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California Energy Commission DOCKETED 08-AFC-8A
TN # 67319 SEP 26 2012

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:)	Docket No. 08-AFC-8A
)	
AMENDED APPLICATION FOR)	OBJECTIONS AND REQUESTS FOR
CERTIFICATION FOR THE HYDROGEN)	ADDITIONAL TIME TO RESPOND TO
ENERGY CALIFORNIA POWER PLANT)	STAFF'S DATA REQUESTS A124-A180
PROJECT)	
)	

On September 6, 2012, Staff for the California Energy Commission (CEC) issued Data Requests A124-A180 for the Hydrogen Energy California Power Plant Project (“HECA”). On behalf of Hydrogen Energy California, LLC (“Applicant”), we hereby object to certain of the data requests, and request additional time to respond to certain other data requests, as specified below.

Objections

Data Request No. A164

Applicant objects to this Data Request because the requested information is unrelated to the analysis of potential environmental impacts associated with HECA. CEQA requires a good faith analysis of potential environmental impacts from a project. *Laurel Heights Improvement Ass’n v. Regents of Univ. of Cal.*, 47 Cal. 3d 376, 392 (1988). CEQA does not require an evaluation of economic or social impacts unless such impacts would result in a reasonably foreseeable environmental impact, which is not the case here. *See Anderson First Coalition v. City of Anderson*, 130 Cal. App. 4th 1173, 1182 (2005).

Data Request No. A165

Applicant objects to this Data Request because the requested information is unrelated to the analysis of potential environmental impacts associated with HECA. CEQA requires a good faith analysis of potential environmental impacts from a project. *Laurel Heights Improvement Ass’n v. Regents of Univ. of Cal.*, 47 Cal. 3d 376, 392 (1988). CEQA does not require an evaluation of

economic or social impacts unless such impacts would result in a reasonably foreseeable environmental impact, which is not the case here. *See Anderson First Coalition v. City of Anderson*, 130 Cal. App. 4th 1173, 1182 (2005).

Request for Extension

Data Request No. A130

Applicant requests a 30-day extension to respond to Data Request No. A130.

Data Request No. A131

Applicant requests a 30-day extension to respond to Data Request No. A131.

Data Request No. A136

Applicant requests a 30-day extension to respond to Data Request No. A136.

Data Request No. A137

Applicant requests a 30-day extension to respond to Data Request No. A137.

Data Request No. A138

Applicant requests a 30-day extension to respond to Data Request No. A138.

Data Request No. A139

Applicant requests a 30-day extension to respond to Data Request No. A139.

Data Request No. A140

Applicant requests a 30-day extension to respond to Data Request No. A140.

Data Request No. A141

Applicant requests a 30-day extension to respond to Data Request No. A141.

Data Request No. A142

Applicant requests a 30-day extension to respond to Data Request No. A142.

Data Request No. A143

Applicant requests a 30-day extension to respond to Data Request No. A143.

Data Request No. A144

Applicant requests a 30-day extension to respond to Data Request No. A144.

Data Request No. A145

Applicant requests a 30-day extension to respond to Data Request No. A145.

Data Request No. A146

Applicant requests a 30-day extension to respond to Data Request No. A146.

Data Request No. A147

Applicant requests a 30-day extension to respond to Data Request No. A147.

Data Request No. A159

Applicant requests a 30-day extension to respond to Data Request No. A159.

Data Request No. A160

Applicant requests a 30-day extension to respond to Data Request No. A160.

Data Request No. A171

Applicant requests a 30-day extension to respond to Data Request No. A171.

Data Request No. A172

Applicant requests a 30-day extension to respond to Data Request No. A172.

Data Request No. A173

Applicant requests a 30-day extension to respond to Data Request No. A173.

Data Request No. A174

Applicant requests a 30-day extension to respond to Data Request No. A174.

Data Request No. A175

Applicant requests a 30-day extension to respond to Data Request No. A175.

Data Request No. A176

Applicant requests a 30-day extension to respond to Data Request No. A176.

Data Request No. A177

Applicant requests a 30-day extension to respond to Data Request No. A177.

Data Request No. A178

Applicant requests a 30-day extension to respond to Data Request No. A178.

Data Request No. A179

Applicant requests a 30-day extension to respond to Data Request No. A179.

Data Request No. A180

Applicant requests a 30-day extension to respond to Data Request No. A180.

DATED: September 26, 2012

Respectfully submitted,

/s/ Marc T. Campopiano

Marc T. Campopiano
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)	(August 28, 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
CEC Docket No. 08-AFC-08A

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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 September 26, 2012, I served and filed copies of the attached:

**OBJECTIONS AND REQUESTS FOR ADDITIONAL TIME TO RESPOND TO
STAFF'S DATA REQUESTS A124-A180**

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 September 26, 2012, at Costa Mesa, California.

/S/ Paul Kihm

Paul Kihm