



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

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

Docket No. 08-AFC-08A

California Energy Commission DOCKETED 08-AFC-8A TN # 69321 JAN. 30 2013

REVISED COMMITTEE SCHEDULING ORDER

Background

On July 31, 2008, Hydrogen Energy International, LLC (HEI) filed an Application for Certification (AFC) seeking authority to construct and operate the Hydrogen Energy California Project (HECA), an integrated gasification combined cycle (IGCC) power generating facility rated at a nominal gross generating capacity of 390 megawatts (MW). To avoid conflict with habitat for endangered species in the original location for the project, HEI retracted the original AFC and filed a revised application on May 28, 2009, for the same project to be built at a different location. An Informational Hearing and Site Visit were conducted on September 16, 2009. The proposed HECA would be located near the unincorporated community of Tupman in western Kern County, California, seven miles west of the city limit of Bakersfield.

SCS Energy California, LLC acquired 100 percent ownership of HECA, LLC in September, 2011, undertook the re-design of some aspects of the project, and submitted an Amended AFC in May 2012. The Energy Commission assigned a Committee of two Commissioners to conduct proceedings on the AFC. The Committee held a public Site Visit and Informational Hearing at the Elk Hills School in Tupman on July 12, 2012, to discuss the review process and to identify issues that could affect the schedule. Pursuant to Title 20, of the California Code of Regulations, section 1709.7(c), the Committee issued a Scheduling Order based on Staff's proposed schedule and related discussions at the Informational Hearing.

The attached revised schedule is based upon information submitted by the parties in status reports, and at the Status Conference held January 16, 2013, concerning their progress in reviewing the AFC. It contains a list of events that must occur in order to complete the certification process.

This revised schedule covers the period up to the Prehearing Conference with the balance of the schedule to be determined at the Prehearing Conference. The Committee encourages the parties to consider this schedule an outer boundary and

make their best efforts to complete the milestones ahead of these dates. Some deadlines may be contingent upon reviews to be conducted by federal, state, and local agencies. The Applicant must provide sufficient review time for the responsible agencies to meet the deadlines specified in the schedule.

Status Reports

The attached schedule requires status reports to be submitted by all parties. Status reports shall inform the Committee whether or not case development is progressing satisfactorily, and bring potential schedule delays and other relevant matters to the Committee's attention.

The reports shall be received by the other parties and the Commission's Docket Unit, 1516 Ninth Street, MS-4, Sacramento, California 95814-5512, **and must be filed no later than 3:00 p.m.** on the due date. Status reports must contain "Docket No. 08-AFC-08A" in the caption or heading. The parties shall e-mail their status reports to those with e-mail addresses as indicated on the Service List.

Public Adviser and Public Participation

The Energy Commission invites members of the public and other interested parties to participate either on an informal basis or by intervening in the proceeding. Both types of participation allow written and oral comments. At the informal participation level, written and oral public comments are considered by the Commissioners and are part of the record, but are not part of the formal evidentiary record. Intervenors have the right to introduce evidence into the evidentiary record and cross-examine the other parties' witnesses.

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to make recommendations for meaningful participation. For assistance, contact Blake Roberts, the Assistant Public Adviser, at (916) 654-4489 or 800-822-6228 or e-mail at: publicadviser@energy.ca.gov.

Contact Information

Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Adviser, at (916) 651-2020 or e-mail: raoul.renaud@energy.ca.gov.

Technical questions concerning the project should be addressed to Robert Worl, the Staff Project Manager, at (916) 651-8853 or e-mail: robert.worl@energy.ca.gov.

Media inquiries should be directed to the Energy Commission's Media Office at (916) 654-4989 or e-mail at: mediaoffice@energy.ca.gov.

If you have a disability and need assistance to participate, please contact Lourdes Quiroz at (916) 654-5146 or e-mail at: lou.quiroz@energy.ca.gov.

Information concerning the status of the project, as well as notices and other relevant documents, may be viewed on the Energy Commission's Internet webpage at: <http://www.energy.ca.gov/sitingcases/hydrogenenergy/notices/index.html>.

Dated: January 30, 2013, at Sacramento, California.

Original Signed By:

KAREN DOUGLAS
Commissioner and Presiding Member
Hydrogen Energy California Project
AFC Committee

Original Signed By:

ANDREW McALLISTER
Commissioner and Associate Member
Hydrogen Energy California Project
AFC Committee

**JANUARY 2013
REVISED HECA COMMITTEE SCHEDULE**

	ACTIVITY	DATE
1	Amended Application for Certification was submitted	05-02-12
2	Informational Hearing and Site Visit	07-12-12
3	Committee Status Conference	01-16-13
9	San Joaquin Valley Air Pollution Control District (SJVAPCD) issues Preliminary Determination of Compliance (PDOC)	02-01-13
10	Parties file Status Reports	03-01-13
11	Preliminary Staff Assessment/ Draft Environmental Impact Statement (PSA/DEIS) filed	03-15-13
12	SJVAPCD issues Final Determination of Compliance (FDOC)	03-18-13
13	PSA/DEIS workshop to be held in Buttonwillow (to be noticed; date is approximate)	03-29-13
14	Committee Conference on the PSA/DEIS (to be noticed; date is approximate)	04-17-13
14	Comments on PSA/DEIS are due; Parties file Status Reports	04-29-13
15	Final Staff Assessment/Final Environmental Impact Assessment FSA/FEIS filed	05-15-13
16	Comments on FSA/FEIS are due	07-01-13
17	Prehearing Conference*	TBD
18	Evidentiary Hearings*	TBD
19	Committee files Presiding Member's Proposed Decision*	TBD
20	Hearing on the PMPD*	TBD
21	Commission issues final Decision*	TBD

***Items 17 through 21 will be scheduled by the Committee
TBD – to be determined**



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

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

**Docket No. 08-AFC-08A
PROOF OF SERVICE
(Revised 12/24/12)**

SERVICE LIST:

APPLICANT

SCS Energy, LLC
Marisa Mascaro
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

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

CONSULTANT FOR APPLICANT

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

COUNSEL FOR APPLICANT

Latham & Watkins, LLP
Michael J. Carroll
*Marc T. Campopiano
650 Town Center Drive, 20th Fl.
Costa Mesa, CA 92626-1925
michael.carroll@lw.com
*marc.campopiano@lw.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Department of Conservation
Office of Governmental and
Environmental Relations
(Department of Oil, Gas &
Geothermal Resources)
Marni Weber
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

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

Kern-Kaweah Chapter
of the Sierra Club
Andrea Issod
Matthew Vespa
85 Second Street, 2nd Floor
San Francisco, CA 94105
andrea.issod@sierraclub.org
matt.vespa@sierraclub.org

INTERVENORS (con't.)

Environmental Defense Fund (EDF)
Timothy O'Connor, Esq.
123 Mission Street, 28th Floor
San Francisco, CA 94105
toconnor@edf.org

Natural Resources Defense Council
George Peridas
111 Sutter Street, 20th Fl.
San Francisco, CA 94104
gperidas@nrdc.org

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

HECA Neighbors
c/o Chris Romanini
P.O. Box 786
Buttonwillow, CA 93206
roman93311@aol.com

**ENERGY COMMISSION –
PUBLIC ADVISER**

Jennifer Jennings
Public Adviser
publicadviser@energy.ca.gov

COMMISSION DOCKET UNIT

CALIFORNIA ENERGY
COMMISSION – DOCKET UNIT
Attn: Docket No. 12-CAI-04
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

*Indicates Change

OTHER ENERGY COMMISSION
PARTICIPANTS (LISTED FOR
CONVENIENCE ONLY):

After docketing, the Docket Unit will provide a copy to the persons listed below. Do not send copies of documents to these persons unless specifically directed to do so.

KAREN DOUGLAS
Commissioner and Presiding Member

ANDREW McALLISTER
Commissioner and Associate Member

Raoul Renaud
Hearing Adviser

Eileen Allen
Commissioners' Technical
Adviser for Facility Siting

Galen Lemei
Adviser to Presiding Member

Jennifer Nelson
Adviser to Presiding Member

David Hungerford
Adviser to Associate Member

Patrick Saxton
Adviser to Associate Member

Robert Worl
Project Manager

John Heiser
Associate Project Manager

Lisa DeCarlo
Staff Counsel

DECLARATION OF SERVICE

I, Maggie Read, declare that on January 30, 2013, I served and filed copies of the attached REVISED COMMITTEE SCHEDULING ORDER, dated January 30, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at:
http://www.energy.ca.gov/sitingcases/hydrogen_energy/.

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

(Check one)

For service to all other parties and filing with the Docket Unit at the Energy Commission:

- X I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**
- Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: January 30, 2013

Original Signed By:

Maggie Read
Hearing Adviser's Office