



California Energy Commission  
**Business Meeting Agenda**

June 25, 2021  
10:00 a.m.

[Remote participation instructions below, after line Items](#)

As of June 9, 2021, public comment will be accepted solely through the Zoom platform.

The California Energy Commission's (CEC) June 25, 2021 Business Meeting 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 can participate consistent with the direction in the Executive Order.

Pursuant to California Code of Regulations Title 20 section 1104(e), any person may make oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to three minutes or less per person. Any person wishing to comment on information items or reports (non-voting items) shall speak during the general public comment portion of the meeting and have three minutes or less to address all remaining comments.

**THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:**

**1. Small Power Plan Exemption for the Sequoia Backup Generating Facility (19-SPPE-03).**

Consideration and possible approval of an order adopting the Committee Revised Proposed Decision on the Application for a Small Power Plant Exemption (SPPE) for the Sequoia Backup Generating Facility (19-SPPE-03). The Committee issued the Revised Proposed Decision on June 4, 2021, and it includes a Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA). The project would include 54 2.25-megawatt (MW) standby diesel generators to provide an uninterruptible power supply to the Sequoia Data Center when there is an interruption to the electrical supply. Located at 2600 De La Cruz Boulevard in Santa Clara, California, the generators would be restricted to generating electricity to meet the Sequoia Data Center electrical load of 96.5 MW and would not be connected to the grid. Contact: Susan Cochran (Staff Presentation: 15 minutes)

- a. Possible closed session deliberation on the above described SPPE. (Government Code Section 11126(c)(3)).

## **2. El Segundo Energy Center (00-AFC-14C).**

Possible approval of a proposed order modifying Condition of Certification AQ-11 to uprate Units 5 and 7 gas turbines. The primary purpose and need for this amendment is to increase the allowable heat rate to be more representative of the “maximum” heat input rating of the equipment increasing net generation by 30 MW. The facility is dispatched to serve peak power demand and needs to be permitted to operate at the maximum possible load to service that demand. Staff concludes that the modifications to the Air Quality Condition of Certification meet the requirements of California Code of Regulations, title 20, section 1769.1(a) and will not result in a significant impact to the environment or cause the project to be out of compliance with any laws, ordinances, regulations, or standards. Contact: Joseph Douglas (Staff Presentation: 10 minutes)

## **3. Walnut Creek Energy Park (05-AFC-02C).**

Proposed order approving the petition to amend the Conditions of Certification AQ-3, 4, 6, and 12 regarding the hourly fuel input and ammonia flow rates to gain a higher turbine output, for an increase of approximately 17.4 megawatts. Staff concludes the facility operational modifications to the Air Quality Conditions of Certification meet the requirements of California Code of Regulations, title 20, section 1769.1(a) and will not result in a significant impact to the environment or cause the facility to be out of compliance with any laws, ordinances, regulations, or standards. Contact: Eric Veerkamp (Staff Presentation: 5 minutes)

## **4. California Schools Healthy Air, Plumbing and Efficiency Program (20-RENEW-01).**

Proposed resolution approving guidelines for the California Schools Healthy Air, Plumbing and Efficiency (CalSHAPE) Ventilation Program established under Assembly Bill 841 (Ting, Chapter 372, Statutes of 2020) and adopting staff’s determination that this action is exempt from CEQA. The guidelines provide the requirements for applicant and project eligibility and describe the application process and award distribution. The CalSHAPE Ventilation Program will provide grant funding to local educational agencies to assess, maintain, and repair HVAC units in California schools located in underserved areas as defined by AB 841. Contact: Jonathan Fong (Staff Presentation: 5 minutes)

## **5. Lead Commissioner or Presiding Member Reports.**

A lead commissioner on a policy matter and a presiding member on a delegated committee may report to the CEC on relevant matters and discussion may follow.

## **6. Executive Director’s Report.**

## **7. Public Advisor’s Report.**

## **8. Public Comment.**

Any person wishing to comment on non-voting items such as information items or reports shall provide comments during this period. To ensure the orderly conduct of

business, comments will be limited to three minutes or less per person and one representative per organization.

## 9. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(e), the CEC may adjourn to closed session with its legal counsel to discuss any of the following matters to which the CEC is a party:
  - i. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); *State of California v. United States Department of Energy* (9th Cir. Docket No. 09-71014).
  - ii. *Communities for a Better Environment and Center for Biological Diversity v. Energy Resources Conservation and Development Commission, and California State Controller* (Alameda County Superior Court, Case No. RG13681262, Court of Appeal, First Appellate District, Division Four, Case No. A157299).
  - iii. *State Energy Resources Conservation and Development Commission v. Electricore, Inc. and ZeroTruck* (Sacramento County Superior Court, Case No. 34-2016-00204586-CU-BC-GDS).
  - iv. *State Energy Resources Conservation and Development Commission v. HyGen Industries, Inc* (Sacramento County Superior Court, Case No. 34-2019-00252543-CU-BC-GDS).
  - v. *Interlink Products International, Inc. v. Xavier Becerra, Drew Bohan, Melissa Rae King* (United States District Court for the Eastern District of California, Case No. 2:20-cv-02283).
  - vi. *Southern California Gas Company v. California State Energy Resources Conservation and Development Commission* (Sacramento County Superior Court, Case No. 34-2021-80003576-CU-WM-GDS).
- b. Pursuant to Government Code sections 11126 (a) and (e), the CEC may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the CEC, which might include personnel matters.

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## Remote Attendance Instructions.

Remote access is available by either internet or call-in options.

**Zoom:** Click the address below to participate and provide public comment via Zoom.

<https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErZD09>.

Zoom may also be accessed at <https://zoom.us/join>. To join, enter the **meeting ID 938-6923-0237** and the **password mtg@10am**. To participate by phone, dial (669) 900-6833 or (888) 475-4499 (toll free) and enter meeting ID **938-6923-0237**. For Zoom

technical support dial (888) 799-9666 ext. 2, or contact the CEC's Public Advisor's Office for help at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), (916) 654-4489 or (800) 822-6228.

Public comment periods will be available throughout the business meeting and is expected to be three minutes or less per speaker and one person per organization. Depending on the number of members of the public seeking to make a comment, the Chair may adjust the total time allotted for public comment and the time allotted for each comment.

**If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment.** The Public Advisor will open your line to speak. Please restate and spell your name for the record; indicate if you have an affiliation; and begin your comments.

**If participating by telephone, press \*9 to "raise your hand" and \*6 to mute/unmute.** The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking then restate and spell your name for the record, indicate if you have an affiliation; and begin your comments.

Verizon: Beginning June 9, 2021, the CEC's Verizon phone line will solely be used as a backup service. If the Zoom service is disconnected, you may call the Verizon phone line to continue participating in the meeting. The Verizon phone line will only be available for the public to listen and make public comment if the Zoom platform shuts down. If that situation arises, call the CEC's Verizon line at (888) 823-5065 and enter the passcode: business meeting. To make public comment about a specific item, provide your name, affiliation if any, and the item number to the operator. Once connected, press \*0 for help or to speak with the operator. The operator will open your line when it is your turn to speak. Restate and spell your name for the record. The operator will mute your line when you are finished commenting.

**Public Advisor Assistance.** Direct questions about how to participate in the business meeting or to request interpreting services or other reasonable accommodations to the Public Advisor's Office at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), by phone at (916) 654-4489 or toll free at (800) 822-6228. Requests for interpreting services and reasonable accommodations should be made at least five days in advance. The Public Advisor may upon the request of public participants who may be absent from the CEC's place of business or during the business meeting when a matter of interest to them is being considered, neutrally and publicly relate those participants' points to the CEC on behalf of members of the public. If you are interested in this service, please email concise comments, specifying your main points, before the start of the business meeting to the Public Advisor's Office. Comments submitted after the business meeting starts will be filed in the business meeting docket. The CEC will work diligently to accommodate all requests.

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

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**Adjournment.** Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129)