Pursuant to the Revised Committee Scheduling Order for the Hydrogen Energy California Project (Project), issued on January 30, 2013 we hereby file this Status Report No. 5 on behalf of Hydrogen Energy California LLC (HECA or Applicant). This Status Report provides an overview of key activities by HECA since January 9, 2013, when HECA submitted Status Report No. 4.

As shown below, the Applicant is actively engaged in public outreach and agency coordination to facilitate review of the Project. The Applicant is diligently working to resolve all outstanding Data and Workshop Requests by Staff for the California Energy Commission (CEC) and other parties. The Applicant believes that Staff currently has adequate information to prepare the Preliminary Staff Assessment (PSA) by March 15, 2013 as scheduled.

I. RESPONSES TO DATA AND WORKSHOP REQUESTS


On January 16, 2013, Applicant submitted responses to CEC Data Request Set Three (45-day extension). See Docket No. 69172.


On January 4, 2013, Applicant submitted responses to AIR Data Requests Set Three. See Docket No. 69024.

II. AGENCY COORDINATION

On January 10, 2013, Applicant participated in CEC Committee Meeting and on January 16, 2013, Applicant participated in CEC Status Conference. On February 20, 2013, Applicant, along with representatives from Buena Vista Water Storage District, participated in CEC Water Resources Workshop in Sacramento, CA.

On February 7, 2013, Applicant received Preliminary Determination of Compliance from the San Joaquin Valley Air Pollution Control District.

On February 7, 2013, Applicant conducted the California Public Utilities Commission (CPUC) field diagnostic of public crossing of Applicant’s proposed railroad spur. Representatives from CPUC, Union Pacific Railroad, San Joaquin Valley Railroad, and Kern County Roads Department were in attendance.

In February, Applicant met with newly-elected Kern County supervisors to introduce them to the HECA project and to answer their questions. On February 14, 2013, Applicant met with Lorelei Oviatt, director of Kern County Planning Department, to discuss Kern County’s proposed mitigation measures. On February 26, 2013, Applicant presented at the Kern County Board of Supervisors meeting to rule on mitigation recommendations from the Planning and Community Development Department.

III. COORDINATION OF HECA AND OXY CO2 EOR PROJECTS

On January 21, 2013, Applicant submitted OEHI’s Response to CEC Data Requests Set One No. A44. See Docket No. 69203.

On February 5, 2013, Applicant submitted responses on behalf of OEHI to CEC Set 3 Data Requests Nos. A178-180. See Docket No. 69388.


On February 20, 2013, OEHI participated in CEC Water Resources Workshop via webex.

IV. PUBLIC OUTREACH

A number of public outreach activities have been completed by HECA since the filing of Applicant’s Status Report No. 4, including the following:

In January, Applicant participated in several community activities in Buttonwillow. Applicant attended the Buttonwillow Mayor’s Race kick off dinner at the Buttonwillow Lions Club, participated in the Community Collaboration at the Buttonwillow School and hosted by Buttonwillow Resource Center, and attended B-Safe (Buttonwillow substance abuse & family education) and volunteered for the B-Safe action committee. HECA will be hosting the B-Safe action committee for monthly meetings at the HECA Information Center in Buttonwillow.

Also in January, Applicant met with representatives of Buttonwillow community organization at the HECA Information Center in Buttonwillow to discuss community priorities and volunteerism.

In February, Applicant participated in the B-Safe community meeting and the B-Safe action committee meeting. Applicant donated meal tickets for the upcoming Buttonwillow Pioneer Senior Citizen and Resource Center Barbecue to be held on March 1st.

Applicant created and placed an informational ad series in the Kern Business Journal to help educate the public and business community on the benefits of the project to the local region.

DATED: March 1, 2013

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
) PROOF OF SERVICE
) (February 11, 2013)

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DECLARATION OF SERVICE

I, Paul Kihm, declare that on March 1, 2013, I served and filed copies of the attached:

STATUS REPORT NO. 5

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
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docket@energy.ca.gov

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 March 1, 2013, at Costa Mesa, California.

/s/ Paul Kihm

Paul Kihm