

August 10, 2022, California Energy Commission Business Meeting

Item 5. SMALL POWER PLANT EXEMPTION FOR THE CA3 BACKUP GENERATING FACILITY (21-SPPE-01).

Committee Proposed Decision

Part One

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244261-1>

Part Two

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244261-2>

Part Three

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244261-3>

Part Four

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244261-4>

Notice of Availability, et al.

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244270>

Proposed Commission Adoption Order

<https://efiling.energy.ca.gov/getdocument.aspx?tn=244280>

List of Documents filed in the CA3 Backup Generating Facility Small Power Plant Exemption, including the Application for Small Power Plant Exemption and any other documents filed after this list was created on August 5, 2022:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-01>

Project Web page:

<https://www.energy.ca.gov/powerplant/reciprocating-engine/ca3-backup-generating-facility>

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

CA3 Backup Generating Facility

Docket No. 21-SPPE-01

**[PROPOSED] COMMISSION
ADOPTION ORDER**

I. BACKGROUND

By this **ORDER**, the State Energy Resources Conservation and Development Commission, also known as the California Energy Commission (CEC), hereby adopts as its own Commission Decision the Committee Proposed Decision, dated July 29, 2022,¹ [and Errata, dated August xx, 2022].

The Committee Proposed Decision addresses the Application for a Small Power Plant Exemption² submitted by Vantage Data Centers (Applicant) for the CA3 Backup Generating Facility, which includes 44 diesel-fired backup generators, each with a maximum peak rating of 2.75 megawatts (Backup Generators) to provide an uninterruptable power supply to the CA3 Data Center. The Backup Generators and the CA3 Data Center would be located at 2590 Walsh Avenue in the City of Santa Clara, County of Santa Clara, California. The Backup Generators, the CA3 Data Center, and related activities, are collectively referred to herein as “the Project.”

The Commission Decision is based upon the hearing record of these proceedings. The Final Environmental Impact Report, related updates, and hearing record are on file in the CEC’s Docket Unit, located at 715 P Street, Sacramento, CA 95814, and are available for inspection by any person. The documents and other materials that make up the record of this proceeding relied upon in making this decision are also available

¹ TNs 244261-1, 244261-2, 244261-3, 244261-4.

² Information about this proceeding, including a link to the electronic docket, may be found on the [CA3 web page](https://www.energy.ca.gov/powerplant/reciprocating-engine/ca3-backup-generating-facility) at <https://www.energy.ca.gov/powerplant/reciprocating-engine/ca3-backup-generating-facility>. Documents related to this proceeding may be found in the [online docket](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-01) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-01>. The Application and related addenda are TN 237380 through 237383, TN 237423, and TN 237521.

on the [CA3 Online Docket](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-01) at
<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SPPE-01>.

II. ENERGY COMMISSION FINDINGS

We hereby adopt the following findings pursuant to Public Resources Code sections 21000 et seq. and 25541 and applicable implementing regulations, in addition to those contained in the Commission Decision:

1. The generating capacity of the Backup Generators will not exceed 100 megawatts.
2. The construction and operation activities of the Project will not create a substantial adverse impact on the environment.
3. The construction and operation activities of the Project will not create a substantial adverse impact on energy resources.

III. ORDER

Therefore, we order the following:

1. The CA3 Backup Generating Facility is **GRANTED** a Small Power Plant Exemption from the Application for Certification provisions of the CEC's power plant licensing process. This Order is adopted, issued, effective, and final on August 10, 2022.
2. The Hearing and Advisory Unit of the CEC's Chief Counsel's Office shall incorporate the Commission Decision and any modifications made by the Commission during the August 10, 2022, Business Meeting into a single document. Preparation and publication of the Commission Final Decision shall not affect the adoption, issuance, effectiveness, or finality of this Order.
3. The CEC staff shall file a Notice of Determination with the State Clearinghouse within five (5) business days of August 10, 2022, subject to Applicant being responsible for payment of all applicable filing fees.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on August 10, 2022.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Liza Lopez
Secretariat