

# Supplemental Responses to CEC Data Requests Set Two: Nos. A155 and A156

Amended Application for Certification  
for  
**HYDROGEN ENERGY CALIFORNIA**  
(08-AFC-8A)  
Kern County, California

Prepared for:  
**Hydrogen Energy California LLC**



Submitted to:



**California Energy  
Commission**



**U.S Department  
of Energy**

California Energy Commission

**DOCKETED  
08-AFC-8A**

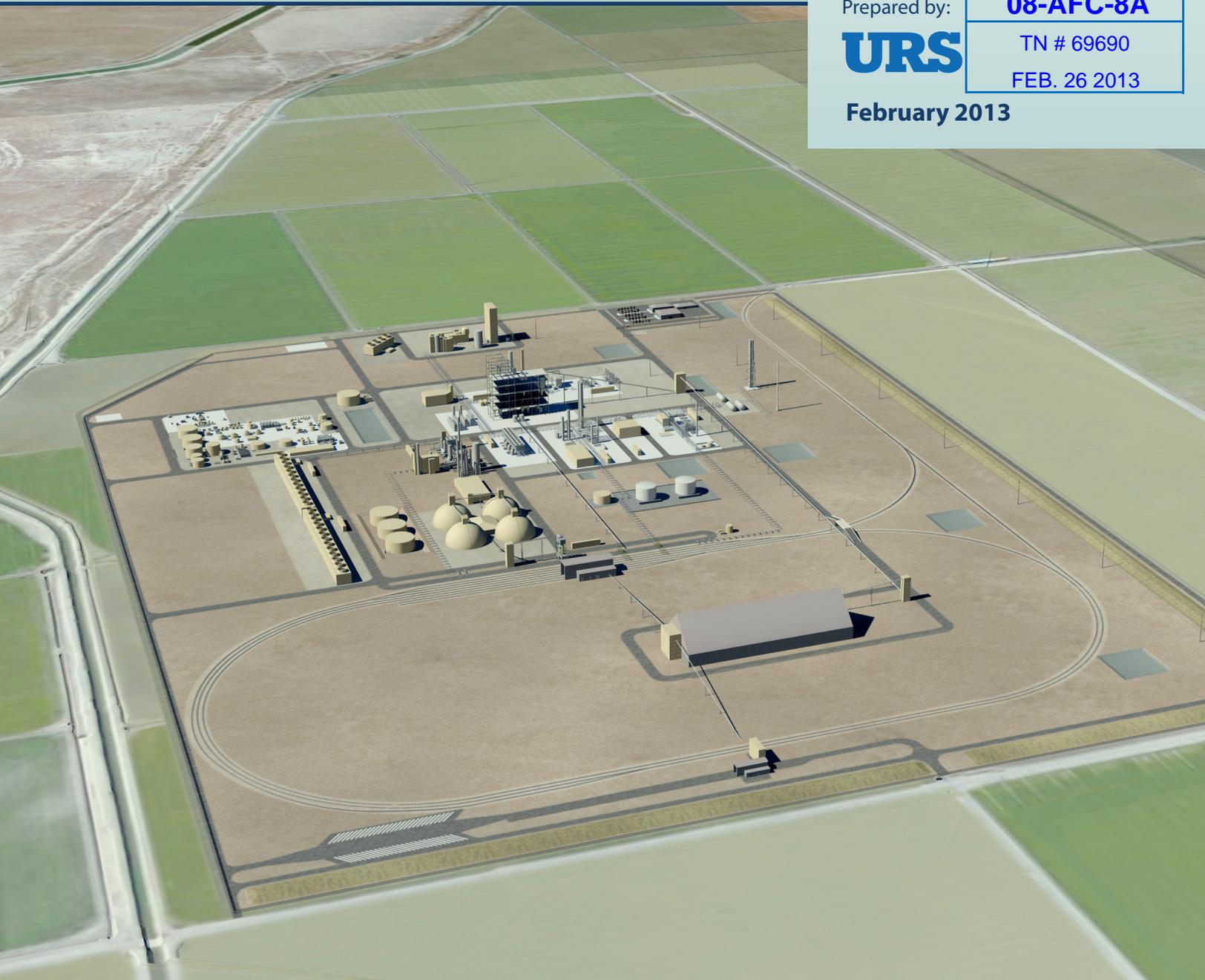
TN # 69690

FEB. 26 2013

Prepared by:

**URS**

**February 2013**



**RESPONSE TO DATA REQUEST A155 and A156  
FROM CALIFORNIA ENERGY COMMISSION (CEC)**

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TRAFFIC AND TRANSPORTATION  
A155 AND A156

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**LIST OF ACRONYMS AND ABBREVIATIONS USED IN RESPONSES**

AFC	Application for Certification
CEC	California Energy Commission
CPUC	California Public Utilities Commission
HECA	Hydrogen Energy California

**Technical Area:** Traffic and Transportation

**Author:** John Hope

## **BACKGROUND**

As identified in Table 5.10-12 of the revised AFC, the California Public Utilities Commission (CPUC) administers numerous requirements for design and operation of a railroad. Table 5.10-12 also lists number “9” as the agency contact for these CPUC requirements and refers the reader to Table 5.10-13 which does not list a number “9” or the CPUC as an agency contact. *It is noted that the footnote at the end of Table 5.10-12 incorrectly refers the reader to Table 5.10-11.*

## **DATA REQUEST**

***A155. Please provide the name(s) of the individuals contacted at the CPUC***

## **RESPONSE**

As indicated in the previous response to Data Request A155, the Applicant believes that any required California Public Utilities Commission (CPUC) approvals related to the railroad spur crossings of public roads would be subsumed within the CEC’s exclusive jurisdiction over the HECA Project and related facilities. However, in order to respond to a December 13, 2012 letter from the CPUC to the California Energy Commission and in response to CEC Data Requests, the Applicant conducted a field diagnostic with the CPUC on February 7, 2013 to identify CPUC comments on the proposed HECA rail spur. Attachment A155-1 provides CPUC’s comments made during the field diagnostic.

**ATTACHMENT A155-1  
FIELD DIAGNOSTIC MEETING NOTES OF FEBRUARY 7, 2013**



# Field Diagnostic Meeting Notes

**Meeting Date/Time:** February 7, 2013  
10:30 a.m.

**Meeting Location:** HECA Information Center  
189 E. Front Street, Buttonwillow, CA, 93206

**Subject:** **CPUC Field Diagnostic of Public Crossings  
HECA Proposed Railroad Spur**

**Attendees:** Sergio Licon, CPUC  
Chi Cheung To, CPUC  
Sal Gomez, Kern County Roads Department  
Kenneth Tom, UPRR  
Paul Marcinko, UPRR  
Frank Beard, UPRR  
Larry Gomez, SJVR  
Ed Western, HECA  
Kathy Rushmore, URS  
Noel Casil, URS  
Freddy Cheung, HDR

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## **Purpose:**

The purpose of the field meeting was to conduct the California Public Utilities Commission (CPUC) field diagnostic requested in the CPUC's December 13, 2012 letter to the California Energy Commission (CEC). The field diagnostic was conducted on the following two public at-grade crossings required for the proposed HECA industrial rail spur:

- Public Crossing #1 (Stockdale Highway)
- Public Crossing #2 (Adohr Road)

Private at-grade crossings were also observed for interested attendees.

## **HECA Industrial Rail Spur Safety Devices:**

The following rail safety devices are proposed by HECA for each public at-grade crossing:

- Crossing materials will consist of precast concrete panels
- Automatic warning devices, including two CPUC Standard No. 9s, three advance warning signs (two W10-1s and one W10-4)
- Required MUTCD pavement markings



# Field Diagnostic Meeting Notes

The following rail safety devices are proposed by HECA for each private at-grade crossing:

- Warning devices including CPUC standard No. 1-X private crossing sign
- Roadway surface across track will be concrete

## **CPUC Comments:**

During the field diagnostic, Mr. Sergio Licon of the CPUC/RCES indicated that the rail safety devices proposed by HECA at each public at-grade crossing appeared appropriate. He recommended that illumination (i.e., street lamps or similar) be provided at each of the public at-grade crossings in case rail trips occur at night.

Mr. Licon stated that authority to construct a new public rail crossing is typically granted by the CPUC through the "formal application" which will take approximately 8 to 12 months and needs to be approved prior to construction of the rail spur. Once a draft application is submitted, the CPUC will provide more detailed comments on the public at-grade crossings. It was then discussed that the California Energy Commission has exclusive authority to license the HECA Project, including appurtenant facilities such as the rail spur, and that this license typically takes the place of other local or state permits. However the California Public Utilities Commission has exclusive jurisdiction over all rail road crossings in the state of California, per CPUC code section 1201-1205. Further discussion between the Applicant, CEC and CPUC is required to clarify permitting jurisdiction. The CEC will incorporate CPUC's input and any concerns CPUC has into their environmental documents. It was agreed that these field meeting notes would be prepared and agreed upon as a mechanism to convey CPUC's initial feedback to the CEC regarding the new rail spur crossings. CPUC may provide more detailed comments once engineering details are provided and prior to construction of the rail spur.

**DATA REQUEST**

**A156. Please provide a record of conversation(s) with staff of the CPUC.**

**RESPONSE**

See response to Data Request A155.



**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 2/11/13)**

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will provide a copy to the persons  
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Adviser to Associate Member

Patrick Saxton  
Adviser to Associate Member

Eileen Allen  
Commissioners' Technical  
Adviser for Facility Siting

DECLARATION OF SERVICE

I, Dale Shileikis, declare that on February 26, 2013, I served and filed copies of the attached Supplemental Responses to CEC Data Requests Set Two: Nos. A155 and A156, dated February, 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/](http://www.energy.ca.gov/sitingcases/hydrogen_energy/).

The document has been sent to the other persons on the Service List above in the following manner:

*(Check one)*

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

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       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:   2/26/13  

