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| <b>Docket Number:</b>   | 20-SPPE-01  |
| <b>Project Title:</b>   | Great Oaks South Backup Generating Facility Small Power Plant Exemption     |
| <b>TN #:</b>            | 239671  |
| <b>Document Title:</b>  | NOTICE AND ORDER RESCHEDULING THE EVIDENTIARY HEARING TO SEPTEMBER 21, 2021 |
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**State of California**  
**State Energy Resources Conservation and**  
**Development Commission**  
715 P 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:

***GREAT OAKS SOUTH BACKUP  
GENERATING FACILITY***

**Docket No. 20-SPPE-01**

## **NOTICE AND ORDER RESCHEDULING THE EVIDENTIARY HEARING TO SEPTEMBER 21, 2021<sup>1</sup>**

**PLEASE TAKE NOTICE** that the Committee<sup>2</sup> appointed by the California Energy Commission (CEC)<sup>3</sup> to conduct proceedings on the application for a small power plant exemption for the Great Oaks South Backup Generating Facility (Application)<sup>4</sup> **hereby reschedules the Evidentiary Hearing** (formerly scheduled for September 13, 2021) to:

**TUESDAY, SEPTEMBER 21, 2021**  
**10:00 a.m.**

**The Evidentiary Hearing will be held remotely, consistent with Executive Order N-08-21 to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic. The public and parties will be able to**

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<sup>1</sup> This document amends the Notice of Prehearing Conference, Evidentiary Hearing, Scheduling Order, and Further Orders, filed on June 24, 2021, (TN 238471), which was also published in Vietnamese (TN 238466) and Spanish (TN 238467). All of the documents in this proceeding including those related to the Application can be found in the [online docket](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-SPPE-01) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-SPPE-01>.

<sup>2</sup> On May 13, 2020, the California Energy Commission designated a Committee consisting of Karen Douglas, Commissioner and Presiding Member, and David Hochschild, Chair and Associate Member, to preside over this Application. (TN 233123.)

<sup>3</sup> The CEC is formally known as the "State Energy Resources Conservation and Development Commission." (Cal. Pub. Resources, § 25200.) All further references are to the Public Resources Code unless otherwise specified.

<sup>4</sup> TNs 232466, 232467-1, 232467-2, 232467-3.

**participate in and/or observe the proceedings consistent with the direction in the Executive Order.**

To participate in the Evidentiary Hearing remotely, please see the instructions below under the section “**REMOTE ATTENDANCE**.”

Please see the Notice of Prehearing Conference, Evidentiary Hearing, Scheduling Order, and Further Orders, filed on June 24, 2021 (Hearing Notice).<sup>5</sup>

## **BACKGROUND**

On March 19, 2020, SV1, LLC, a wholly owned subsidiary of Equinix, LLC, (Applicant) submitted the Application to obtain an exemption from the CEC’s exclusive jurisdiction to license thermal powerplants with a generating capacity of 50 megawatts (MW) or more of electricity.<sup>6</sup>

The Committee’s review of the Application is primarily conducted through an administrative adjudicatory process. As part of the review process, the Committee will conduct an Evidentiary Hearing and receive public comment.<sup>7</sup>

On June 24, 2021, the Committee issued a Hearing Notice, which set a Prehearing Conference for September 7, 2021, and an Evidentiary Hearing for September 13, 2021.<sup>8</sup>

At the September 7 Prehearing Conference, the hearing officer announced that the full Committee cannot conduct an Evidentiary Hearing on September 13 and proposed to reschedule to September 21, 2021. The three parties to this proceeding, the Applicant, CEC Staff, and an intervenor, Robert Sarvey, confirmed verbally during the Prehearing Conference that they could attend an evidentiary hearing on September 21.<sup>9</sup>

While this notice and order reschedules the date of the Evidentiary Hearing to September 21, the orders and instructions in the June 24 Hearing Notice otherwise remain in effect, including without limitation, the **Orders Regarding Prefiling Evidence, Use of Documents, Prehearing Conference Statements, Exhibit Lists**.<sup>10</sup>

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<sup>5</sup> TN 238471.

<sup>6</sup> TN 232466.

<sup>7</sup> Cal. Code Regs., tit. 20, § 1212, subd. (b).

<sup>8</sup> TN 238471.

<sup>9</sup> A transcript is pending and will be filed in the docket for this proceeding. [An audio recording of the September 7 prehearing conference is currently available online:](#)

[https://energy.zoom.us/rec/share/42qK5y0xtyGvjOxoMIKM\\_J9pENm1Tvkp0OpfP5AYARGLpMiY2ivbSL6TrgeUOXZ.nu7BDc1r1DpPrP3r](https://energy.zoom.us/rec/share/42qK5y0xtyGvjOxoMIKM_J9pENm1Tvkp0OpfP5AYARGLpMiY2ivbSL6TrgeUOXZ.nu7BDc1r1DpPrP3r).

<sup>10</sup> TN 238471, pp. 6-8.

## **NOTICE OF CLOSED SESSION DELIBERATIONS**

At any time during the Evidentiary Hearing, the Committee may adjourn to a closed session in accordance with California Government Code section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.

## **REMOTE ATTENDANCE**

You may participate in these meetings through the on-line meeting service, Zoom. Please be aware that the meeting may be recorded.

[Learn about joining a Zoom meeting](https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting) at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>. You may [download Zoom software](https://zoom.us/download) at <https://zoom.us/download>.

Zoom technical support is available at (888) 799-9666, ext. 2 and you may visit [Zoom's help center](https://support.zoom.us/hc/) at <https://support.zoom.us/hc/>. Or you may email the CEC's Public Advisor's Office to seek help at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), by phone at (916) 654-4489, or toll-free at (800) 822-6228.

**Via Computer:** Participants may join noticed events by clicking on the links below. You may also [access Zoom](https://join.zoom.us) at <https://join.zoom.us> and entering the Webinar ID and password for the event (listed below). To comment, use Zoom's "raise hand" feature and unmute. If a request for interpreting service was made to the CEC's Public Advisor's Office at least five days before the hearing, the Zoom interpretation features will be enabled. To listen and participate in the conference in that non-English language, click on the interpretation icon at the bottom right and then choose the preferred language and then click "Mute Original Audio" to cancel out the noise from the English channel.

**Evidentiary Hearing.** Click to join [September 21, 2021, 10:00 a.m.](https://energy.zoom.us/j/91494360781?pwd=UW9kdWNIaW9xUS94QURXQW4yNVh6Zz09)

(<https://energy.zoom.us/j/91494360781?pwd=UW9kdWNIaW9xUS94QURXQW4yNVh6Zz09>)

Webinar ID: 914-9436-0781

Password: GOSPPE@10

| <b>Event</b>        | <b>Date</b>                      | <b>Webinar ID</b> | <b>Password</b> |
|---------------------|----------------------------------|-------------------|-----------------|
| Evidentiary Hearing | September 21, 2021<br>10:00 a.m. | 914-9436-0781     | GOSPPE@10       |

**Via Telephone (No Visual Presentation):** Dial (877) 853-5257 (toll free), (888) 475-4499 (toll free), or (669) 219-2599. When prompted, input the unique Webinar ID (listed above). To comment or ask a question over the telephone, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Via Mobile Device:** Access to Zoom meetings is available from your mobile device. To download the app, [visit the Zoom Download Center](https://zoom.us/download) at <https://zoom.us/download>.

### **Muting**

We greatly appreciate your cooperation in reducing noise on the audio connection by muting your line when you are not speaking. Mute your line rather than placing your phone on hold. Using Zoom, you may mute yourself by right clicking on the mute icon. If you are solely using a telephone connection, press “\*6” once to mute and again to unmute.

### **PUBLIC ADVISOR AND OTHER CEC CONTACTS**

The CEC’s Public Advisor’s Office provides the public with assistance in participating in CEC proceedings. For information on participation or to request interpreting services or reasonable accommodations, please contact the Public Advisor’s Office at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or by phone at (916) 654-4489, or toll free at (800) 822-6228.

**Direct questions of a procedural nature** related to the Application to Susan Cochran, Hearing Officer, at [susan.cochran@energy.ca.gov](mailto:susan.cochran@energy.ca.gov) or (916) 891-8078, or Ralph Lee, Hearing Officer, at [ralph.lee@energy.ca.gov](mailto:ralph.lee@energy.ca.gov) or (916) 776-3408.

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

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

**AVAILABILITY OF DOCUMENTS**

Information regarding the status of the Application, as well as notices and other relevant documents, are available on the [Great Oaks South SPPE web page](https://www.energy.ca.gov/powerplant/reciprocating-engine/great-oaks-south-generating-facility) for the Great Oaks South Backup Generating Facility proceeding found at:  
<https://www.energy.ca.gov/powerplant/reciprocating-engine/great-oaks-south-generating-facility>.

**IT IS SO ORDERED.**

Dated: September 10, 2021

Dated: September 10, 2021

**APPROVED BY:**

**APPROVED BY:**

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Karen Douglas  
Commissioner and Presiding Member  
Great Oaks South Backup Generating  
Facility SPPE Committee

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David O. Hochschild  
Chair and Associate Member  
Great Oaks South Backup Generating  
Facility SPPE Committee

*Mailed to list number(s): 7534*

## **AGENDA**

### **Great Oaks South Backup Generating Facility SPPE (20-SPPE-01)**

#### **Evidentiary Hearing and Closed Session**

**September 21, 2021**

**10:00 a.m.**

**REMOTE ACCESS ONLY**

***To participate in the Evidentiary Hearing remotely, please see the instructions above under the section "REMOTE ATTENDANCE."***

1. Call to Order.
2. Evidentiary Hearing.

Consider and rule on any motion related to the evidentiary hearing that is raised before or during the evidentiary hearing.

Receipt of evidence from the Applicant, CEC Staff, and Intervenor Sarvey on the application for a small power plant exemption for the Great Oaks South Backup Generating Facility.

3. Public Comment.

Members of the public and other interested persons and entities may speak up to three minutes each on a matter related to this proceeding.

4. Committee closed session deliberations on the application for a small power plant exemption for the Great Oaks South Backup Generating Facility.<sup>11</sup>
5. Adjourn.

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<sup>11</sup> The Committee may adjourn to closed session in accordance with Government Code section 11126, subdivision (c)(3), which allows a state body to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct.