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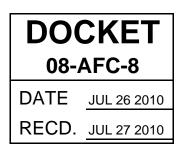
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July 26, 2010

SO. SAN FRANCISCO OFFICE

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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

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

Thomas A Enslow Marc D. Joseph Adams Broadwell Joseph & Cardozo 520 Capitol Mall, Suite 350 Sacramento, CA 95814 (916) 444-6201 Voice (916) 444-6209 Facsimile tenslow@adamsbroadwell.com

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.

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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.

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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/

Thomas A. Enslow Marc D. Joseph Adams Broadwell Joseph & Cardozo 520 Capitol Mall, Suite 350 Sacramento, CA 95814 (916) 444-6201 Voice (916) 444-6209 Facsimile tenslow@adamsbroadwell.com

Attorneys for the CALIFORNIA UNIONS FOR RELIABLE ENERGY

DECLARATION OF SERVICE Hydrogen Energy California Project

Docket No. 08-AFC-8

I, Carol N. Horton, declare that on July 26, 2010, I served and filed copies of the attached PETITION TO INTERVENE BY CALIFORNIA UNIONS FOR RELIABLE ENERGY dated July 26, 2010. The original document, filed with the Docket Office, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: http://www.energy.ca.gov/sitingcases/hydrogen_energy/Hydrogen_POS.pdf

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Office via email and U.S. mail.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Sacramento, California on July 26, 2010.

/s/ Carol N. Horton

PROOF OF SERVICE LIST Hydrogen Energy California Project

Docket No. 08-AFC-8

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California Energy Commission Attn: Docket No. 08-AFC-8 1516 Ninth Street, MS-4 Sacramento, CA 95814-5512 <u>docket@energy.state.ca.us</u>