

**State of California
AIR RESOURCES BOARD**

Executive Order DG-037

**Distributed Generation Certification of
Bloom Energy**

ES-5000 Solid Oxide Fuel Cell

WHEREAS, the Air Resources Board (ARB) 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, 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 January 28, 2010, Bloom Energy applied for a DG Certification of its 100 kW, ES-5000 Solid Oxide Fuel Cell and that application was deemed complete on January 11, 2012;

WHEREAS, Bloom Energy has demonstrated, according to test methods specified in title 17, California Code of Regulations (CCR), section 94207, that its natural gas fueled ES-5000 Solid Oxide Fuel Cell has complied with the following emission standards:

1. Emissions of oxides of nitrogen no greater than 0.7 pounds per megawatt-hour;
2. Emissions of carbon monoxide no greater than 0.1 pounds per megawatt-hour; and
3. Emissions of volatile organic compounds no greater than 0.02 pounds per megawatt-hour.

WHEREAS, Bloom Energy has demonstrated that its ES-5000 Solid Oxide Fuel Cell complies with the emissions durability requirements in title 17, CCR, section 94203 (d); and

WHEREAS, I find that the Applicant, Bloom Energy, has met the requirements specified in article 3, title 17, CCR, and has satisfactorily demonstrated that the ES-5000 Solid Oxide Fuel Cell meets the DG Certification Regulation 2007 Fossil Fuel Emission Standards.

NOW THEREFORE, IT IS HEREBY ORDERED, that a DG Certification, Executive Order DG-037 is granted.

This DG Certification:

- 1) is subject to all conditions and requirements of the ARB's DG Certification Program, article 3, title 17, CCR, sections 94200 - 94214, 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
- 3) shall expire on the 14th day of June, 2017.

Executed at Sacramento, California, this 14th day of June 2012.

James Goldstene
Executive Officer
by

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Cynthia Marvin, Chief
Stationary Source Division