

**State of California  
Energy Resources Conservation and Development Commission**

In the Matter of: )  
Application for )  
Small Power Plant Exemption )  
For the Santa Clara, SC-1 Data Center )

**APPLICANT'S PREHEARING  
CONFERENCE STATEMENT**

In a Notice dated February 6, 2012, the California Energy Commission's ("Energy Commission") committee overseeing the proceedings related to the Application for Small Power Plant Exemption for the Santa Clara, SC-1 Data Center directed parties to file a prehearing conference statement for the February 22, 2012, evidentiary hearing. The Notice indicated that the prehearing conference statements should address the subjects discussed below.

**a) TOPIC AREAS THAT REMAIN DISPUTED AND REQUIRE ADJUDICATION**

The Applicant has reviewed the Energy Commission Staff analysis presented in the *Initial Study and Negative Declaration Recommendation* filed February 1, 2012. As a result, the Applicant believes that with respect to the Energy Commission Staff, there are no disputed issues and there will be no need for adjudication of disputed issues. The Applicant notes, however, that the time for filing motions to intervene ends on the same day this filing is due and agency comments can be filed as late as the day of the evidentiary hearing, so it is not yet possible to know for sure whether intervenors or agencies will raise issues that are disputed and require adjudication.

**b) THE IDENTITY OF EACH WITNESS SPONSORED BY THE APPLICANT**

The Applicant will rely on the Application for a Small Power Plant Exemption ("Application") as evidence in this proceeding. For the propose of admitting the Application into the record, the witness will be Nora H. Monette, the Project Manager for the Santa Clara, SC-1 Data Center. A declaration and resume for Ms. Monette are included as Attachment A.

**c) TOPIC AREAS UPON WHICH THE APPLICANT DESIRES TO CROSS-EXAMINE WITNESSES**

At this time the Applicant sees no need to cross-examine witnesses.

**d) A LIST OF IDENTIFYING EXHIBITS AND DECLARATIONS THAT THE APPLICANT INTENDS TO OFFER INTO EVIDENCE**

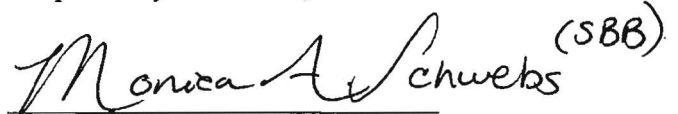
The Applicant is providing a list of exhibits in Attachment B. The exhibits consist of the Application and its appendices which are available on the Energy Commission's website at [http://www.energy.ca.gov/sitingcases/santaclara/documents/applicant/SPPE\\_Application/](http://www.energy.ca.gov/sitingcases/santaclara/documents/applicant/SPPE_Application/).

**e) PROPOSED MODIFICATIONS TO THE PROPOSED CONDITIONS OF  
CERTIFICATION BASED UPON ENFORCEABILITY, EASE OF  
COMPREHENSION AND CONSISTENCY WITH THE EVIDENCE**

At this time the Applicant sees no need for modifications.

Date: February 13, 2012

Respectfully submitted,

 (SBB)

MONICA A. SCHWEBS

Bingham McCutchen

3 Embarcadero Center

San Francisco, CA 94111

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**APPLICANT'S PREHEARING  
CONFERENCE STATEMENT**

**ATTACHMENT A**

DECLARATION OF  
NORA H. MONETTE

I, Nora H. Monette, declare as follows:

1. I am presently employed by David J. Powers & Associates, Inc. as a Principal Project Manager.
2. A copy of my professional qualifications and experience is attached hereto and incorporated by reference herein.
3. I prepared the Application for a Small Power Plant Exemption for the Xeres Ventures LLC, Santa Clara SC-1 Data Center, Phase 2 (11-SPPE-01) based on data from reliable documents and sources, and my professional experience and knowledge.
4. It is my professional opinion that the Application for a Small Power Plant Exemption is valid and accurate with respect to the issues addressed therein.
5. I am personally familiar with the facts and conclusions stated in the Application for Small Power Plant Exemption and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: February 9, 2012

Signed: Nora H. Monette  
Nora H. Monette

At: San José, California

# NORA H. MONETTE

## PRINCIPAL PROJECT MANAGER



**DAVID J. POWERS**  
& ASSOCIATES, INC.

(408) 248-3500 x132  
nmonette@davidjpowers.com

1871 The Alameda, Suite 200  
San José, CA 95126

### EXPERIENCE

**Principal Project Manager**  
David J. Powers & Associates,  
1987 – Present

**Environmental Consultant**  
1982 – 1987

**Range Conservationist**  
U.S. Forest Service, Toiyabe  
National Forest, 1979 – 1981

### EDUCATION

**Master of Science – Soil  
Science**, University of  
California, Berkeley, 1979

**Bachelor of Science – Soil and  
Water Science**, University of  
California, Davis, 1977

### PROFESSIONAL ORGANIZATION

Association of Environmental  
Professionals

Nora Monette is a Principal Project Manager/Planner for the company. She has over 23 years of experience preparing and managing environmental documents for a broad spectrum of projects including residential, commercial and industrial development, General Plan updates, and transportation and energy projects.

As a Principal Project Manager, Ms. Monette:

- Provides management and oversight in preparation of environmental documents by others, ensuring consistency and credibility. Ms. Monette ensures that all documents reflect the best available technical expertise.
- Researches and prepares environmental documents required under Federal and California laws including Environmental Impact Reports and Environmental Impact Statements, Environmental Assessments, Natural Environment Studies, and Initial Studies. Ms. Monette is responsible for the entire project life cycle, from proposal development through report delivery and client support.

### Relevant Project Experience

- Santa Clara SC-1 Data Center – Ms. Monette was the Principal Project Manager for the IS/MND for the Santa Clara SC-1 Data Center in the City of Santa Clara. The primary environmental issues addressed included air quality, cultural resources, hazardous materials, and global climate change.
- Silicon Valley Power Palm Substation Addendum – Ms. Monette was the Principal Project Manager for the Addendum for construction of the Palm Substation. Significant issues discussed in the Addendum included aesthetics, biological resources (burrowing owls), hazardous materials contamination, land use, noise, and growth-inducement impacts.
- 230kV Transmission Line EIR – Ms. Monette was the Project Manager for the CEQA analysis that evaluated construction of a four-mile overhead and underground 230 kV transmission line in the South Bay. Key issues included EMP, landfill hazards, geology and soils, biological resources, and energy.

# **APPLICANT'S PREHEARING CONFERENCE STATEMENT**

## **ATTACHMENT B**



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814 - 1-800-822-6228 - WWW.ENERGY.CA.GOV

Project Name: Application for Small Power Plant Exemption for the Santa Clara SC-1 Data Center; Docket No. 11-SPPE-01

### EXHIBIT LIST

Exhibit	Brief Description	Offered	Admitted
<b>APPLICANT'S EXHIBITS</b>			
<b>1</b>	Application for Small Power Plant Exemption (Nov. 21, 2011)	<b>11/21/11</b>	
<b>1-A</b>	Application Appendix A: Initial Study, Santa Clara SC-1 Data Center (Feb. 2008)	<b>11/21/11</b>	
<b>1-B</b>	Application Appendix B: City of Santa Clara Notice of Mitigated Negative Declaration (Feb. 6, 2008)	<b>11/21/11</b>	
<b>1-C</b>	Application Appendix C: City of Santa Clara Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Mar. 5, 2008)	<b>11/21/11</b>	
<b>1-D</b>	Application Appendix D: Bay Area Air Quality Management District Authority to Construct for Permit Application No. 17020, Plant No. 18801 (July 15, 2010)	<b>11/21/11</b>	
<b>1-E</b>	Application Appendix E: Bay Area Air Quality Management District Authority Addendum to Mitigated Negative Declaration (June 15, 2010)	<b>11/21/11</b>	
<b>1-F</b>	Application Appendix F: Letter from Arlene L. Ichien & Melissa Jones to Mr. W. Tate Cantrell, Jr. (Apr. 21, 2008)	<b>11/21/11</b>	
<b>1-G</b>	Application Appendix G: EPA Memorandum re: Guidance Concerning the Implementation of the 1-hour NO2 NAAQS for the Prevention of Significant Deterioration Program (June 29, 2010)	<b>11/21/11</b>	
<b>1-H</b>	Application Appendix H: EPA Memorandum re: Additional Clarification Regarding Application of Appendix W Modeling Guidance for the 1-hour NO2 National Ambient Air Quality Standard (Mar. 1, 2011)	<b>11/21/11</b>	

<b>1-I</b>	Application Appendix I: Bay Area Air Quality Management District Authority, Engineering Evaluation Report (Jul. 7, 2010)	<b>11/21/11</b>	
<b>1-J</b>	Application Appendix J: Site Plan of Phase 1 of Xeres Data Center (undated / 2007)	<b>11/21/11</b>	
<b>1-K</b>	Application Appendix K: Landscape Plans – Xeres Data Center (2010)	<b>11/21/11</b>	
<b>1-L</b>	Application Appendix L: Geotechnical Observations (2011)	<b>11/21/11</b>	
<b>1-M</b>	Application Appendix M: Soil Stockpile Testing Results (2010-2011)	<b>11/21/11</b>	
<b>1-N</b>	Application Appendix N: FAA Height Determination	<b>11/21/11</b>	
<b>1-O</b>	Application Appendix O: GHG Memorandum	<b>11/21/11</b>	
<b>1-P</b>	Application Appendix P: Permit Inspection for Refrigeration Units using R123	<b>11/21/11</b>	
<b>1-Q</b>	Application Appendix Q: Silicon Valley Power Interconnection Materials	<b>11/21/11</b>	



## DECLARATION OF SERVICE

I, Doug Larson, declare that on February 13, 2012, I served and filed a copy of the attached **Applicant's Prehearing Conference Statement**, dated February 13, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:  
[<http://www.energy.ca.gov/sitingcases/santaclara/index.html>].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

**(Check all that Apply)**

### FOR SERVICE TO ALL OTHER PARTIES:

- ☒ Served electronically to all email addresses on the Proof of Service list;
- ☒ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addressed **NOT** marked "e-mail preferred."

**AND**

### FOR FILING WITH THE ENERGY COMMISSION:

- ☒ by sending an electronic copy to the e-mail address below (preferred method); **OR**
- ☐ by depositing an original and 12 paper copies in the mail with the U.S. Postal service with first class postage thereon fully prepared, as follows:

#### **CALIFORNIA ENERGY COMMISSION - DOCKET UNIT**

Attn: Docket No. 11-SPPE-01  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- ☐ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

#### **CALIFORNIA ENERGY COMMISSION**

Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding

  
\_\_\_\_\_  
Doug Larson, Senior Paralegal



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)**

**APPLICATION FOR SMALL POWER PLANT  
EXEMPTION For The SANTA CLARA  
SC-1 DATA CENTER**

**DOCKET NO. 11-SPPE-01**

**PROOF OF SERVICE  
(revised 1/20/12)**

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**INTERESTED AGENCIES**

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