



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

APPLICATION FOR CERTIFICATION
 FOR THE *HYDROGEN ENERGY*
CALIFORNIA PROJECT

DOCKET No. 08-AFC-8

DOCKET	
08-AFC-8	
DATE	SEP 28 2009
RECD.	SEP 28 2009

COMMITTEE SCHEDULING ORDER

On August 26, 2009, the Energy Commission determined that the Application for Certification (AFC) of the Hydrogen Energy California Power Plant Project was data-adequate for review under the twelve-month review process established by Public Resources Code, section 25540.6. The Energy Commission assigned a Committee of two Commissioners to conduct proceedings on the AFC. The Committee held a public Informational Hearing in the community of Tupman on September 16, 2009, to discuss the review process and to identify issues that could affect the attached schedule.

We have adopted the attached Committee Schedule based on discussion at the Informational Hearing. The schedule contains a list of events that must occur in order to complete the certification process within twelve months. This is an initial schedule, which only includes the period up to the Prehearing Conference. The balance of the schedule will be determined at the Prehearing Conference.

Several deadlines are contingent upon reviews to be conducted by federal, state, and local agencies. The Applicant must provide sufficient review time for the responsible agencies to meet the deadlines specified in the attached schedule.

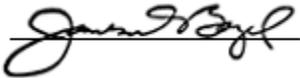
Technical issues in several areas of review have been identified. The parties indicated that resolution of these issues would be addressed during the data exchange process and in public meetings.

Given the complexities involved in resolving some of these issues, the parties are on notice that we may modify the schedule at any time upon either our own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709(c).]

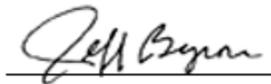
The schedule requires several status reports to inform the Committee whether or not case development is progressing satisfactorily, and to bring potential schedule delays or other

relevant matters to our attention. We expect all parties (Staff, Applicant, Intervenors) to issue status reports in accord with this schedule.

Dated: September 28, 2009, at Sacramento, California.

A handwritten signature in cursive script, appearing to read "James Boyd", written over a horizontal line.

JAMES BOYD
Vice-Chairman and Presiding Member
Hydrogen Energy California AFC Committee

A handwritten signature in cursive script, appearing to read "Jeffrey Byron", written over a horizontal line.

JEFFREY BYRON
Commissioner and Associate Member
Hydrogen Energy California AFC Committee

COMMITTEE SCHEDULE
For
HYDROGEN ENERGY CALIFORNIA AFC (08-AFC-8)
September 28, 2009

	<u>ACTIVITY</u>	<u>DATE</u>
1	Applicant files Revised Application for Certification (AFC)	5/28/09
2	Commission's determination that AFC is complete	8/26/09
3	Staff files Issue Identification Report	9/14/09
4	Informational Hearing and Site Visit	9/16/09
5	Staff files Data Requests	10/5/09
6	All parties file Status Report 1	10/23/09
7	Applicant provides Data Responses	11/5/09
8	Local, State and Federal Agency Draft Determinations	11/10/09
9	Data Response and Issue Resolution Workshop**	11/12/09
10	All parties file Status Report 2	11/19/09
11	All parties file Status Report 3	1/5/10
12	Staff files Preliminary Staff Assessment (PSA)	1/21/10
13	PSA Workshop	2/17/10
14	Local, State and Federal agency Final Determinations	2/18/10
15	All parties file Status Report 4	2/22/10
16	End of 180-day information exchange period	2/22/10
17	All parties file Status Report 5	4/1/10
18	Staff files Final Staff Assessment (FSA)	4/8/10
19	Prehearing Conference*	TBD
20	Evidentiary Hearings*	TBD
21	Committee files Proposed Decision*	TBD
22	Hearing on the Proposed Decision*	TBD
23	Committee files revised Proposed Decision*	TBD
24	Commission Decision*	TBD

*Events following issuance of the FSA will be scheduled by the Committee as appropriate. The Committee may, in its discretion, establish a more detailed schedule for exchange of testimony and evidence, depending upon the complexity and number of unresolved issues.

** Estimated date; depends on parties' availability.

TBD – To be Determined.



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Docket No. 08-AFC-8

**PROOF OF SERVICE LIST
(Rev. 9/3/09)**

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on September 28, 2009, I served and filed copies of the Committee Scheduling Order dated September 28, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [www.energy.ca.gov/sitingcases/hydrogen_energy].

The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

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

 X by personal delivery or by depositing in the United States mail at Sacramento, 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:

 X 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-8
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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

Original Signed By:
RoseMary Avalos