

**State of California
AIR RESOURCES BOARD**

Executive Order DG-044

**Distributed Generation Certification of
Bloom Energy Corporation
ES-5 Fuel Power Cell – Natural Gas**

WHEREAS, the California Air Resources Board (CARB) was given the authority under California Health and Safety Code Section 41514.9 to establish a statewide Distributed Generation (DG) Certification Program to certify electrical generation technologies that are exempt from the permit requirements of air pollution control or air quality management districts;

WHEREAS, CARB adopted the DG Certification Regulation at California Code of Regulations (CCR), title 17, article 3, sections 94200 to 94214;
WHEREAS, this DG Certification does not constitute an air pollution permit or eliminate the responsibility of the end user to comply with all federal, state, and local laws, rules and regulations;

WHEREAS, on May 4, 2015, Bloom Energy Corporation applied for a DG Certification of its ES-5 Fuel Power Cell, referred to at that time as the ES-5 Fuel Cell Power Generation System, and whose application was deemed complete on October 8, 2015;

WHEREAS, Bloom Energy Corporation has demonstrated, according to test methods specified in CCR, title 17, section 94207, that its natural gas fueled ES-5 Fuel Power Cell has complied with the following DG Certification Regulation 2007 Fossil Fuel Emission Standards pursuant to CCR, title 17, section 94203(b):

1. Emissions of oxides of nitrogen no greater than 0.07 pounds per megawatt-hour;
2. Emissions of carbon monoxide no greater than 0.10 pounds per megawatt-hour; and,
3. Emissions of volatile organic compounds no greater than 0.02 pounds per megawatt-hour;

WHEREAS, Bloom Energy Corporation has demonstrated that its ES-5 Fuel Power Cell complies with the emission durability requirements in CCR, title 17, section 94203(d);

WHEREAS, Bloom Energy Corporation was issued a DG Certification on January 26, 2016, for its ES-5 Fuel Power Cell;

WHEREAS, Bloom Energy Corporation, on January 15, 2021, applied for a DG recertification of its ES-5 Fuel Power Cell, and CARB deemed the application complete on May 14, 2021;

WHEREAS, from August 11-13, 2020, Bloom Energy Corporation conducted a new source test of its ES-5 Fuel Power Cell due to improvements of the anode tail-gas oxidizer that were expected to improve carbon monoxide conversion and reduce emissions;

WHEREAS, I find that the Applicant, Bloom Energy Corporation, has met the requirements specified in CCR, title 17, article 3, and has satisfactorily demonstrated that the ES-5 Fuel Power Cell meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards at CCR, title 17, section 94203(b);

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-044, originally executed at Sacramento, California on January 26, 2016, is hereby renewed.

This DG Certification:

- 1) is subject to all conditions and requirements of CARB's DG Certification Program, CCR, title 17, article 3, including the provisions relating to inspection, denial, suspension, and revocation;
- 2) shall be void if any manufacturer's modification results in an increase in emissions or changes the efficiency or operating conditions of a model, such that the model no longer meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards: and,
- 5) shall expire on the 27th day of March 2026.

Executed at Sacramento, California, this 13 day of July 2021.

A handwritten signature in blue ink, appearing to read 'M Botill', with a long horizontal line extending to the right.

Matthew Botill
Acting Division Chief
Industrial Strategies Division