

March 3, 2010

Dockets Unit California Energy Commission 1516 Ninth Street, MS 4 Sacramento, CA 95814

> RE: Hydrogen Energy California Project Application for Certification 08-AFC-8

On behalf of Hydrogen Energy International LLC, the applicant for the abovereferenced Hydrogen Energy California AFC, we are pleased to submit the enclosed documents:

- Letter from the Tejon Tribe regarding HECA's transmission line surveys (see response to Data Request 65-1)
- FAA determinations of the Notices of Proposed Construction or Alteration, submitted as part of response to Data Request 152.

The enclosed document is being submitted to the CEC for docketing.

URS Corporation

1DA ba

Dale Shileikis Vice President, Environmental Services

Enclosures

CC: Rod Jones (w/o enclosure)

TEJON INDIAN TRIBE 2234 4TH STREET WASCO, CALIFORNIA 93280

February 7, 2010

Mark Hale Senior Project Archaeologist URS Corp 221 Main Street, Suite 600 San Francisco, Ca. 94105-1917

Re: Hydrogen Energy International, LLC

Dear Mr. Hale:

Thank you for the letter dated December 9, 2009. We appreciate your project and hope we can help.

Although this is an area our ancestors used, at this time we have no information on this area. If any cultural artifacts are located, please contact us.

Gloria Morgan Cultural Resources Manager Tejon Indian Tribe 201 Warren St. Taft, Ca. 93268 661-619-4504 Gmorgan2@earthlink.net

Sincerely, Ken Morgan Tejon Indian Tribe

Federal Aviation Administration Determinations Received February 23, 2010



Notice of Proposed Construction or Alteration - Off Airport

Project Name: HYDRO-000138467-10

Sponsor: Hydrogen Energy California LLC

Project Summary : HYDRO-000138467-10

Structure	City, State	Lat/Long	Мар	Actions	Latest Letter
#C - Air Separation Column Can Determined 2010-AWP-1090-OE	Bakersfield, CA	35° 19' 43.08" N 119° 23' 17.00" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#G(NW) - Gasification Structur Determined 2010-AWP-1096-OE	Bakersfield, CA	35° 19' 51.16" N 119° 23' 6.72" W	🝼 Show Map	Create Fax Cover Upload a PDF	DNE
#G(NE) - Gasification Structur Determined 2010-AWP-1095-OE	Bakersfield, CA	35° 19' 51.17" N 119° 23' 5.99" W	Show Map	Create Fax Cover Upload a PDF	DNE
#G(SW) - Gasification Structur Determined 2010-AWP-1094-OE	Bakersfield, CA	35° 19' 48.99" N 119° 23' 6.68" W	🝼 Show Map	Create Fax Cover Upload a PDF	DNE
#G(SE) - Gasification Structur Determined 2010-AWP-1093-OE	Bakersfield, CA	35° 19' 49.00" N 119° 23' 5.96" W	💕 Show Map	Create Fax Cover Upload a PDF	
#4 - Heat Recovery Steam Gener Determined 2010-AWP-1092-OE	Bakersfield, CA	35° 19' 46.44" N 119° 23' 17.26" W	💕 Show Map	Create Fax Cover Upload a PDF	
#8 - CO2 Vent Determined 2010-AWP-1091-OE	Bakersfield, CA	35° 19' 52.36" N 119° 23' 13.24" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#9 - Sulfur Recovery Unit Flare Determined 2010-AWP-1097-OE	Bakersfield, CA	35° 19' 42.80" N 119° 23' 13.13" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#12 - Acid Gas Removal Methano Determined 2010-AWP-1089-OE	Bakersfield, CA	35° 19' 47.60" N 119° 23' 10.94" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#10 - Gasification Flare Determined 2010-AWP-1088-OE	Bakersfield, CA	35° 19' 55.06" N 119° 23' 12.58" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#13 - Rectisol Flare Determined 2010-AWP-1087-OE	Bakersfield, CA	35° 19' 55.17" N 119° 23' 12.58" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#11(a) - Gasifier Warming Vent Determined 2010-AWP-1086-OE	Bakersfield, CA	35° 19' 50.87" N 119° 23' 6.58" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#11(b) - Gasifier Warming Vent Determined 2010-AWP-1085-OE	Bakersfield, CA	35° 19' 50.08" N 119° 23' 6.58" W	💕 Show Map	Create Fax Cover Upload a PDF	DNE
#11(c) - Gasifier Warming Vent Determined 2010-AWP-1084-OE	Bakersfield, CA	35° 19' 49.29" N 119° 23' 6.57" W	Show Map	Create Fax Cover Upload a PDF	DNE



Aeronautical Study No. 2010-AWP-1084-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Stack #11(c) - Gasifier Warming Vent (c)	
Bakersfield, CA	
35-19-49.29N NAD 83	
119-23-06.57W	
210 feet above ground level (AGL)	
499 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 210 feet above ground level (499 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1084-OE.

(DNE)

Signature Control No: 680936-123001372 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1084-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1084-OE







Aeronautical Study No. 2010-AWP-1085-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Stack #11(b) - Gasifier Warming Vent (b)	
Bakersfield, CA	
35-19-50.08N NAD 83	
119-23-06.58W	
210 feet above ground level (AGL)	
499 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 210 feet above ground level (499 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1085-OE.

(DNE)

Signature Control No: 680937-123001376 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1085-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1085-OE







Aeronautical Study No. 2010-AWP-1086-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Stack #11(a) - Gasifier Warming Vent (a)	
Bakersfield, CA	
35-19-50.87N NAD 83	
119-23-06.58W	
210 feet above ground level (AGL)	
499 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 210 feet above ground level (499 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1086-OE.

(DNE)

Signature Control No: 680938-123001373 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1086-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1086-OE







Aeronautical Study No. 2010-AWP-1087-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack #13 - Rectisol Flare
Location:	Bakersfield, CA
Latitude:	35-19-55.17N NAD 83
Longitude:	119-23-12.58W
Heights:	250 feet above ground level (AGL)
	539 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 250 feet above ground level (539 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1087-OE.

(DNE)

Signature Control No: 680939-123001371 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1087-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1087-OE







Aeronautical Study No. 2010-AWP-1088-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack #10 - Gasification Flare	
Location:	Bakersfield, CA	
Latitude:	35-19-55.06N NAD 83	
Longitude:	119-23-12.58W	
Heights:	250 feet above ground level (AGL)	
	539 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 250 feet above ground level (539 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1088-OE.

(DNE)

Signature Control No: 680940-123001370 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1088-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1088-OE







Aeronautical Study No. 2010-AWP-1089-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Building #I2 - Acid Gas Removal Methanol Wash Column
Bakersfield, CA
35-19-47.63N NAD 83
119-23-11.04W
235 feet above ground level (AGL)
524 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 235 feet above ground level (524 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1089-OE.

(DNE)

Signature Control No: 680941-123001379 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1089-OE

Hydrogen Energy California LLC is proposing to build an







Aeronautical Study No. 2010-AWP-1090-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building #C - Air Separation Column Can	
Location:	Bakersfield, CA	
Latitude:	35-19-43.13N NAD 83	
Longitude:	119-23-17.16W	
Heights:	205 feet above ground level (AGL)	
	494 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 205 feet above ground level (494 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1090-OE.

(DNE)

Signature Control No: 680942-123001377 Karen McDonald Specialist
Case Description for ASN 2010-AWP-1090-OE

Hydrogen Energy California LLC is proposing to build an







Aeronautical Study No. 2010-AWP-1091-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack #8 - CO2 Vent
Location:	Bakersfield, CA
Latitude:	35-19-52.36N NAD 83
Longitude:	119-23-13.24W
Heights:	260 feet above ground level (AGL)
	549 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ____X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 260 feet above ground level (549 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

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If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1091-OE.

(DNE)

Signature Control No: 680943-123001378 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1091-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1091-OE







Aeronautical Study No. 2010-AWP-1092-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack #4 - Heat Recovery Steam Generator Stack
Location:	Bakersfield, CA
Latitude:	35-19-46.44N NAD 83
Longitude:	119-23-17.26W
Heights:	213 feet above ground level (AGL)
	502 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) _____X___ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 213 feet above ground level (502 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1092-OE.

(DNE)

Signature Control No: 680944-123001374 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1092-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1092-OE







Aeronautical Study No. 2010-AWP-1093-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building #G(SE) - Gasification Structure (SE Corner)
Location:	Bakersfield, CA
Latitude:	35-19-49.00N NAD 83
Longitude:	119-23-05.96W
Heights:	200 feet above ground level (AGL)
-	489 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part I)

___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 200 feet above ground level (489 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1093-OE.

(DNE)

Signature Control No: 680945-123001360 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1093-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1093-OE







Aeronautical Study No. 2010-AWP-1094-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building #G(SW) - Gasification Structure (SW Corner)
Location:	Bakersfield, CA
Latitude:	35-19-48.99N NAD 83
Longitude:	119-23-06.68W
Heights:	200 feet above ground level (AGL)
	489 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part I)

___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 200 feet above ground level (489 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1094-OE.

(DNE)

Signature Control No: 680946-123001357 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1094-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1094-OE







Aeronautical Study No. 2010-AWP-1095-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building #G(NE) - Gasification Structure (NE Corner)
Location:	Bakersfield, CA
Latitude:	35-19-51.17N NAD 83
Longitude:	119-23-05.99W
Heights:	200 feet above ground level (AGL)
	489 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part I)

___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 200 feet above ground level (489 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1095-OE.

(DNE)

Signature Control No: 680947-123001359 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1095-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1095-OE







Aeronautical Study No. 2010-AWP-1096-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building #G(NW) - Gasification Structure (NW Corner)
Location:	Bakersfield, CA
Latitude:	35-19-51.16N NAD 83
Longitude:	119-23-06.72W
Heights:	200 feet above ground level (AGL)
	489 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part I)

___X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

Any height exceeding 200 feet above ground level (489 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1096-OE.

(DNE)

Signature Control No: 680948-123001358 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1096-OE

Hydrogen Energy California LLC is proposing to build an

Verified Map for ASN 2010-AWP-1096-OE







Aeronautical Study No. 2010-AWP-1097-OE

Issued Date: 02/23/2010

Mr. Gregory D. Skannal, HSSE Manager Hydrogen Energy California LLC 1500 Hughes Way, Pod B Long Beach, CA 90810

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stack #9 - Sulfur Recovery Unit Flare
Location:	Bakersfield, CA
Latitude:	35-19-42.80N NAD 83
Longitude:	119-23-13.13W
Heights:	250 feet above ground level (AGL)
	539 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part I) ____X__ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Any height exceeding 250 feet above ground level (539 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-AWP-1097-OE.

(DNE)

Signature Control No: 680949-123001375 Karen McDonald Specialist

Case Description for ASN 2010-AWP-1097-OE

Hydrogen Energy California LLC is proposing to build an






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

PROOF OF SERVICE LIST (Rev. 2/8/10)

APPLICANT

Gregory D. Skannal Tiffany Rau Rick Harrison Hydrogen Energy International LLC One World Trade Center, Suite 1600 Long Beach, CA 90831 gregory.skannal@hydrogenenergy.com tiffany.rau@hydrogenenergy.com rick.harrison@hydrogenenergy.com

Asteghik Khajetoorians, Senior BP Legal Attorney BP America, Inc. 6 Centerpointe Drive, LPR 6-550 La Palma, CA 90623 Asteghik.Khajetoorians@bp.com

APPLICANT'S CONSULTANT

Dale Shileikis, Vice President Energy Services Manager Major Environmental Programs URS Corporation 221 Main Street, Suite 600 San Francisco, CA 94105-1917 dale_shileikis@urscorp.com

COUNSEL FOR APPLICANT

Michael J. Carroll Latham & Watkins, LLP 650 Town Center Drive, 20th FI. Costa Mesa, CA 92626-1925 michael.carroll@lw.com

INTERESTED AGENCIES

California ISO e-recipient@caiso.com

INTERVENORS

Tom Frantz Association of Irritated Residents 30100 Orange Street Shafter, CA 93263 tfrantz@bak.rr.com

ENERGY COMMISSION

JAMES D. BOYD Vice Chair and Presiding Member jboyd@energy.state.ca.us

JEFFREY D. BYRON Commissioner and Associate Member jbyron@energy.state.ca.us

Raoul Renaud Hearing Officer rrenaud@energy.state.ca.us

Kristy Chew Adviser to Commissioner Boyd kchew@energy.state.ca.us

Rod Jones Project Manager rjones@energy.state.ca.us

Lisa De Carlo Staff Counsel Idecarlo@energy.state.ca.us

*Jennifer Jennings Public Adviser's Office publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Dale Shileikis, declare that on <u>March 3</u>, 2010, I served and filed copies of the attached <u>(1) FAA</u> <u>Form 7460 Determinations and (2) Letter from Tejon Tribe</u>, dated <u>February 23 and February 7</u>, 2010, respectively. The original documents, filed with the Docket Unit, are 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 <u>San Francisco.</u> <u>California</u> 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. <u>08-AFC-8</u> 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.

1) Altakas