



# **Item 4: Rulemaking Adopting Amendments to the Definition of Related Facility and Adding a Definition of Appurtenant Facility**

*May 26, 2026 Business Meeting*

Jared Babula, Senior Attorney  
Barbara Borkowski, Senior Attorney  
Chief Counsel's Office



# Purpose

The purpose of this rulemaking is to:

- Amend the definition of “related facility”
- Add a definition of “appurtenant facility”
- Update terminology and criteria for determining the equipment, structures, or accessories that are jurisdictional to the CEC
- Clarify the scope of the CEC’s jurisdiction over data center buildings



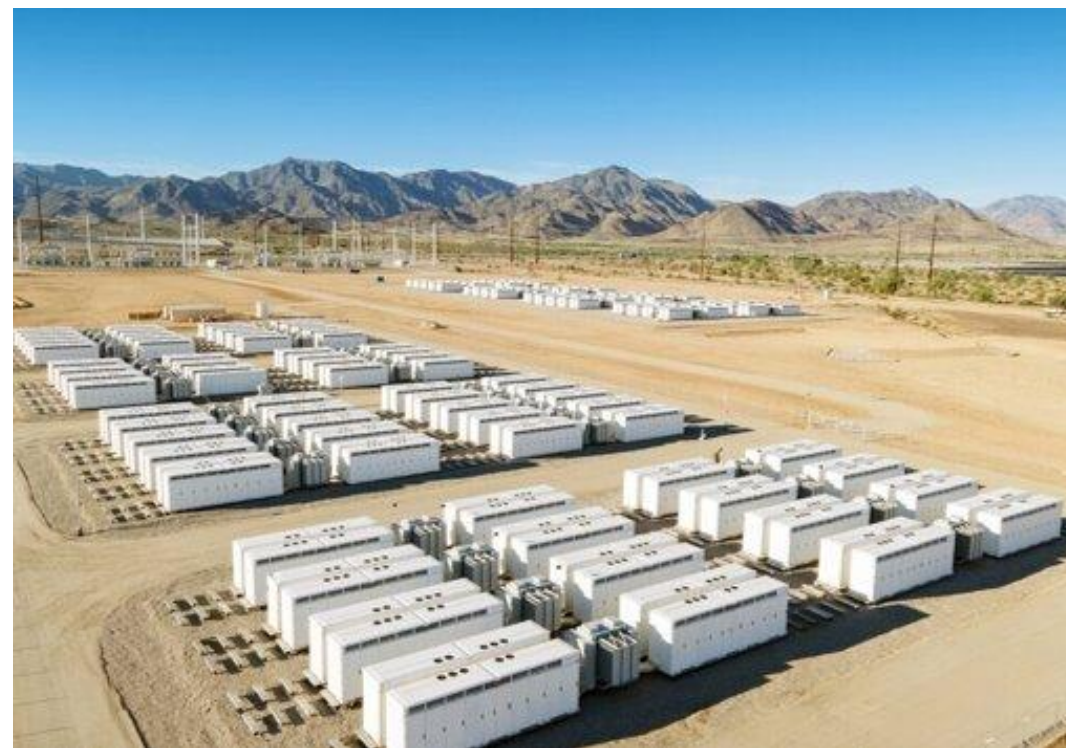
# Benefits of Proposed Amendments

- Better aligned with the Public Resources Code
- Remove unnecessary limitations currently in the definition of related facility
- Facilitate a more efficient project amendment process for operating powerplants
- Update a definition that has been made partially obsolete by statutory changes and technological advancements



# Examples

- Water pumping for agricultural use
- Battery Energy Storage System (BESS)



*Source: Intersect Power*



# Staff Recommendation

Staff recommends the CEC:

- Finds the adoption of the rulemaking is exempt from CEQA as detailed in the CEQA Memo filed into the docket
- Approves the resolution adopting the regulatory language