

DOCKETED

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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
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**AMENDED APPLICATION FOR CERTIFICATION
FOR THE
HYDROGEN ENERGY CALIFORNIA PROJECT**

Docket No. 08-AFC-08A

REVISED COMMITTEE SCHEDULING ORDER

Background

On July 31, 2008, Hydrogen Energy International, LLC (HEI) filed an Application for Certification (AFC) seeking authority to construct and operate the Hydrogen Energy California Project (HECA), an integrated gasification combined cycle (IGCC) power generating facility rated at a nominal gross generating capacity of 390 megawatts (MW). To avoid conflict with habitat for endangered species, HEI retracted the original AFC and filed a revised application on May 28, 2009, for the same project to be built at a different location. An Informational Hearing and a Site Visit were conducted on September 16, 2009. The proposed HECA would be located near the unincorporated community of Tupman in western Kern County, California, seven miles west of the city limit of Bakersfield.

SCS Energy California, LLC acquired 100 percent ownership of HECA, LLC in September 2011, undertook the re-design of some aspects of the project, and submitted an amended AFC in May 2012. The Energy Commission assigned a Committee of two Commissioners to conduct proceedings on the AFC. The Committee held a Public Site Visit and Informational Hearing at the Elk Hills School in Tupman on July 12, 2012, to discuss the amended AFC, the Energy Commission review process and to identify issues that could affect the schedule. Pursuant to Title 20 of the California Code of Regulations, section 1709.7(c), the Committee issued a Scheduling Order based on Staff's proposed schedule and related discussions at the Informational Hearing. Staff issued the Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS) on June 28, 2013.

The attached revised schedule is based upon information submitted by the parties in recent status reports and discussion which took place during the November 2013 Committee Conference on the PSA/DEIS. Commission staff's November 2013 status report emphasized the numerous areas of information requested by staff and not yet received from the applicant. According to staff, a publication date for the Final Staff

Assessment (FSA) at the end of March 2014 would allow adequate time for the information to be provided and incorporated into the FSA.

Applicant proposed a significantly earlier publication date for the FSA. Given the complexity and relative novelty of many aspects of this project, we understand staff's concerns about the necessity for complete information before the FSA can be published.

Status Reports and Status Conferences

The attached schedule requires status reports to be submitted by all parties. Status reports shall inform the Committee whether or not case development is progressing satisfactorily and bring potential schedule delays and other relevant matters to the Committee's attention. In addition, the Committee may schedule one or more status conferences to discuss any issues that may arise.

Each party's status report must be uploaded to the Energy Commission e-filing system or received by the Commission's Docket Unit, 1516 9th Street, MS-4, Sacramento, California 95814-5512 **no later than 3:00 p.m.** on the due date. Status reports must contain "Docket No. 08-AFC-08A" in the caption or heading.

Public Adviser and Public Participation

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral public comments are considered by the Commissioners and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to make recommendations for meaningful participation. For assistance, contact the Public Adviser at (916) 654-4489 or (800) 822-6228 or e-mail at: publicadviser@energy.ca.gov.

Contact Information

Questions of a legal or procedural nature should be directed to Raoul Renaud, Hearing Adviser, at (916) 651-2020 or e-mail at: raoul.renaud@energy.ca.gov.

Technical questions concerning the project should be addressed to John Heiser, Staff Project Manager, at (916) 653-8236 or e-mail at: john.heiser@energy.ca.gov.

Media inquiries should be directed to the Energy Commission's Media Office at (916) 651-0488 or e-mail at: mediaoffice@energy.ca.gov.

If you have a disability and need assistance to participate, please contact Lourdes Quiroz at (916) 654-5146 or e-mail at: lou.quiroz@energy.ca.gov.

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet webpage at: http://www.energy.ca.gov/sitingcases/hydrogen_energy/.

Dated: January 27, 2014, at Sacramento, California.

Original Signed By:

KAREN DOUGLAS
Commissioner and Presiding Member
Hydrogen Energy California Project
AFC Committee

Original Signed By:

ANDREW McALLISTER
Commissioner and Associate Member
Hydrogen Energy California Project
AFC Committee

**JANUARY 2014
REVISED HECA COMMITTEE SCHEDULE**

	ACTIVITY	DATE
1	Amended Application for Certification was submitted	05-02-12
2	Informational Hearing and Site Visit	07-12-12
3	San Joaquin Valley Air Pollution Control District (SJVAPCD) issued Preliminary Determination of Compliance (PDOC)	02-07-13
4	Preliminary Staff Assessment/ Draft Environmental Impact Statement (PSA/DEIS) filed	06-28-13
5	SJVAPCD issued Final Determination of Compliance (FDOC)	08-23-13
6	Committee Conference on the PSA/DEIS	11-20-13
7	Parties file Status Reports	03-10-14
8	Final Staff Assessment/Revised Draft Environmental Impact Statement (FSA/Revised DEIS) filed	03-31-14
9	Parties file Status Reports	04-07-14
10	Prehearing Conference*	2 weeks after FSA/Revised DEIS
11	Evidentiary Hearings*	2 weeks after Prehearing Conference
12	Committee files Presiding Member's Proposed Decision (PMPD)*	8 weeks after close of Evidentiary Hearings
13	Committee Conference on the PMPD*	30 days after PMPD
14	Commission issues Final Decision*	2 weeks after Committee Conference

***Items 9 through 13 will be scheduled by the Committee
TBD – to be determined**