

## DOCKETED

<b>Docket Number:</b>	08-AFC-08A
<b>Project Title:</b>	Hydrogen Energy Center Application for Certification Amendment
<b>TN #:</b>	210222
<b>Document Title:</b>	Notice of Hearing on Motion to Reinstate and Motion to Terminate - English Version
<b>Description:</b>	Notice of Hearing on the Motion of Hydrogen Energy California, LLC to Reinstate the Application for Certification and the Motion of California Energy Commission Staff to Terminate the Application for Certification - March 7, 2016
<b>Filer:</b>	Darlene Burgess
<b>Organization:</b>	Energy Commission Hearing Office
<b>Submitter Role:</b>	Committee
<b>Submission Date:</b>	2/8/2016 10:26:37 AM
<b>Docketed Date:</b>	2/8/2016



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 HEARING ON  
THE MOTION OF HYDROGEN ENERGY CALIFORNIA, LLC TO REINSTATE THE  
APPLICATION FOR CERTIFICATION AND  
THE MOTION OF CALIFORNIA ENERGY COMMISSION STAFF TO TERMINATE THE  
APPLICATION FOR CERTIFICATION**

**PLEASE TAKE NOTICE** that the California Energy Commission (Energy Commission) Committee assigned to conduct proceedings on the Application for Certification (AFC) for the Hydrogen Energy California (HECA) project has scheduled a Hearing to consider Applicant's Motion to Reinstate the AFC and Energy Commission Staff's Motion to Terminate the AFC:

**Monday, March 7, 2016  
Beginning at 12:00 noon  
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 filed an AFC seeking authority to construct and operate the HECA project, an integrated gasification combined-cycle (IGCC) power generating facility rated at a nominal gross generating capacity of 390 megawatts (MW). The proposed HECA project would be located near the unincorporated community of Tupman in western Kern County, California, seven miles west of the city limit of Bakersfield. Ownership of the project changed to Hydrogen

Energy California, LLC (Applicant) on September 22, 2010. On May 2, 2012, Applicant filed the present Amended Application for Certification.

The project would be fueled by a combination of coal and petroleum coke, and would inject its emissions of carbon dioxide (CO<sub>2</sub>) into an underground location for carbon sequestration. The location was to have been the Elk Hills Oil Field. However, circumstances have resulted in Applicant seeking a different location for carbon sequestration.

On July 3, 2015, after a hearing on a motion brought by intervenors Sierra Club, HECA Neighbors, and Association of Irrigated Residents to terminate the AFC, and having considered a request by Applicant for a six-month suspension of the AFC, the Committee issued an order denying the motion to terminate and granting a six-month suspension with conditions. That suspension ended on January 6, 2016. Applicant filed a Request to Reinstate the AFC on November 30, 2015. In the Energy Commission Staff response dated December 15, 2015, Staff recommended that the AFC be terminated. The Committee is considering both parties' requests as motions pursuant to California Code of Regulations, title 20, section 1211.5 (formerly section 1716.5) and so notified the parties in a memorandum dated December 22, 2015.

### **Purpose of the Hearing**

The Committee will conduct the hearing to hear oral argument on Applicant's Motion to Reinstate the AFC and on Staff's Motion to Terminate the AFC. The Committee asks that the parties be prepared to offer oral argument on the Motions and to provide factual support, such as testimony, documents, or other evidence, for any assertions the parties are relying upon to support their positions in this matter. In addition, the Committee may ask the parties for information regarding the present status of the case.

### **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 hearing. It is not necessary to be an intervenor to participate in the public process. Comments may be submitted electronically by simply visiting the website at [http://www.energy.ca.gov/sitingcases/hydrogen\\_energy](http://www.energy.ca.gov/sitingcases/hydrogen_energy) and clicking 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](mailto: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](mailto: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](mailto:lou.quiroz@energy.ca.gov).

### **Information**

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

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

Media inquiries should be directed to the Media and Public Communications Office at (916) 654-4989 or by e-mail at [mediaoffice@energy.ca.gov](mailto: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](http://www.energy.ca.gov/sitingcases/hydrogen_energy).

Dated: February 8, 2016, at Sacramento, California

#### ***ORIGINAL SIGNED BY:***

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KAREN DOUGLAS  
Commissioner and Presiding Member  
Hydrogen Energy California AFC Committee

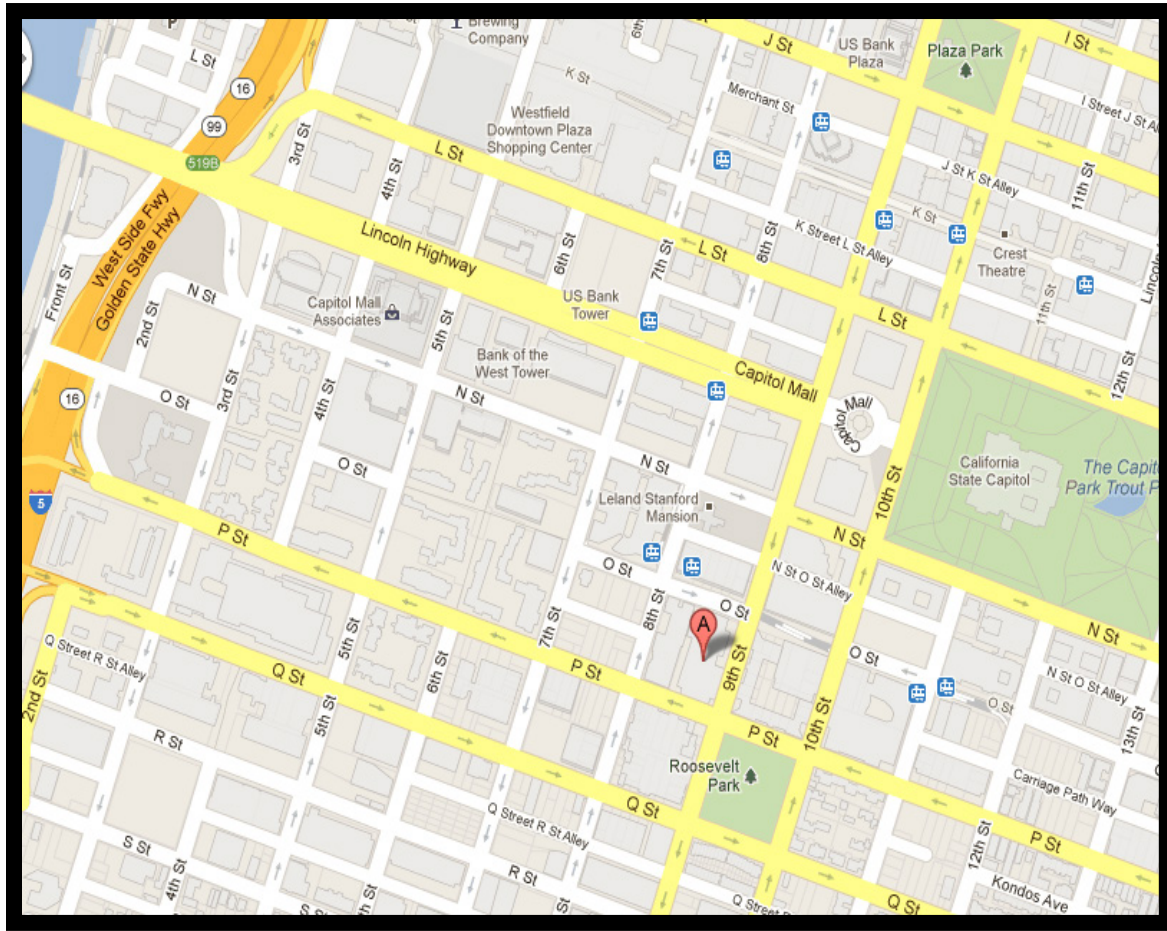
#### ***ORIGINAL SIGNED BY:***

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ANDREW MCALLISTER  
Commissioner and Associate Member  
Hydrogen Energy California AFC Committee

Mailed to lists: 7322, 7323, 7324, 7325

**The Hydrogen Energy California Hearing  
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	MEETING PASSWORD
HECA Hearing on Motion to Reinstate and Motion to Terminate	Monday, March 7, 2016 at 12:00 noon	928 340 994	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.)

### Telephone Only:

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>.
2. When prompted enter the meeting number above and follow the voice prompts.

Please be aware that WebEx audio and on-screen activity may be recorded. WebEx Technical Support is available at 1 (866) 229-3239.

**Hydrogen Energy California Project  
Hearing on Motions to Reinstate and to Terminate the  
Application for Certification**

**Monday, March 7, 2016, beginning at 12:00 noon**

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

**Meeting Agenda**

1. Call to Order
2. Hearing on Motions to Reinstate the AFC and to Terminate the AFC
3. Possible discussion of case status with the parties
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 Officer, at (916) 651-2020 or by e-mail at [raoul.renaud@energy.ca.gov](mailto:raoul.renaud@energy.ca.gov).