

LATHAM & WATKINS LLP

April 1, 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 Status Report 5.

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

FIRM / AFFILIATE OFFICES

Abu Dhabi	Moscow
Barcelona	Munich
Beijing	New Jersey
Brussels	New York
Chicago	Orange County
Doha	Paris
Dubai	Rome
Frankfurt	San Diego
Hamburg	San Francisco
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

File No. 045049-0001

DOCKET 08-AFC-8	
DATE	APR 01 2010
RECD.	APR 05 2010

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) APPLICANT'S STATUS REPORT 5
CERTIFICATION)
FOR THE HYDROGEN ENERGY)
CALIFORNIA PROJECT)
_____)

Pursuant to the Committee Scheduling Order issued on September 28, 2009, Applicant Hydrogen Energy International LLC (Applicant) hereby files its Status Report 5 with respect to the Hydrogen Energy California Project (HECA).

As a result of the Status Conference held by the Committee on March 26, 2010, and Applicant's Status Report 4 submitted on March 11, 2010, the Committee is fully aware of the current status of the proceedings, and Applicant has no further information to provide at this time. Applicant looks forward to timely resolution of the issues discussed at the Status Conference, and is engaged in communication with CEC Staff in an effort to resolve issues related to the proposed schedule. Applicant will promptly inform the Committee of any resolution related to the proposed schedule.

DATED: April 1, 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)	PROOF OF SERVICE
)	(February 8, 2010)
)	
)	

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

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

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

INTERVENORS

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

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

Jeffrey D. Byron
Commissioner and Associate Member
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, CA 95814-5512
jbyron@energy.state.ca.us

Raoul Renaud
Hearing Officer
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
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

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

Rod Jones

Project Manager
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street
Sacramento, California 95814-5512
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

Jennifer Jennings

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

DECLARATION OF SERVICE

I, Paul Kihm, declare that on April 1, 2010, I served and filed copies of the attached:

APPLICANT'S STATUS REPORT 5

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:

CALIFORNIA ENERGY COMMISSION
Attn: DOCKET NO. 08-AFC-08
1516 Ninth Street, MS-4
Sacramento, California 95814-5512
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 April 1, 2010, at Costa Mesa, California.


Paul Kihm