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July 26, 2010

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

DATE JUL 26 2010

RECD. JUL 27 2010

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-8

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

Re: Application for Certification, Hydrogen Energy California 08-AFC-8

Dear Docket Clerk:

Enclosed are an original and one copy of: Petition to Intervene by California Unions for Reliable Energy. Please process this document and return a conformed copy in the envelope provided.

Thank you.

Sincerely,

/s/

Thomas A. Enslow

TAE:cnh  
Enclosures

2329-007d

**STATE OF CALIFORNIA**

**Energy Resources Conservation  
and Development Commission**

In the Matter of:

Application for Certification for  
Hydrogen Energy California

Docket No. 08-AFC-8

**PETITION TO INTERVENE BY  
CALIFORNIA UNIONS FOR RELIABLE ENERGY**

July 26, 2010

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Attorneys for the CALIFORNIA UNIONS  
FOR RELIABLE ENERGY

Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, California Unions for Reliable Energy (“CURE”) petitions to intervene in this proceeding.

Section 1207(a) grants “any person” the right to file a petition to intervene that sets forth “the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, address, and telephone number of the petitioner.” Section 1207(c) provides that the “presiding member may grant leave to intervene to any petitioner to the extent he deems reasonable and relevant . . . .”

The Hydrogen Energy California project proposes the construction, maintenance, and operation of an integrated gasification combined cycle power generating facility in Kern County. The project would gasify petroleum coke (or blends of petroleum coke and coal, as needed) to produce hydrogen to fuel a combustion turbine operating in combined cycle mode. The gasification component would produce 180 million standard cubic feet per day (“MMSCFD”) of hydrogen to feed a 390 megawatt (“MW”) gross combined cycle plant. The gasification component would also capture approximately 130 MMSCFD of carbon dioxide which would be transported and used for enhanced oil recovery and sequestration in the Elk Hills Oil Field Unit.

CURE is a coalition of unions whose members construct and operate power plants in California. Thus, the project directly affects the union members' immediate economic interests.

The project also affects the union members' long-term economic and environmental interests. CURE is equally committed to building both a strong economy and a healthy environment. Poorly designed power plants may degrade the environment with air, water and soil pollutions, noise and visual intrusions, and destruction of archaeological or wildlife habitat areas. Environmental degradation jeopardizes future jobs by causing construction moratoriums, depleting limited air pollutant emissions offsets, using or polluting limited fresh water supplies, and putting added stresses on the environmental carrying capacity of the state. This reduces future employment opportunities. In contrast, well designed projects that reduce environmental impacts of electricity generation improve long-term economic prospects.

CURE has an interest in the economic and environmental impacts of the Hydrogen Energy California project. Union members are concerned about projects that cause serious environmental hardship without providing countervailing economic benefits. The Commission's application process provides for a balancing of the project's socio-economic and environmental impacts. CURE's ultimate position in this proceeding will be determined based on all of the factors that will be considered by the Commission.

CURE has been granted intervention in most other siting cases brought before the Commission since the enactment of AB 1890. The Commission rejected the only challenge to CURE's participation in those cases finding CURE's interests "undeniably relevant" to the proceedings. (In the Matter of Application for Certification for the High Desert Power Project, Docket No. 97-AFC-1, Order Granting Petition to Intervene at 2 (Dec. 24, 1997).) The same decision should be reached here.

CURE wishes to participate fully in all phases of this proceeding. Filings should be served on CURE at the address listed below.

For the foregoing reasons, CURE respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow CURE to participate as a party.

Dated: July 26, 2010

Respectfully submitted,

*/s/*

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**PROOF OF SERVICE LIST  
Hydrogen Energy California Project**

**Docket No. 08-AFC-8**

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