



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](http://WWW.ENERGY.CA.GOV)

**DOCKET**

**08-AFC-8**

DATE AUG 18 2010

RECD. AUG 18 2010

APPLICATION FOR CERTIFICATION  
FOR THE *HYDROGEN ENERGY*  
*CALIFORNIA PROJECT*

DOCKET No. 08-AFC-8

### COMMITTEE ORDER GRANTING PETITION TO INTERVENE

Upon consideration of the Petition to Intervene filed by California Unions for Reliable Energy (CURE) (Petitioner), the Committee designated to conduct proceedings in this matter makes the following findings:

1. On July 26, 2010, a Petition to Intervene in the above-captioned proceeding was filed by:

**California Unions for Reliable Energy**  
**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\*\*](mailto:tenslow@adamsbroadwell.com)

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.)

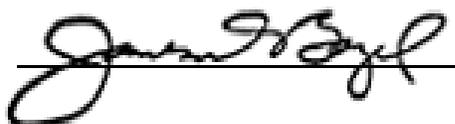
**PETITIONER'S FAILURE TO FULFILL THESE RESPONSIBILITIES MAY RESULT IN THE COMMITTEE LIMITING OR PRECLUDING PETITIONER'S PARTICIPATION IN THE PROCEEDINGS.**

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]**.

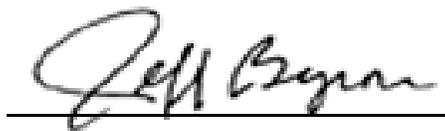
Direct questions of a legal or procedural nature to Raoul Renaud, the Hearing Adviser, at (916) 651-2020, or e-mail: **[rrenaud@energy.state.ca.us]**.

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

Dated: August 18, 2010 in Sacramento, California.



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



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



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FOR THE **HYDROGEN ENERGY**  
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Docket No. 08-AFC-8

PROOF OF SERVICE LIST  
Rev. 8/18/10

**APPLICANT**

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**INTERESTED AGENCIES**

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

**INTERVENORS**

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**ENERGY COMMISSION**

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DECLARATION OF SERVICE

I, RoseMary Avalos, declare that on August 18, 2010, I served and filed copies of the attached COMMITTEE ORDER GRANTING PETITION TO INTERVENE, dated August 18, 2010. The original document, 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: [http://www.energy.ca.gov/sitingcases/hydrogen\\_energy](http://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](mailto: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:  
**ROSEMARY AVALOS**  
Hearing Adviser's Office