

Association of Irrigated Residents

Tom Frantz, President

30100 Orange St

Shafter, CA 93263

**DOCKET**

**08-AFC-8**

DATE AUG 10 2009

RECD. AUG 10 2009

STATE OF CALIFORNIA  
State Energy Resources  
Conservation and Development Commission

In the Matter of: ) 08-AFC-8  
)  
Hydrogen Energy California ) **PETITION TO INTERVENE**  
)  
\_\_\_\_\_ )

1. Petitioner, Association of Irrigated Residents, hereby petitions to intervene in the above-captioned proceeding.

2. Petitioner will be represented in this proceeding by:

Self                       Counsel                       Group Member  
(\*\*NOT Required)

Contact information for representative, as noted above:

Name: Tom Frantz  
Address: 30100 Orange St, Shafter, CA 93263  
Telephone: 661.746.1344  
E-Mail: tfrantz@bak.rr.com

3. Petitioner is not a member of a group or organization already a party to this proceeding.

4. Petitioner seeks to intervene in this proceeding because [*state grounds for intervening; reason for interest; the extent to which the petitioner desires to participate in the proceeding; and, if Petitioner is a member of a group or organization which is already a party, state why intervening as an individual is necessary*]:

The Association of Irrigated Residents (AIR) is an unincorporated non-profit association of San Joaquin Valley residents who live in Stanislaus, Fresno, Kings, Tulare, and Kern Counties. The purpose of the association is to advocate for better air quality in the San Joaquin Valley. AIR has been in existence since 2001.

AIR seeks to intervene in this proceeding for the following reasons. The AFC for Hydrogen Energy California is problematic for AIR. AIR is in favor of reducing green house gases and air pollution emissions from electrical generating facilities in the San Joaquin Valley (SJV) but it cannot be in favor of such facilities if they directly or indirectly worsen the air quality of the region. This AFC presents real questions and concerns about the air quality aspects of the project because of the air emissions from the various associated processes including the gasification of dirty fuels such as pet coke and coal and the mobile emissions projected for the project. AIR, as well, has a real interest in determining accurately the green house gas reduction potential of the carbon dioxide capture and enhanced oil recovery processes because climate change may impact the SJV through higher

temperatures leading to more ozone pollution and less water leading to more abandoned farm land and all the negative effects that may have on air quality and quality of life for residents of the SJV. AIR also has a real interest in protecting farmland and water resources in the SJV because of the buffer it provides to excessive and sprawling development which would add more pollution to the region. Members of AIR have participated directly in San Joaquin Valley Air Pollution Control District rulemaking the past several years and have also participated actively in the development of the AB 32 Scoping Plan at CARB. These activities make AIR members uniquely qualified to analyze this project in terms of its environmental impacts on the San Joaquin Valley.

For the broad reasons listed above AIR wishes to intervene in order to attend workshops and hearings as a full participating member of the certification process. AIR wishes to ask questions of CEC staff and the applicant about the project and suggest questions that need answering and data gaps that need filling in order for the public and the CEC to fully understand all the implications of this project, especially in the areas mentioned above. AIR also wishes to participate fully in the evidentiary hearing and call its own witnesses to testify plus question the witnesses of the applicant and CEC staff.

5. Petitioner agrees that if a document is served upon me via email, an additional paper copy by mail is not necessary.

August 10, 2009  
Date

\_\_\_\_\_Tom Frantz (electronic signature)  
Signature

**X Proof of Service and Declaration of Service attached.**

STATE OF CALIFORNIA  
State Energy Resources  
Conservation and Development Commission

In the Matter of: ) 08-AFC-8  
 )  
Hydrogen Energy California ) **DECLARATION OF SERVICE**  
 )  
\_\_\_\_\_ )

I, Tom Frantz declare that on August 10, 2009, I served and filed copies of the attached **Petition to Intervene**, accompanied by a copy of the most recent *Proof of Service* list (most recent version is located on the proceeding's web page) with the Docket Unit OR with the presiding committee member of the proceeding. The document has been sent to the Commission AND the applicant, as well as the other parties in this proceeding (as shown on the *Proof of Service* list), in the following manner:

**(Check all that Apply)**

**FOR SERVICE TO THE APPLICANT AND ALL OTHER PARTIES:**

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Shafter, California with first-class postage thereon fully prepaid and addressed as provided on the *Proof of Service* list above to those addresses **NOT** marked "email preferred."

**AND**

**FOR FILING WITH THE ENERGY COMMISSION:**

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

**OR**

\_\_\_\_\_ depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 08-AFC-12  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

-or- CALIFORNIA ENERGY COMMISSION  
Presiding Member \_\_\_\_\_  
1516 Ninth Street  
Sacramento, CA 95814-5512  
Re: Docket No. [\_\_\_\_-AFC-\_\_\_\_]

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Tom Frantz  
Name

\_\_\_\_\_  
August 10, 2009  
Date