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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:) DOCKET NO. 08-AFC-08A
)
APPLICATION FOR CERTIFICATION,) APPLICANT'S STATUS REPORT NO. 9
FOR THE HYDROGEN ENERGY)
CALIFORNIA PROJECT BY HYDROGEN)
ENERGY CALIFORNIA LLC)
_____)

Hydrogen Energy California LLC (Applicant) appreciates efforts by staff for the California Energy Commission (CEC) and U.S. Department of Energy (DOE) that went into publishing the Preliminary Staff Assessment / Draft Environmental Impact Statement (PSA/DEIS) and the productive public workshops in Buttonwillow on September 17-19, 2013. Many issues were resolved at these workshops, and Applicant looks forward to resolving the remaining outstanding issues at the upcoming public workshops.

Applicant urges the CEC to schedule the upcoming public workshops and Committee Conference on October 28, 2013 and, if another day is necessary, on October 29, 2013. Based on filings by Chris Romanini on September 23, 2013 (Docket # 200563), the Applicant on September 24, 2013 (Docket # 200640) and the Sierra Club Status Report No. 9 on October 1, 2013 (Docket # 200678), October 28, 2013 is the only date that works for the various parties within the time period anticipated by the CEC. The Applicant would gladly accept discussing Water Resources early on October 28, 2013, as requested by the Sierra Club and Chris Romanini. The Applicant strongly opposes delaying the workshops another two weeks until November 12, 2013.

The Applicant continues to support the proposed schedule from the Applicant's Status Report No. 8 (attached). Based on Applicant's numerous responses to information requests made in the PSA/DEIS and progress from the workshops, the Applicant believes that the proposed schedule continues to provide time for staff to prepare the Final Staff Assessment / Final Environmental Impact Statement, while allowing a final decision on the Project within a reasonable period of time.

DATED: October 1, 2013

Respectfully submitted,

/s/ Michael Carroll

Michael Carroll
LATHAM & WATKINS LLP
Counsel to Applicant

	Activity	Current Date (Actual or 3/27/13 Order)	Proposed Date
1	Amended Application for Certification was submitted	May 2, 2012	
2	Informational Hearing and Site Visit	July 12, 2012	
3	San Joaquin Valley Air Pollution Control District (SJVAPCD) issued Preliminary Determination of Compliance (PDOC)	February 2, 2013	
4	Status Reports Filed	April 1, 2013	
5	Status Reports Filed	April 9, 2013	
6	Preliminary Staff Assessment /Draft Environmental Impact Statement (PSA/DEIS) filed	June 28, 2013	
7	SJVAPCD issued Final Determination of Compliance	July 8, 2013	
8	PSA/DEIS workshops	September 17-19, 2013	
9	Committee Conference	September 18, 2013	
10	Comments on PSA/DEIS are due; Parties file Status Reports		October 1, 2013
11	PSA/DEIS workshops and Committee Conference		October 28-29, 2013
12	Final Staff Assessment/Final Environmental Impact Assessment (FSA/FEIS) filed		December 2, 2013
13	Prehearing Conference		December 16, 2013
14	Evidentiary Hearings		January 13, 2014
15	Presiding Member Proposed Decision		February 24, 2014
16	California Energy Commission issues Final Decision		March 24, 2014