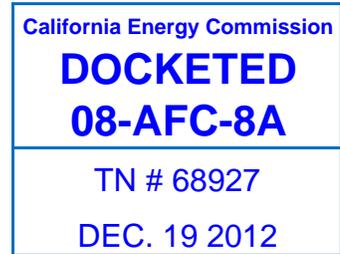


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STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:) DOCKET NO. 08-AFC-08A
)
APPLICATION FOR CERTIFICATION,) STATUS REPORT NO. 3
FOR THE HYDROGEN ENERGY)
CALIFORNIA PROJECT BY HYDROGEN)
ENERGY CALIFORNIA LLC)
_____)

Pursuant to the Revised Committee Scheduling Order for the Hydrogen Energy California Project (Project), issued on October 5, 2012, we hereby file this Status Report No. 3 on behalf of Hydrogen Energy California LLC (HECA or Applicant). This Status Report provides an overview of key activities by HECA since October 18, 2012, when HECA submitted Status Report No. 2.

As shown below, the Applicant is actively engaged in public outreach and agency coordination to facilitate review of the Project. The Applicant is quickly resolving all outstanding Data Requests by Staff for the California Energy Commission (CEC) and other parties. While there are undoubtedly some unresolved issues, the Applicant believes that Staff currently has adequate information to prepare the Preliminary Staff Assessment (PSA) and is concerned about continued slippage in Staff's proposed schedule for issuing the PSA. The Applicant believes that issuance of the PSA will help to clarify those issues that Staff believes are outstanding and will facilitate resolution of those issues. Applicant therefore requests that the Committee direct the Staff to issue the PSA as soon as possible, and in no case later than the date identified by Staff in its most recent proposed schedule (January 25, 2013).

I. RESPONSES TO DATA REQUESTS

On October 22, 2012, Applicant responded to Staff's Data Requests Set One, 60-day Extension. *See* Docket No. 67969. On November 30, 2012, Applicant submitted Supplement Response to CEC Data Request A96. *See* Docket No. 68724.

On November 5, 2012, Applicant submitted responses to CEC Workshop Requests Numbers A1 through A32. *See* Docket No. 68377.

On November 12, 2012, Applicant submitted responses to CEC Data Requests Set Two-30-day extension. *See* Docket No. 68493. On November 12, 2012, Applicant submitted an application for confidential designation for the Cultural Resource Data Submittal A139 and A140. *See* Docket No. 68501.

On November 2, 2012, Applicant received Staff's Data Request Set No. 3, A181 through A217. *See* Docket No. 68324. On November 20, 2012, Applicant submitted Objections and Requests for Additional Time to Respond to CEC Staff Data Requests Set 3. *See* Docket No. 68600. On December 3, 2012, Applicant submitted responses to CEC Data Requests Nos. A181 through A217. *See* Docket No. 68748.

On October 24, 2012, Applicant received data requests from the Association of Irrigated Residents (AIR) Nos. 12 through 42. *See* Docket No. 68076. On November 13, 2012, Applicant submitted a request for Additional Time to Respond to Data Requests from AIR. *See* Docket No. 68504. On November 30, 2012, Applicant submitted responses to AIR Data Requests No. 12 through 42. *See* Docket No. 68731.

On November 2, 2012, Applicant Received Committee Ruling on Intervenor Sierra Club's Motion to Compel Data Responses. *See* Docket No. 68326.

On November 5, 2012, Applicant submitted responses to Sierra Club Data Requests Numbers 1 through 97, 60-day Extension. *See* Docket No. 68378.

On October 30, 2012, Applicant received Sierra Club's Data Requests Set No. 2. *See* Docket No. 68264. On November 19, 2012, Applicant submitted Objections and Requests for Additional Time to Respond to Sierra Club Data Requests Set 2: 98 through 131. *See* Docket No. 68584. On November 30, 2012, Applicant submitted responses to the Sierra Club's Data Request Set No. 2 Nos. 98 through 131. *See* Docket No. 68729.

II. AGENCY COORDINATION

On October 30, 2012, Applicant submitted Class II Visibility Analysis to US EPA, San Joaquin Valley Air Pollution Control District (SJVAPCD), and CEC. *See* Docket No. 68392.

On November 8, 2012, Applicant met with Kern County Planning Department representatives to discuss proposed design elements and mitigation.

III. COORDINATION OF HECA AND OXY CO2 EOR PROJECTS

On November 5, 2012, OEHI submitted responses to CEC Data Requests Set 2 Nos. A136-A138 and A171-A177. *See* Docket No. 68376. Resource Areas covered in these Data Responses include Air Quality, Cultural Resources and Visual Resources.

On November 13, 2012, OEHI submitted responses to Data Requests A60 to the CEC. *See* Docket No. 68500. This submission included detail on biological impacts due to the CO₂ pipeline route.

On November 7, 2012, OEHI participated in a CEC-sponsored Data Response Workshop in Bakersfield, CA.

IV. PUBLIC OUTREACH

A number of public outreach activities have been completed by HECA since the filing of Applicant's Status Report No. 2, including the following:

Throughout the fall season, Applicant has participated in the local "Be Safe" program through the Buttonwillow Resource Center, the "Stop Meth Now" program, and the Buttonwillow Collaborative through the Buttonwillow School. Applicant has also volunteered with the Buttonwillow Chamber of Commerce and was a member of the Farm Fall Festival Committee.

In November, Applicant published its Fall/Winter Newsletter to inform the public about progress, key project elements, and activities in the local community. The Newsletter was mailed to every resident of Buttonwillow and Tupman and also e-mailed to a list of over 1,000 stakeholders.

In preparation for the November 7th CEC Data Response Workshop, Applicant issued a notice to every resident of Buttonwillow and Tupman, providing details of the workshop and offering transportation to the workshop and Spanish translation services.

Applicant participated in the November 7th CEC Data Response Workshop in Bakersfield. During the workshop several members of the community spoke in support of the HECA project and its benefits. In addition, the Applicant provided informational fact sheets and poster displays depicting the project elements.

In October and November, Applicant met with several community leaders, including the new President of the Bakersfield Chamber of Commerce, the Executive Directors of the California Independent Oil Producers Agency, and the Kern Economic Development Corporation (KEDC).

In October, Applicant met with the Elk Hills School District and the Giving Tree Project to discuss planning for the development of a park in the local community of Tupman.

On November 12th, Applicant presented a project overview at Stanford University's School of Engineering.

On November 14th, Applicant participated at the KEDC Energy Summit in Bakersfield as a Silver Sponsor.

In December, Applicant participated in a local community holiday events in support of local youth and contributed charitable donations to local non-profit organizations including, Golden Empire Gleaners, Kern Adult Literacy Council, Buttonwillow Community Resource Center, and Buttonwillow Recreation and Parks District.

In December, Applicant submitted an article at the request of the Energy Industries Council to provide a technical project overview for their Energy Focus publication.

DATED: December 19, 2012

Respectfully submitted,

/s/ Michael Carroll

Michael Carroll
LATHAM & WATKINS LLP
Counsel to Applicant

**STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:)	Docket No. 08-AFC-08A
)	
REVISED APPLICATION FOR)	PROOF OF SERVICE
CERTIFICATION FOR THE HYDROGEN)	
ENERGY CALIFORNIA POWER PLANT)	(November 20, 2012)
PROJECT (“HECA”))	
_____)	

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HYDROGEN ENERGY CALIFORNIA PROJECT
CEC Docket No. 08-AFC-08A

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HYDROGEN ENERGY CALIFORNIA PROJECT
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HYDROGEN ENERGY CALIFORNIA PROJECT
CEC Docket No. 08-AFC-08A

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HYDROGEN ENERGY CALIFORNIA PROJECT
CEC Docket No. 08-AFC-08A

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on December 19, 2012, I served and filed copies of the attached:

STATUS REPORT NO. 3

to all parties identified on the Proof of Service List above in the following manner:

California Energy Commission Docket Unit

Transmission via electronic mail to:

CALIFORNIA ENERGY COMMISSION
Attn: DOCKET NO. 08-AFC-08A
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
docket@energy.state.ca.us

For Service to All Other Parties

Transmission via electronic mail to all email addresses on the Proof of Service list.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 19, 2012, at Costa Mesa, California.

/s/ Paul Kihm

Paul Kihm