

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	204236
Document Title:	Notice of Committee Status Conference and Hearing on Motion of Intervenor Sierra Club, etc.
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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
HYDROGEN ENERGY CALIFORNIA
PROJECT**

Docket No. 08-AFC-08A

**NOTICE OF COMMITTEE STATUS CONFERENCE
AND HEARING ON THE MOTION OF INTERVENORS SIERRA CLUB, HECA
NEIGHBORS AND ASSOCIATION OF IRRITATED RESIDENTS (INTERVENORS) TO
TERMINATE THE APPLICATION FOR CERTIFICATION**

PLEASE TAKE NOTICE that the Energy Commission Committee assigned to conduct proceedings on the Application for Certification (AFC) for the Hydrogen Energy California Project (HECA) has scheduled a public Status Conference to review the progress of the case and consider Intervenor's Motion to Terminate the Application for Certification:

**Wednesday, May 6, 2015
Beginning at 12:00 p.m.
Art Rosenfeld Hearing Room (Hearing Room A)
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814
(Map Attached)**



TELECONFERENCE OPTION: Parties and the Public may attend the meeting in person at the above location or by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate by WebEx, please see the "Participation through WebEx" directions attached to this Notice.

Background

On July 31, 2008, Hydrogen Energy International, LLC (Applicant) 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, Applicant retracted the original AFC and filed a revised application on May 28, 2009, for the same project to be built at a different location. 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.

The project would be fueled by a combination of coal and petroleum coke, and would inject its emissions of carbon dioxide (CO₂) into the adjacent Elk Hills Oil Field, operated by a unit of Occidental Petroleum, for carbon sequestration and enhanced oil recovery.

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. An Informational Hearing and Site Visit and U.S. Department of Energy Scoping Meeting were conducted on July 12, 2012.

On June 28, 2013, Energy Commission Staff published the Preliminary Staff Assessment and Draft Environmental Impact Statement (PSA/DEIS). The Committee held a conference on November 20, 2013, to provide a public forum for discussion of the PSA/DEIS. The Committee issued a Revised Scheduling Order for the project on January 27, 2014, which called for publication of the Final Staff Assessment/Revised Draft Environmental Impact Statement (FSA/Revised DEIS) on March 31, 2014.

According to status reports issued by the parties since then, publication of the FSA/Revised DEIS has been delayed because Applicant has not provided information required by Staff to complete its analysis. Among outstanding items were responses to data requests regarding potential impacts in the Elk Hills Oil Field and specific, detailed information related to the carbon sequestration plan. According to Staff's April 7, 2014 Status Report, Occidental's Board of Directors had authorized Occidental California to become a separately traded company that would announce its management team in the third quarter 2014, which could impact the project schedule. Applicant was engaged in discussions with Occidental of Elk Hills regarding its continued participation in the project.

On March 3, 2015, Intervenor filed a motion, pursuant to Title 20, Section 1720.2, to terminate the AFC based upon an alleged lack of diligence on the part of Applicant to pursue completion of the review process. Applicant's response to the motion, dated March 18, 2015, sets forth factual assertions that Applicant is no longer certain the project will have the Elk Hills Oil Field as its carbon sequestration site. Applicant is focusing on alternative plans for use and/or storage of CO₂, including discussions with un-named potential off-takers for the CO₂.

In light of the lengthy deviation from the Scheduling Order's March 31, 2014 date for publication of the FSA/Revised DEIS and to address Intervenor's motion, the Committee has scheduled this Status Conference. Topics to be discussed are set forth in the Agenda included with this Notice.

The engineering and environmental details of the AFC may be viewed at: http://www.energy.ca.gov/sitingcases/hydrogen_energy.

Purpose of the Status Conference

The Committee will conduct the Status Conference to discuss the progress made in the proceeding, any barriers to the timely completion of Staff's analysis, date-specific

project milestones, and any other matters relevant to the schedule. It will also address Intervenor's Motion to Terminate and any other then-pending motions, petitions, and other requests that are ripe for consideration.

As allowed by California Code of Regulations, title 20, section 1208, the Status Conference may be conducted by the Hearing Adviser without either Commissioner being present.

Closed Session

The Committee may temporarily adjourn into closed session to deliberate pursuant to Government Code section 11126.

Public Participation and Public Adviser

Members of the public are welcome to attend and offer comments at the Committee Status Conference. It is not necessary to be an intervenor to participate in the public process. Comments may be submitted in writing. Simply visit the website at http://www.energy.ca.gov/sitingcases/hydrogen_energy and click on the "Submit e-Comment" link in the "Proceeding Information" box. Otherwise, written comments may be submitted by e-mailing them to docket@energy.ca.gov, or by U.S. Mail to: California Energy Commission - Docket Unit, 08-AFC-08A, 1516 Ninth Street, MS-4, Sacramento, CA 95814.

PLEASE NOTE: Your written and oral comments, attachments, and associated contact information (e.g. your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and other search engines.

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

PLEASE NOTE: *Simultaneous Spanish translation by a professional interpreter will be available if requested no later than Wednesday, April 29. To request Spanish translation, please contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail at: publicadviser@energy.ca.gov.*

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz no less than five days prior to the hearing at (916) 654-5146, or by e-mail at: lou.quiroz@energy.ca.gov.

Information

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

Technical questions concerning the project should be addressed to John Heiser, the Staff Project Manager, at (916) 653-8236, or e-mail at: john.heiser@energy.ca.gov.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or by e-mail at: mediaoffice@energy.ca.gov.

Information regarding the status of the project, as well as notices and other relevant documents pertaining to this proceeding, may be viewed on the Energy Commission's Internet web page at: http://www.energy.ca.gov/sitingcases/hydrogen_energy.

Dated: April 17, 2015, at Sacramento, California.

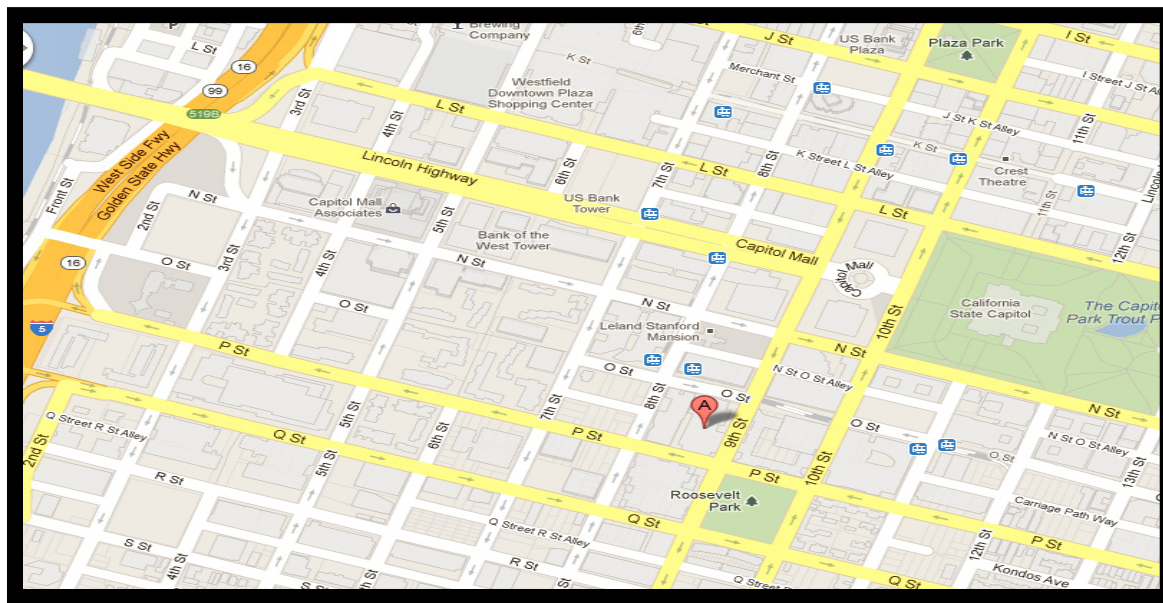
ORIGINAL SIGNED BY:

KAREN DOUGLAS

Commissioner and Presiding Member
Hydrogen Energy California Committee

Mailed to lists: 7322, 7323, 7324, 7325

**The Hydrogen Energy California Status Conference
will be held at:
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814**



**INSTRUCTIONS FOR USING WEBEX TELECONFERENCING
USING YOUR COMPUTER AND/OR TELEPHONE**



EVENT	DATE	MEETING NUMBER	PASSWORD
May 6, 2015 Committee Status Conference	Wednesday, May 6, 2015; 12:00 p.m.	927 325 238	pwd#1516

Using Your Computer:

1. Go to <https://energy.webex.com> and enter the above meeting number.
2. When prompted, enter your name, e-mail address, and the meeting password above.
3. After a moment, an Audio Conference Box will offer you a choice of audio connections:
 - a) To have WebEx call you back: Type your area code and phone number into the drop down box and click "Call Me" (Click on "Use Phone" if you do not see the drop down box.)
 - b) To call into the teleconference from your phone (if, for example, your phone is an extension or you are an international caller): Use the drop-down box to select "I will Call in" and follow the on-screen directions. Click "All global call-in numbers" if you need to look up an international call-in number.
 - c) To listen and talk over your computer: If you have the needed equipment and your computer is configured, click the "Call Using Computer" button. (You may need to click "Use Computer for Audio" to make the button visible.)

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1. Call 1 (866) 469-3239 (toll-free in the U.S. and Canada). International Callers can select a global call-in number at <https://energy.webex.com/energy/globalcallin.php>.

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**Hydrogen Energy California Project
Committee Status Conference
Hearing on Intervenors' Motion to Terminate the
Application for Certification**

Wednesday, May 6, 2015, beginning at 12:00 p.m.

**California Energy Commission
Art Rosenfeld Hearing Room (Hearing Room A)
1516 Ninth Street
Sacramento, CA 95814**

Meeting Agenda

1. Call to Order
2. Committee Status Conference
 - a. Case progress and schedule
3. Hearing on Intervenors' Motion to Terminate the AFC
4. Public Comment

Members of the public and other interested persons and entities may speak up to three minutes on a matter appearing on this agenda.

5. Closed Session

Committee closed session consideration of the following items:

Hydrogen Energy California Project, (08-AFC-08A) and deliberation on matters for decision by the Committee such as pending motions and scheduling.

The Committee will adjourn to closed session in accordance with Government Code, section 11126, subdivision (c)(3), which allows a state body, including a delegated committee, to hold a closed session to deliberate on a decision to be reached in a proceeding the state body was required by law to conduct. The Committee may adjourn to a closed session at any point during the meeting and may conduct multiple closed sessions as necessary.

6. Adjourn

Agency contact: Raoul Renaud, Hearing Adviser, (916) 651-2020 or by e-mail at: raoul.renaud@energy.ca.gov.

This agenda was prepared in advance of the committee conference. In the event of a substantial change to the agenda, revised agendas would be filed in the Docket and available in the project's Docket Log at: http://www.energy.ca.gov/sitingcases/hydrogen_energy.