



BEHIND THE CLOUD

EPISODE 4 | QUICK REFERENCE

**A data center is approved through many separate systems, not one decision.
Information does not always move with authority.**

01 THE BIG IDEA

No single institution controls every step of a data center project. Local, utility, state, regional, and federal bodies each hold one piece of authority and information.

Regional Transmission Organizations (RTO)

PJM, MISO, SPP, ISO New England, NYISO, and CAISO coordinate wholesale power under FERC rules

02 WHO HOLDS AUTHORITY

Electricity and water figures are easy to misread without proper context.



LOCAL GOVERNMENT: Often controls zoning and site conditions, but its power varies by state and site.



UTILITY: Studies demand and engineering needs, then proposes a service agreement.



STATE COMMISSION: Reviews rates and utility investments through formal dockets, not local hearings.



REGIONAL GRID / FERC: Governs transmission and wholesale power in a separate federal process.

03 TRANSLATING THE JARGON

- **NDA_s CAN PROTECT LEGITIMATE INTERESTS:** Business, security, and negotiation details can lawfully stay confidential.
- **NDA_s ARE NOT AN EXEMPTION:** A confidentiality agreement does not override public-records or open-meetings law.
- **ORPHANED STAKEHOLDERS:** Affected residents or agencies can be left out when no institution carries their concerns forward.
- **STATE PREEMPTION:** State law can limit or remove local control over utility, environmental, or tax decisions.

MAKE YOUR GOVERNANCE MAP: A one-page map or table that should show, for each decision: who has authority, what document is required, what the deadline is, and who gets notice.

04 THE BIG QUESTIONS TO ANSWER

1. **AUTHORITY:** Which institution has legal power over this decision?
2. **INFORMATION:** What is confidential, and who is allowed to review it?
3. **STAKEHOLDERS:** Who is affected but has no formal seat in the process?
4. **TIMING:** What deadline or filing applies in each forum?

BOTTOM LINE A data center is approved through many separate systems, not one vote. A clear governance map helps close the gaps before decisions are final.