



DOCKET

08-AFC-8A

DATE JUN 13 2012

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June 13, 2012

Robert Worl, Project Manager
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
rworl@energy.ca.gov

Re: Application for Certification for the Hydrogen Energy California Project (HECA), **08-AFC-08A**

Dear Mr. Worl:

Sierra Club writes to express concern regarding the Commission's processing of the application for the Hydrogen Energy California Project (08-AFC-8A). As you know, the project has had various owners and descriptions dating back to 2008. Given its convoluted history, Sierra Club wants to ensure that intervenors and affected members of the public have a full opportunity to participate in **this** proceeding, and ensure that the Commission does not view the project as ripe for fast-tracking given the amount of time various HECA applications have been at the Commission.

In late 2011 the most recent applicant, SCS Energy California, proposed a new project quite different from prior proposals submitted to the Commission.

Given all of the changes to the project, Sierra Club waited for staff to deem the application data adequate before proceeding with data requests of its own. Instead, the Commission related data adequacy back to 2009, assigned a committee and scheduled a workshop. In our experience, it is unusual for the Commission to schedule a technical workshop so soon after making a data adequacy determination and committee assignment. Frankly, Sierra Club is not yet prepared to participate meaningfully in a technical workshop. Nevertheless, we will attend.

More broadly, we want to make clear that HECA is a complicated and controversial project. In that connection, the Commission must allow for full discovery and additional technical workshops should they be warranted. We appreciate your attention to these issues. Do not hesitate to call me if you have any questions.

Sincerely,



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COMMISSION OF THE STATE OF CALIFORNIA
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1-800-822-6228 – WWW.ENERGY.CA.GOV**

***AMENDED APPLICATION FOR CERTIFICATION
FOR THE HYDROGEN ENERGY
CALIFORNIA PROJECT***

**Docket No. 08-AFC-08A
(Est. 6/4/2012)**

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DECLARATION OF SERVICE

I, David Abell, declare that on June 13, 2012, I served and filed a copy of the attached **Letter to CEC Re Application for Certification for the Hydrogen Energy California Project (HECA), 08-AFC-08A** dated June 13, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:

http://www.energy.ca.gov/sitingcases/hydrogen_energy/index.html

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

For service to all other parties:

X Served electronically to all e-mail addresses on the Proof of Service list.

AND

For filing with the Docket Unit at the Energy Commission:

X by sending one electronic copy to the e-mail address below (preferred method).

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

Attn: Docket No. 08-AFC-08A

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

/S/ David Abell

David Abell, Sierra Club