



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

DOCKET
08-AFC-8

APPLICATION FOR CERTIFICATION
FOR THE *HYDROGEN ENERGY*
CALIFORNIA PROJECT

DOCKET No. 08-AFC-8
DATE MAY 24 2010
RECD. MAY 24 2010

COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene filed by the National Resources Defense Council (NRDC) (Petitioner), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On May 14, 2010, a Petition to Intervene in the above-captioned proceeding was filed by:

National Resources Defense Council (NRDC)
George Peridas
111 Sutter St. 20th Floor
San Francisco, CA 94104
(415) 875-6181
gperidas@nrdc.org

2. The Petition was timely filed and contains the information required by section 1207 of the Commission's regulations (Cal. Code Regs., tit. 20, § 1207);
3. No opposition to said Petition has been filed; and
4. Petitioner's interests are relevant to the above-captioned proceeding.

THEREFORE, the Committee **ORDERS** that the Petition to Intervene in this matter be **GRANTED** and that Petitioner be placed upon the Proof of Service List as an Intervenor. Petitioner may exercise the rights and shall fulfill the obligations of a party as set forth in all Scheduling Orders to be issued in this matter and Section 1712 of the Commission's regulations. (Cal. Code Regs., tit. 20, § 1712.)

The Energy Commission welcomes and values intervenor participation in its energy facility siting process. A link to the Commission's regulations describing intervenor participation is posted on the left hand side menu of the Hydrogen Energy California Project web page.

Petitioner is hereby reminded that the 180-day deadline, established by California Code of

Regulations, title 20, § 1716(e), for submission of requests for information, was February 22, 2010.

As an intervenor, Petitioner is required to file and serve documents on other parties and to follow the Commission's procedures and orders regarding presenting witnesses and evidence.

Petitioner is further required to review the rules regarding filings, the rules of evidence that apply at the evidentiary hearings, the rules prohibiting off the record contacts with Commissioners or the Hearing Adviser about the merits of a project, and the rules about filing data requests. (Cal. Code Regs., tit. 20, §1001 through 1217, 1712 et seq.)

PETITIONER'S FAILURE TO FULFILL THESE RESPONSIBILITIES MAY RESULT IN THE COMMITTEE LIMITING OR PRECLUDING PETITIONER'S PARTICIPATION IN THE PROCEEDINGS.

If Petitioner needs any help with participating in the siting process, contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228, or e-mail: **[publicadviser@energy.state.ca.us]**.

Direct questions of a legal or procedural nature to Raoul Renaud, the Hearing Adviser, at (916) 651-2020, or e-mail: **[rrenaud@energy.state.ca.us]**.

The Executive Director or her designee shall ensure that Petitioner is immediately provided with a copy of the Application for Certification.

Dated: May 24, 2010 in Sacramento, California.

Original signed by:

JAMES D. BOYD
Vice Chair and Presiding Member
Hydrogen Energy California AFC Committee

Original signed by:

JEFFREY D. BYRON
Commissioner and Associate Member
Hydrogen Energy California AFC Committee



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Docket No. 08-AFC-8

PROOF OF SERVICE LIST
(Rev. 5/24/10)

APPLICANT

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APPLICANT'S CONSULTANT

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Energy Services Manager
Major Environmental Programs
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COUNSEL FOR APPLICANT

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INTERESTED AGENCIES

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e-recipient@caiso.com

INTERVENORS

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of the Sierra Club
Babak Naficy
Law Offices of Babak Naficy
1504 Marsh Street
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Environmental Defense Fund (EDF)
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*Natural Resources Defence
Council (NRDC)
George Peridas
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gperidas@nrdc.org

ENERGY COMMISSION

JAMES D. BOYD
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jboyd@energy.state.ca.us

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

DECLARATION OF SERVICE

I, Maggie Read, declare that on May 24, 2010, I mailed hard copies of the attached Committee Order Granting Petition to Intervene, dated May 24, 2010. The original documents, 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:

- sent electronically to all email addresses on the Proof of Service list;
- by personal delivery;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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-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, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original signed by:
Maggie Read
Hearing Adviser's Office