

**LATHAM & WATKINS** LLP

May 17, 2010

**VIA FEDEX**

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

Re: Hydrogen Energy California Project: Docket No. 08-AFC-08

Dear Sir/Madam:

Pursuant to California Code of Regulations, Title 20, Sections 1209, 1209.5, and 1210, enclosed herewith for filing please find Applicant's Non-Opposition to Natural Resources Defense Council Petition to Intervene.

Please note that the enclosed submittal was filed today via electronic mail to your attention and served on all parties to the above-referenced project.

Very truly yours,



Paul E. Kihm  
Senior Paralegal

Enclosure

cc: 08-AFC-08 Proof of Service List (w/encl., via e-mail and U.S. Mail)  
Michael J. Carroll, Esq. (w/encl.)  
Marc T. Campopiano, Esq. (w/encl.)

650 Town Center Drive, 20th Floor  
Costa Mesa, California 92626-1925  
Tel: +1.714.540.1235 Fax: +1.714.755.8290  
www.lw.com

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**DOCKET**  
**08-AFC-8**

DATE MAY 17 2010

RECD. MAY 17 2010

File No. 045049-0001

Michael J. Carroll  
Marc T. Campopiano  
LATHAM & WATKINS LLP  
650 Town Center Drive, Suite 2000  
Costa Mesa, CA 92626  
(714) 540-1235

STATE OF CALIFORNIA  
ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:	)	Docket No. 08-AFC-8
	)	
REVISED APPLICATION FOR	)	NATURAL RESOURCES DEFENSE
CERTIFICATION	)	COUNCIL PETITION TO INTERVENE
FOR THE HYDROGEN ENERGY	)	
CALIFORNIA PROJECT	)	
	)	
	)	

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Applicant does not oppose the Petition to Intervene filed by Natural Resources Defense Council on May 14, 2010.

DATED: May 17, 2010

Respectfully submitted,



Michael J. Carroll  
LATHAM & WATKINS LLP  
Counsel to Applicant

**STATE OF CALIFORNIA  
ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

In the Matter of:	)	Docket No. 08-AFC-08
	)	
APPLICATION FOR CERTIFICATION, FOR THE HYDROGEN ENERGY CALIFORNIA PROJECT BY HYDROGEN ENERGY INTERNATIONAL, LLC	)	<b>PROOF OF SERVICE</b>
	)	(May 10, 2010)
	)	
	)	
	)	

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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](mailto:gregory.skannal@hydrogenenergy.com)

[tiffany.rau@hydrogenenergy.com](mailto:tiffany.rau@hydrogenenergy.com)

[rick.harrison@hydrogenenergy.com](mailto: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](mailto: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](mailto:dale_shileikis@urscorp.com)

HYDROGEN ENERGY CALIFORNIA PROJECT  
CEC Docket No. 08-AFC-08

INTERESTED AGENCIES

**California ISO**

[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

e-mail preferred

INTERVENORS

**Tom Frantz**

Association of Irrigated Residents

30100 Orange Street

Shafter, CA 93263

[tfrantz@bak.rr.com](mailto:tfrantz@bak.rr.com)

**Babak Naficy**

Law Offices of Babak Naficy

Kern-Kaweah Chapter of the Sierra Club

1504 Marsh Street

San Luis Obispo, California 93401

[babaknaficy@sbcglobal.net](mailto:babaknaficy@sbcglobal.net)

**Timothy O'Connor, Esq.**

Environmental Defense Fund (EDF)

1107 Ninth St., Suite 540

Sacramento, CA 95814

[toconnor@edf.org](mailto:toconnor@edf.org)

ENERGY COMMISSION

**James D. Boyd, Commissioner**

Vice Chairman and Presiding Member

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

Sacramento, CA 95814-5512

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

**Jeffrey D. Byron**

Commissioner and Associate Member

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

Sacramento, CA 95814-5512

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

HYDROGEN ENERGY CALIFORNIA PROJECT  
CEC Docket No. 08-AFC-08

**Raoul Renaud**

Hearing Officer  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
Sacramento, California 95814-5512  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

**Kristy Chew**

Advisor to Commissioner Boyd  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
Sacramento, California 95814-5512  
[kchew@energy.state.ca.us](mailto:kchew@energy.state.ca.us)

**Rod Jones**

Project Manager  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
Sacramento, California 95814-5512  
[RJones@energy.state.ca.us](mailto:RJones@energy.state.ca.us)

**Lisa De Carlo**

Staff Counsel  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
Sacramento, California 95814-5512  
[ldecarlo@energy.state.ca.us](mailto:ldecarlo@energy.state.ca.us)

**Jennifer Jennings**

Public Adviser's Office  
CALIFORNIA ENERGY COMMISSION  
1516 Ninth Street  
Sacramento, California 95814-5512  
[Publicadviser@energy.state.ca.us](mailto:Publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Paul Kihm, declare that on May 17, 2010, I served and filed copies of the attached:

**APPLICANT'S NON-OPPOSITION TO NATURAL RESOURCES DEFENSE COUNCIL  
PETITION TO INTERVENE**

to all parties identified on the Proof of Service List above in the following manner:

**California Energy Commission Docket Unit**

- Transmission via electronic mail and by depositing one copy with FedEx overnight mail delivery service at Costa Mesa, California, with delivery fees thereon fully prepaid and addressed to the following:

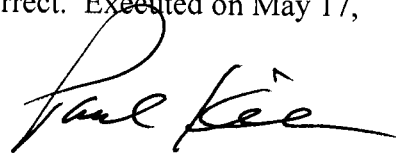
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1516 Ninth Street, MS-4  
Sacramento, California 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**For Service to All Other Parties**

- Transmission via electronic mail to all email addresses on the Proof of Service list; and
- by depositing one paper copy with the United States Postal Service via first-class mail at Costa Mesa, California, with postage fees thereon fully prepaid and addressed as provided on the Proof of Service list to those addresses **NOT** marked "email preferred."

I further declare that transmission via electronic mail and U.S. Mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 17, 2010, at Costa Mesa, California.



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Paul Kihm