

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	204500
Document Title:	Request For Suspension
Description:	Hydrogen Energy California LLC Request for Suspension
Filer:	Robert L. Dickson, Jr.
Organization:	Latham & Watkins LLP
Submitter Role:	Applicant Representative
Submission Date:	5/5/2015 2:31:13 PM
Docketed Date:	5/5/2015

LATHAM & WATKINS LLP
Michael J. Carroll
michael.carroll@lw.com
650 Town Center Drive
Suite 2000
Costa Mesa, CA 92626
Telephone: 714.755.8105
Facsimile: 714.755.8290

Attorneys for Applicant
Hydrogen Energy California LLC

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the matter of:)	Docket No. 08-AFC-08A
)	
HYDROGEN ENERGY CALIFORNIA)	
PROJECT)	REQUEST FOR SUSPENSION
)	
_____)	

On behalf of Hydrogen Energy California LLC (the “Applicant”), we respectfully submit this Request for Suspension pursuant to California Code of Regulations, title 20, section 1716.5. The Applicant hereby requests a six-month suspension of the Application for Certification (“AFC”) proceeding for the Hydrogen Energy California Project (the “Project”), docket 08-AFC-08A.

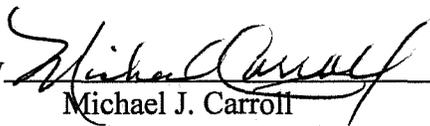
As detailed in Applicant’s Response to Interveners’ Motion to Terminate Application for Certification, docketed on March 18, 2015 (TN #203915), for the past 18 months Applicant has engaged in a sustained effort to consummate a CO₂ off-take agreement for the Project and thereby advance review of the AFC. Through November of 2014, Applicant had a reasonable expectation that it could consummate a CO₂ off-take agreement with California Resources Corporation (“CRC”) (previously Occidental of Elk Hills). Unfortunately, events completely

outside the control of Applicant, have prevented consummating an agreement with CRC. When it became apparent that CRC was not able to devote sufficient resources and attention to completing negotiation of a CO₂ off-take agreement by the end of 2014 as it had projected, Applicant stepped up its efforts to identify and enter into discussions with alternative CO₂ off-takers. Those efforts are ongoing.

At this point in time, a completed CO₂ off-take agreement does not appear to be imminent. Under these circumstances, Applicant believes that it would be appropriate for the AFC proceeding to be suspended to accurately reflect the current status of the project. Applicant therefore requests that the Committee suspend the AFC proceeding for a period of six months. Applicant believes that this request is reasonable under the circumstances, and notes that suspensions of longer periods of time have been granted for AFCs that have been pending for longer than the Project AFC.

Dated: May 5, 2015

LATHAM & WATKINS LLP

By 
Michael J. Carroll
LATHAM & WATKINS LLP
Attorneys for Applicant
Hydrogen Energy California LLC