

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	200143
Document Title:	Email from Michael Carroll to Eric Solorio re PSA Workshop Preparation
Description:	N/A
Filer:	Paul Kihm
Organization:	Latham & Watkins LLP
Submitter Role:	Applicant's Representative
Submission Date:	8/9/2013 2:32:07 PM
Docketed Date:	8/9/2013

From: [Carroll, Michael \(OC\)](mailto:Carroll, Michael (OC))
To: Eric.Solorio@energy.ca.gov
Cc: dale.shileikis@urs.com; Kathy.Rushmore@URS.com; john.heiser@energy.ca.gov;
keith.winstead@energy.state.ca.us; chris.davis@Energy.state.ca.us; diane.scott@Energy.state.ca.us;
MMascaro@scsenergyllc.com; [George.Landman \(glandman@heca.com\)](mailto:George.Landman (glandman@heca.com)); rjohnson@energy.state.ca.us;
[Campopiano, Marc \(OC\)](mailto:Campopiano, Marc (OC)); [Lisa.DeCarlo \(Ldecarlo@energy.state.ca.us\)](mailto:Lisa.DeCarlo (Ldecarlo@energy.state.ca.us))
Subject: Hydrogen Energy California Project - PSA Workshop Preparation
Date: Friday, August 09, 2013 11:06:56 AM

Hello Mr. Solario.

I am responding to your August 7, 2013 e-mail message to Marisa Mascaro of HECA regarding the upcoming PSA/DEIS Workshops and certain information that you would like from the Applicant to prepare for the Workshops. Rest assured that the Applicant intends to do everything reasonably possible to ensure that the Workshops are productive. To that end, our team has been diligently reviewing the voluminous PSA/DEIS and compiling our comments, including comments on and proposed changes to the suggested conditions of certification. We have also been preparing responses to the staff requests for additional information contained in the PSA/DEIS, the first set of which will be docketed later today and the remainder of which we intend to provide by the end of the month. This effort is intended to ensure that the staff has the information that it has requested well in advance of the Workshops, and that we are prepared to address the unresolved issues identified by staff in the PSA/DEIS.

If members of our team seemed hesitant regarding your requests, it is because in our collective years of practice before the CEC, we have never received a request of this nature as a prerequisite to planning for the PSA Workshops. Perhaps you routinely request this information on projects where you are the Project Manager, but we have never seen such a request. We view the PSA Workshops as an opportunity to address concerns identified by the staff in the PSA and to try to resolve as many as possible, and hopefully all, of the outstanding issues and differences of opinion. Therefore, the specific technical issues that we would like to discuss during the Workshops are all of those outstanding issues and differences of opinion identified by staff in the PSA/DEIS. In my experience, staff has understood that to be the case, and we have not been asked to provide a separate list. Not having been prepared for your request, we were somewhat caught off guard and unsure as to when we could commit to complying with it.

Now that we have a better understanding of the nature and purpose of your request, we are more than happy to comply with it, and believe that we can do so by the end of next week. As a preview, our list will closely track the outstanding issues identified by staff in the PSA/DEIS, and the conditions of certification that we will want to discuss will be those related to those issues. Hopefully, this will allow you to begin planning for the Workshops even before you receive the requested information from us.

For our own planning purposes, it would be most helpful if the staff could confirm the dates on which it intends to hold the Workshops, which we understand to be tentatively scheduled for September 17 and 18. As I believe you know, the Applicant has moved forward to secure a venue and make other arrangements based on the assumption that these are the dates for the Workshops.

Please look for our first round of responses to information requests today, the information requested in your August 7 e-mail next week, and the remainder of the responses to information requests by the end of August. If there is anything else that you need, please let us know. We look forward to working with you to make these Workshops a success from everyone's perspective.

Regards, Mike

Michael J. Carroll

LATHAM & WATKINS LLP
650 Town Center Drive

20th Floor
Costa Mesa, CA 92626-1925
Direct Dial: +1.714.755.8105
Fax: +1.714.755.8290
Email: michael.carroll@lw.com
Bio: [Attorney Profile](#)
<http://www.lw.com>