public Advisor at publicadvisor@energy.ca.gov, or (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made at least five days in advance. The CEC will work diligently to accommodate all requests based on the availability of the service or resource needed.

**Direct questions of a procedural nature** related to the Application to Hearing Officers Ralph Lee at ralph.lee@energy.ca.gov or (916) 776-3408, or Deborah Dyer at deborah.dyer@energy.ca.gov.

**Direct technical subject inquiries** concerning the Application to Project Manager, Lisa Worrall at lisa.worrall@energy.ca.gov or (916) 661-8367.

**Direct media inquiries** to mediaoffice@energy.ca.gov or (916) 654-4989.

**AVAILABILITY OF DOCUMENTS**

Information about the Application, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the STACK Trade Zone Park web page at:
https://www.energy.ca.gov/powerplant/tradezonepark or scan the following QR code:

![QR Code]

**IT IS SO ORDERED.**

Dated: September 23, 2022

**APPROVED BY:**

____________________________________
Andrew McAllister
Commissioner and Presiding Member
STACK Backup Generating Facility
SPPE Committee

Dated: September 23, 2022

**APPROVED BY:**

____________________________________
Kourtney Vaccaro
Commissioner and Associate Member
STACK Backup Generating Facility
SPPE Committee

\(^6\) TN 246119.

\(^7\) TN 246119.