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
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Data Request No. A175
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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: 

REVISED APPLICATION FOR 
CERTIFICATION FOR THE HYDROGEN 
ENERGY CALIFORNIA POWER PLANT 
PROJECT ("HECA")

Docket No. 08-AFC-08A

PROOF OF SERVICE

(August 28, 2012)

APPLICANT

Marisa Mascaro
SCS Energy LLC
30 Monument Square, Suite 235
Concord, MA 01742
mmascaro@scsenergyllc.com

Tiffany Rau
2629 Manhattan Avenue, PMB# 187
Hermosa Beach, CA 90254
Trau@heca.com

George Landman
Director of Finance and Regulatory Affairs
Hydrogen Energy California, LLC
500 Sansome Street, Suite 750
San Francisco, CA 94111
glandman@heca.com

APPLICANT’S CONSULTANT

Dale Shileikis
Vice President
Energy Services Manager
Major Environmental Programs
URS Corporation
One Montgomery Street, Suite 900
San Francisco, CA 94104-4538
dale_shileikis@urscorp.com
INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Marni Weber
Department of Conservation
Office of Governmental and Environmental Relations
(Department of Oil, Gas & Geothermal Resources)
801 K Street MS 2402
Sacramento, CA 95814-3530
Marni.Weber@conservation.ca.gov

INTERVENORS

California Unions for Reliable Energy
Thomas A. Enslow
Marc D. Joseph
Adams Broadwell Joseph & Cardozo
520 Capitol Mall, Suite 350
Sacramento, CA 95814
tenslow@adamsbroadwell.com

Tom Frantz
Association of Irritated Residents
30100 Orange Street
Shafter, CA 93263
tfrantz@bak.rr.com

Andrea Issod
Matthew Vespa
Kern-Kaweah Chapter
Of the Sierra Club
85 Second St, Second Floor
San Francisco, California 94105
andrea.issod@sierraclub.org
matt.vespa@sierraclub.org

Timothy O’Connor, Esq.
Environmental Defense Fund (EDF)
1107 Ninth St., Suite 540
Sacramento, CA 95814
toconnor@edf.org
George Peridas
Natural Resources Defense Council
111 Sutter Street, 20th Fl.
San Francisco, CA 94104
gperidas@nrdc.org

Benjamin McFarland
Kern County Farm Bureau, Inc.
801 South Mt. Vernon Avenue
Bakersfield, CA 93307
bmcfarland@kerncfb.com

ENERGY COMMISSION – DECISION MAKERS

Karen Douglas
Commissioner and Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
karen.douglas@energy.ca.gov

Andrew McAllister
Commissioner and Associate Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
andrew.mcallister@energy.ca.gov

Raoul Renaud
Hearing Advisor
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
raoul.renaud@energy.ca.gov

Eileen Allen
Commissioner’s Technical Advisor
For Facility Siting
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
eileen.allen@energy.ca.gov
Galen Lemei
Advisor to Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
galen.lemei@energy.ca.gov

Jennifer Nelson
Advisor to Presiding Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
jennifer.nelson@energy.ca.gov

David Hungerford
Advisor to Associate Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
david.hungerford@energy.ca.gov

ENERGY COMMISSION – STAFF

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

John Heiser
Associate Project Manager
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
john.heiser@energy.ca.gov

Lisa De Carlo
Staff Counsel
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
lisa.decarlo@energy.ca.gov
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