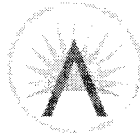


✓  
BOARD OF SUPERVISORS



2010 JUL 13 P 4:40 AEBIOFUELS

Sandy K. Hopp  
Field Representative for  
Supervisor Jeff Grover, Dist. 3  
(209) 525-6472 desk  
(209) 595-0043 cell  
Stanislaus County Board of Supervisors  
1010 10th Street, Suite 6500  
Modesto, CA 95354

Adam Walter  
Sales & Marketing



**AEBIOFUELS**

20400 Stevens Creek Blvd. Suite 700, Cupertino, CA 95014  
Direct 408.213.0939 Cell 408.644.9367 Fax 832.442.3203  
awalter@aebiofuels.com www.aebiofuels.com

Dear Mr. Grover,

On behalf of the California Energy Investment Center (CEIC), I would like to introduce our Regional Center, and ask for a letter of support for one of project companies, AE Biofuels, Inc.

As a leading technology provider and global vertically integrated renewable fuel producer, AE Biofuels, Inc. currently has an agreement in place with Cilion to lease and operate their 55 million gallon per year fuel grade ethanol production facility in Keyes, CA. We are currently undergoing repairs at the facility, and are hoping to resume production in the fall of this year. As we employ construction workers, pipe fitters, and welders at the plant today, and hope to hire over seventy full time employees, we are seeking the Stanislaus County Board of Supervisor's support.

If you support job creation in your region, alternative energy investment, specifically from overseas, it is our hope that you will sign the letter of support sent 7/12/10 and return to us at the above address. If it is required to add this item to the agenda in order to receive approval, then please contact Adam Walter at (408)213-0939 if any further action is required.

Thank you in advance for your careful attention to this matter.

Sincerely,

Adam Walter  
Biofuels Marketing,  
AE Biofuels, Inc.

BOARD OF SUPERVISORS  
2010 JUL 13 A 10:14

Mr. Eric McAfee, Chairman  
AE Biofuels, Inc.  
20400 Stevens Creek Blvd.  
Suite 700  
Cupertino, CA 95014

Dear Mr. McAfee,

I am enthusiastically supporting the efforts made by AE Biofuels, Inc. to expand renewable energy and advanced technology through the California Energy Investment Regional Center (CEIC) EB-5 Program. These projects will help grow our community and bring significant economic growth to Modesto county of California.

AE Biofuels, Inc. through the CEIC will allow for foreign private investors to provide capital that will directly support and generate job growth in our region which has among the highest unemployment rates in the nation. A projected 786 direct and indirect jobs will be created which exceeds the required 600 jobs based on the IMPLAN study approved by the United States Customs and Immigration Service.

Modesto County of California is an ideal location for AE Biofuels, Inc. because of both the natural and human resources available to develop bioenergy. As one of the nation's largest agricultural area, the region produces abundant biomass that can be converted to fuel and used in energy production. In addition, there are considerable human resources available throughout the region which will enable the provision of services in support of the bioenergy production.

I'm pleased that AE Biofuels, Inc. has been approved as an EB-5 project through the CEIC, and wish you luck as you move forward to create new jobs that will enable California to continue its leadership role as the world's center for advanced energy development.

Sincerely,

California Energy



Investment Center LLC

BOARD OF SUPERVISORS

2010 JUL 13 A 10:14

### ***USCIS Approved EB5 Regional Center***

1. What am I investing in?

Alternative energy companies. Alternate energy has the highest governmental and private sector support in the United States.

2. What will I own?

You will own a promissory note and the option to convert into shares in public companies which are part of the California Energy Investment Center—a USCIS approved EB5 regional center.

3. How will my money be returned to me?

You will receive a note payable in 5 years, plus annual income, plus an equity interest which enables you to participate in the shares in the public company.

California Energy



Investment Center LLC

## Welcome to the California Energy Investment Center!!

Our goal at the California Energy Investment Center ("CEIC") is to make your entire EB-5 immigration and investment experience, from application through final approval, as **efficient, secure and positive** as possible. Here are the simple steps to follow:

- Step 1. Please review the attached Introductory Package Materials!** Included are summaries on three (3) approved energy projects in which you can invest, pictures of the operations, and background on their management teams.
- Step 2. Please complete the Investor Questionnaire, sign it and return it!** The Investor Questionnaire is an essential part of the compliance process required by the U.S. Citizenship and Immigration Service (USCIS). The USCIS requires that we determine you meet certain basic eligibility requirements, including that there is a proper source of your funds.
- Step 3. Confidential Offering Information and Subscription Package!** Once we receive your completed Investor Questionnaire, CEIC's authorized representative will work with you and your EB-5 Attorney and send the Offering Information to you. There will be clear, step-by-step Guidelines as to the required signatures, acknowledgments and where to return the documents and your funds. If you do not have an experienced EB-5 Attorney, please let us know and we can provide referrals.

Your investment funds will be held at the Heritage Bank of Commerce until your I-526 is approved. **Only after your I-526 is approved will the principal amount of your funds be released to the project company by the Escrow Agent, Heritage Bank of Commerce.** We have included a one-page flowchart of the immigration process. As you will note from this chart, the goal is approval of the I-829 Form, which is the removal of the conditional status of your Visa.

We believe that the CEIC has many advantages, not the least of which is the many years of experience the principals bring to the center. Their involvement in the EB-5 Program since the 1990's and their knowledge of the varied requirements necessary to successfully complete this process has provided valuable assistance to many. We feel confident that we can put this experience to work for you.

Dr. Joseph J. Penbera, Chairman

California Energy Investment Center, LLC  
Phone: +1 877 808 2342  
Email: [info@ceic.us.com](mailto:info@ceic.us.com)  
[www.CalEnergyInvestment.com](http://www.CalEnergyInvestment.com)

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THE LETTER AND ACCOMPANYING EXECUTIVE SUMMARIES ARE NEITHER AN OFFER TO SELL NOR A SOLICITATION TO BUY SECURITIES. THE MATERIALS CONTAINED IN THESE PAGES ARE FOR INFORMATIONAL PURPOSES ONLY IN ORDER TO FACILITATE PRIVATE DISCUSSION CONCERNING A PROPOSED BUSINESS OPPORTUNITY BETWEEN A LIMITED NUMBER OF INTERESTED PERSONS AND OIL EXTRACTION, LP, SOLAR POWER GENERATION, LP, AND ADVANCED BIOENERGY, LP. BECAUSE THESE MATERIALS ARE A SUMMARY, THEY DO NOT CONTAIN ALL OF THE INFORMATION THAT SHOULD BE CONSIDERED BEFORE INVESTING.

ONLY AN AUTHORIZED REPRESENTATIVE OF OIL EXTRACTION, LP, ADVANCED BIOENERGY, LP, OR SOLAR POWER GENERATION, LP, CAN MAKE AN OFFER, WHICH WILL BE MADE ONLY WHEN PRECEDED OR ACCOMPANIED BY CONFIDENTIAL OFFERING INFORMATION AND A SUBSCRIPTION PACKAGE. SUBSCRIPTION PACKAGES ARE PROVIDED TO PROSPECTIVE INVESTORS AFTER THE **ENCLOSED INVESTOR QUESTIONNAIRE** IS RETURNED TO THE CALIFORNIA ENERGY INVESTMENT CENTER AND REVIEWED.

IF YOU NEED ADDITIONAL INFORMATION OR INVESTOR QUESTIONNAIRES PLEASE CONTACT:

Michael Penbera:	1 916 990 6599
Kathy Cole:	1 408 517 3304
Email:	<a href="mailto:info@ceic.us.com">info@ceic.us.com</a>
CEIC Office:	1 408 517 3308
CEIC Fax:	1 408 873-0550

California Energy



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### **About the California Energy Investment Center**

- CEIC was approved as an EB-5 Regional Center by the U.S. Citizenship and Immigration Service on August 11, 2009. Investors qualify for the ***lower investment threshold of \$500,000*** because the CEIC designated area qualifies as a Targeted Employment Area.
- CEIC is the ***only EB-5 Regional Center whose focus is on alternative energy investments*** including:
  - \*Solar Power
  - \*Oil Extraction
  - \*Biomass Conversion
  - \*Wind Power Generation
  - \*Water Recovery
  - \*Geothermal Power Generation
  - \*Environmental Technologies
- The CEIC is ***unique in that its project companies are owned and operated by public companies***; investors can track information about the parent company and their projects through quarterly and annual filings with the U.S. Securities and Exchange Commission (SEC) and through finance news services such as Yahoo! Finance.
- The CEIC has offices in Cupertino in the Silicon Valley of California, in Fresno in the Central Valley, and near Sacramento, the State Capitol.

Website: [www.CalEnergyInvestment.com](http://www.CalEnergyInvestment.com)

California Energy



Investment Center LLC

### **Professional Management**

The Chairman of the CEIC, **Dr. Joseph Penbera**, is a former Senior Fulbright Scholar, University Dean, and one of the leading forecast economists in the nation. Dr. Penbera has been a director of several major U.S. corporations and has significant international experience. Dr. Penbera has formal training in four languages.

**Andrew Young**, President and Director, has had a long history with EB-5 from its first passage in the U.S. Senate. Mr. Young also brings over two decades of fundraising experience (campaign, private equity and venture capital) to the team and has assisted in raising more than \$1 billion in capital. Mr. Young manages a holding company specializing in energy production and distribution, and is fluent in Chinese.

The Executive Director, **Michael Penbera**, attended Seton Hall University in New Jersey and received his degree after transferring to California State University Sacramento. Mr. Penbera has proven sales and marketing success, generating more than 270 million dollars in revenue. His expertise is in designing and implementing successful marketing strategies, securing appropriate client financing, ensuring timely closings of escrows, and developing and executing business plans through open and constant communication.

### **Escrow Agent**

The Escrow Agent for the CEIC is Heritage Bank, San Jose, California. Heritage provides federal government protection of CEIC bank accounts and is familiar with EB-5 processes, including the bank-to-bank clearances required by the **U.S. Office of Financial Asset Control (OFAC)**.



### **USCIS IMMIGRATION PROCEDURES**

1. **LEGAL COUNSEL FOR INVESTOR SUBMITS IMMIGRANT PETITION (I-526).**
2. **UPON APPROVAL OF I-526, U.S. DEPARTMENT OF STATE ISSUES INSTRUCTION PACKET FOR IMMIGRANT VISA APPLICANTS (DS-2001 & DS 230i) WHICH CONTAINS INFORMATION AND FORMS FOR INVESTOR COMPLETION PRIOR TO SCHEDULING A VISA INTERVIEW.**
3. **INVESTOR IS NOTIFIED OF U.S. CONSULATE INTERVIEW DATE AND RECEIVES APPOINTMENT PACKAGE FOR IMMIGRANT VISA APPLICANTS (DS-230ii). MEDICAL EXAMINATION IS REQUIRED.**
4. **U.S. CONSULATE INTERVIEW (CONDITIONAL VISA IS GRANTED USUALLY AT THE TIME OF INTERVIEW).**
5. **IMMIGRANT ENTERS THE U.S. WITHIN 180 DAYS AFTER VISA APPROVAL.**
6. **LEGAL COUNSEL FILES APPLICATION FOR I-829 FOR UNCONDITIONAL VISA (21-24 MONTHS AFTER U.S. ENTRY)**
7. **CONDITIONAL STATUS OF THE VISA IS REMOVED. (GREEN CARD ISSUED.)**
8. **U.S. CITIZENSHIP OPTIONAL (60 MONTHS AFTER U.S. ENTRY).**

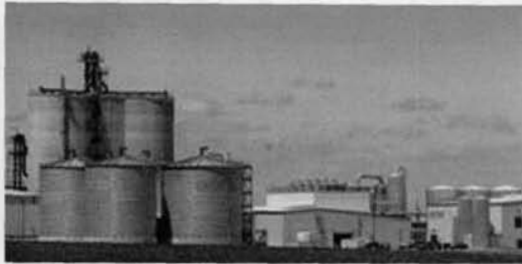


California Energy



Investment Center LLC

## SECTOR: BIOENERGY GENERATION



- The following represents a general description of the bioenergy generation industry within the geographical scope of the regional center.
- The process calls for the retrofit of existing non-operating ethanol plants to bring these plants back into production and to upgrade them to enable the plants to replace a portion of the corn used for ethanol production with renewable biomass and agricultural-waste feedstocks such as corn stover, wheat straw and switch-grass.

### Opportunity

- **The State of California mandates that every gallon of gasoline sold must include ten percent (10%) ethanol.**
- Estimated market demand is 1.4 **billion** gallons per year and there is insufficient supply to meet this demand. California is the 3rd largest biofuel market in the world.
- The California Energy Commission recently announced an **ethanol production incentive** to help restart idle ethanol production facilities by providing **price assurance**.
- California's **Low Carbon Fuel Standard (LCFS)** mandates alternative fuels be produced *within California* starting in 2011.
- U.S. government **Renewable Fuel Standard (RFS)** has mandated the **production and use** of cellulosic (non-food) based biofuels in 2010 and beyond.

### Advantages

- Four of the largest ethanol plants in California are currently **not operating** and are **available to purchase**.
- The project has an opportunity to produce a large percentage of ethanol **mandated by the State**, and to take advantage of premium pricing and **production incentives**.
- **Low production costs** and **Federal Tax Credits** for cellulosic ethanol production (tax credit of **\$1.01 per gallon**)

California Energy Investment Center, LLC  
Phone: +1 877 808 2342  
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[www.CalEnergyInvestment.com](http://www.CalEnergyInvestment.com)

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## SECTOR: SOLAR POWER GENERATION



- The following represents a general description of the solar power generation industry within the geographic scope of the regional center
- The operational plan is to **develop, own and operate large-scale solar farms** as a Solar Independent Power Producer (SIPP)

### Opportunity

- **Government backing and support on renewable energy sources** due to potential new carbon tax on traditional hydrocarbon-based energy (coal).
- **Climate change concerns** improve solar's competitiveness.
- **Solar industry grew over 40% from 2003 to 2007.** Growth is expected to continue at the same or higher rates.
- Technical innovations, government incentives, long-term agreements with utility companies ("off-take agreements") to sell the electricity to credit-worthy customers and excellent solar sites located near existing power lines create a growth opportunity.

### Advantages



- **U.S. government grants and California state tax incentives total \$3.2 billion over the next 10 years** to promote renewable energy.

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Email: [info@ceic.us.com](mailto:info@ceic.us.com)  
[www.CalEnergyInvestment.com](http://www.CalEnergyInvestment.com)

California Energy



Investment Center LLC

## SECTOR: ADVANCED TECHNOLOGY FOR FOSSIL FUEL OIL EXTRACTION



- The following represents a general description of the fossil fuel oil extraction industry within the geographic scope of the regional center.
- Operational plan is to **locate, build or modify an existing production facility and refurbish used rigs** for deployment to the major crude oil and natural gas producing basins in North America.

### Opportunity

- Rising commodity prices have **increased drilling activity** for oil and natural gas.
- **Demand** for natural gas **continues to increase** as it is designated as a "**CLEAN**" fuel source and more natural gas electrical plants come on-line.
- While United States oil and natural gas production volumes continue to decline, the project's production **stimulation process** can help offset this decline by **increasing both initial flow volumes and ultimate recoveries** from new and existing wells. The following chart depicts recent trends in well production.

### Advantages

- Application of this new technology involves **re-entering existing wells and avoiding the environmental disruption of drilling new wells** to add to currently producing fields.
- **Facilitates additional production by expanding the vertical wellbore's area of contact with the reservoir** — both vertically across different producing horizons **and** horizontally through those horizons.
- The process is **environmentally attractive**. It *avoids* the need to drill additional in-fill vertical or directional wells in the same field. (In-fill, or 'development wells,' represent **the majority of wells drilled in the industry** and often require site remediation following a job completion.)

California Energy



Investment Center LLC

## KEY TERMS OF INVESTMENT

Project Company is USCIS approved and compliant	<p>Full compliance with United States Citizenship and Immigration Services ("USCIS") EB-5 program requirements.</p> <p>Public company disclosures, SEC oversight and investment liquidity are unique for an EB5 project.</p>
5 year term Loan with annual Interest payments	<p>The Note bears an annual interest rate of 3%. The Investor will receive 2% and the General Partnership will retain 1%. These cash distributions will be payable quarterly, for each year that Note is outstanding. At end of the 5 year term, investor receives repayment of loan.</p>
Loan and Interest may be Converted into Stock of Public Company	<p>After the fourth year, the Investor may choose to convert the Note into shares of common stock of Public Company.</p>
Investor may choose to participate in stock appreciation	<p>If Note is converted to common stock, any gain in market value of the common stock over the initial investment value shall be distributed 2/3 to the Investor and 1/3 to the General Partnership. Investors can monitor progress of project company and stock performance through the public markets (for example, the Internet or filings with the United States Securities Exchange Commission).</p>



## FEE STRUCTURE

- **\$539,000** Subscription Amount - Paid by Applicant/Investor to Escrow Account:
  - Deposited to Escrow Account at Heritage Bank.
  - CEIC reviews Investor Questionnaire and accepts or denies Subscription.
  - If the Applicant is not accepted by the CEIC, all funds are immediately returned to investor.
- **\$500,000** Project Investment – Escrow Account.
  - Held in Escrow Account until I-526 is approved by the USCIS.
  - All \$500,000 is returned to Applicant/Investor if the I-526 is not approved.
- **\$39,000** Administrative and Offering Costs – Escrow Account.
  - Funds are released to the CEIC upon acceptance of the Investor Questionnaire.
  - For use with EB5 and Offering Expenses which include:
    - Legal Fees of Regional Center, Accounting, Administrative Support (USRCS), Taxes, Escrow Bank Costs, Printing, Third-Party Commissions and Immigration, EB5 Qualification and Compliance. Finders will be compensated up to \$20,000, plus a potential participation in the increase in stock value based upon meeting certain funding commitments.
- If USCIS has not taken action to approve I-526 within 10 months or if the I-526 is denied by the USCIS, the \$500,000 Project Investment will be returned, as well as \$20,000 of the Administrative and Offering Costs. The remaining \$19,000 is retained by the CEIC for costs and not returned to Applicant/Investor.
- Applicant/Investor immigration attorney fees (I-526 filing fees, fingerprint and federal expenses) are the responsibility of Applicant and paid separately. The CEIC can provide a list of Immigration Attorneys.

U.S. Department of Homeland Security  
24000 Avila Road, 2<sup>nd</sup> Floor  
Laguna Niguel, CA 92677



U.S. Citizenship  
and Immigration  
Services

August 12, 2009

Andrew Young  
c/o California Energy Investment Center, LLC  
P.O. Box 19000  
Palo Alto, CA 94309

File No. W09000530

Application: Request for Designation as a Regional Center  
Applicant(s): Andrew Young

Re: California Energy Investment Center, LLC

Pursuant to Section 610 of the Appropriations Act of 1993, on March 10, 20097, California Energy Investment Center, LLC (CEIC) submitted a proposal seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the California Energy Investment Center, LLC (CEIC).

Based on its review and analysis of the request to designate the California Energy Investment Center, LLC, the, business plan, and supplementary evidence, the U.S. Citizenship and Immigration Services (USCIS) approves the designation of the Regional Center as described below.

**GEOGRAPHIC AREA:**

The California Energy Investment Center, LLC shall include all of Merced, Madera, San Benito, Fresno, Kings, Tulare, Kern, San Bernardino, Riverside and Imperial counties in California.

**FOCUS OF INVESTMENT ACTIVITY:**

As depicted in the economic model, the general proposal and the economic analysis, the Regional Center will engage in the economic activities of construction, manufacturing, installation, maintenance and operation of equipment and facilities within the field (economic cluster) of energy and oil production, concentrating on developing alternative sources of energy such as solar and biofuels. If any investment opportunities arise that are beyond the scope of the approved industry clusters, then an amendment would be required to add that cluster.

California Energy Investment Center, LLC  
Page 2

Aliens seeking immigrant visas through the Immigrant Investor Pilot Program may file individual petitions with USCIS for these commercial enterprises located within the approved Regional Center area.

The geographic focus of this area may contain some High Unemployment Targeted Employment Areas (TEAs) as designated by the State of California, and rural TEAs as defined in 8 CFR 204.6(e). Therefore, the minimum capital investment threshold for any individual immigrant investment into an approved commercial enterprise throughout the Regional Center shall be not less than \$500,000, if the investment target is located within a TEA or \$1,000,000 if it is located outside of a TEA. No debt arrangement will be acceptable unless it is secured by assets owned by the alien entrepreneur. A full capital investment must be made and placed at risk.

#### **EMPLOYMENT CREATION**

Immigrant investors who file petitions for commercial enterprises located in the Regional Center area must fulfill all of the requirements set forth in 8 CFR 204.6, except that the petition need not show that the new commercial enterprises created ten new jobs directly as a result of the immigrant investor's investment. This determination has been established by way of USCIS' acceptance of the final economic analysis that is contained as part of the approved Regional Center proposal and its indirect job creation model and multipliers contained within the final approved Regional Center application package. Rather, the investor must show at the time of removal of conditions that they performed the activities described in the model and on which the approved methodology is based.

While both the IMPLAN and RIMS II economic models are approved for use in demonstrating job creation, only one model may be used by an I-526 Immigrant Petition by Alien Entrepreneur investor. In cases where multiple I-526 investors invest in a single commercial entity, all the I-526 investors in that enterprise must use the same economic model, either IMPLAN or RIMS II, and this one model must be used again at the time of the filing of the I-829 Petition by Entrepreneur to Remove Conditions. In addition, where job creation or preservation of existing jobs is claimed based on a multiplier rooted in underlying new "direct jobs", the immigrant investor's individual I-526 petition affiliated with your Regional Center, should include as supporting evidence:

- A comprehensive detailed business plan with supporting financial, marketing and related data and analysis providing a reasonable basis for projecting creation of any new direct jobs for "qualifying employees" to be achieved/realized within two years pursuant to 8 CFR 204.6(j)(4)(B).

An alien investor's I-829 petition to remove the conditions which was based on an I-526 petition approval that involved the creation of new direct jobs or the creation of new indirect jobs based on a multiplier tied to underlying new direct jobs needs to be properly supported by evidence of job creation. To support the full number of direct and indirect new jobs being claimed in connection with removal of conditions, the petition will need to be supported by probative evidence of the number of new direct full time (35 hours per week) jobs for qualified employees whose positions have been created as a result of the alien's investment. Such evidence may include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of qualified employees whose jobs were created directly.

California Energy Investment Center, LLC  
Page 3

**Additional Guidelines for individual Immigrant Investors Visa Petition (I-526)**

Each individual petition, in order to demonstrate that it is associated with the Regional Center, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain as supporting evidence relating to this Regional Center designation, the following:

1. A copy of this letter, the Regional Center approval and designation.
2. A copy of the USCIS approved Regional Center narrative proposal and business plan.
3. A copy of the job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in the final Regional Center economic analysis which has been approved by USCIS, which reflects that investment by an individual immigrant investor will create not fewer than ten (10) full-time employment positions, either directly or indirectly, per immigrant investor.
4. A legally executed copy of the USCIS approved:
  - a. Private Placement Offering Memorandum;
  - b. Escrow Agreement;
  - c. Subscription Agreement;
  - d. Limited Partnership Agreement; and
  - e. The Escrow Instructions.

**DESIGNEE'S RESPONSIBILITIES INHERENT IN CONDUCT OF THE REGIONAL CENTER:**

The law, as reflected in the regulations at 8 CFR 204.6(m)(6), requires that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether your Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information on a quarterly basis in order to report to USCIS upon request the following year to date information for each Federal Fiscal Year<sup>1</sup>, commencing with the initial year as follows:

1. Provide the principal authorized official and point of contact of the Regional Center responsible for the normal operation, management and administration of the Regional Center.
2. Be prepared to explain how you are administering the Regional Center and how you will be actively engaged in supporting a due diligence screening of its alien investors' lawful source of capital and the alien investor's ability to fully invest the requisite amount of capital.
3. Be prepared to explain the following:

---

<sup>1</sup> A Federal Fiscal Year runs for twelve consecutive months from October 1<sup>st</sup> to September 30<sup>th</sup>.



California Energy Investment Center, LLC  
Page 4

- a. How the Regional Center is actively engaged in the evaluation, oversight and follow up on any proposed commercial activities that will be utilized by alien investors.
  - b. How the Regional Center is actively engaged in the ongoing monitoring, evaluation, oversight and follow up on any investor commercial activity affiliated through the Regional Center that will be utilized by alien investors in order to create direct and/or indirect jobs through qualifying EB-5 capital investments into commercial enterprises within the Regional Center.
4. Be prepared to provide:
  - a. the name, date of birth, petition receipt number, and alien registration number (if one has been assigned by USCIS) of each principal alien investor who has made an investment and has filed an EB-5/I-526 Petition with USCIS, specifying whether:
    - i. the petition was filed,
    - ii. was approved,
    - iii. denied, or
    - iv. withdrawn by the petitioner, together with the date(s) of such event.
  - b. The total number of visas represented in each case for the principal alien investor identified in 4.a. above, plus his/her dependents (spouse and children) for whom immigrant status is sought or has been granted.
  - c. The country of nationality of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - d. The U.S. city and state of residence (or intended residence) of each alien investor who has made an investment and filed an EB-5/I-526 petition with USCIS.
  - e. For each alien investor listed in item 4.a., above, identify the following:
    - i. the date(s) of investment in the commercial enterprise;
    - ii. the amount(s) of investment in the commercial enterprise; and
    - iii. the date(s), nature, and amount(s) of any payment/remuneration/profit/return on investment made to the alien investor by the commercial enterprise and/or Regional Center from when the investment was initiated to the present.
5. Be prepared to identify/list each of the target industry categories of business activity within the geographic boundaries of your Regional Center that have:
  - a. received alien investors' capital, and in what aggregate amounts;
  - b. received non-EB-5 domestic capital that has been combined and invested together, specifying the separate aggregate amounts of the domestic investment capital;
  - c. of the total investor capital (alien and domestic) identified above in 5.a and 5.b, identify and list the following:
    - i. The name and address of each "direct" job creating commercial enterprise.
    - ii. The industry category for each indirect job creating investment activity.
6. Be prepared to provide:

California Energy Investment Center, LLC  
Page 5

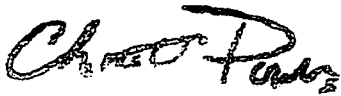
- a. The total aggregate number of approved EB-5 alien investor I-526 petitions per each Federal Fiscal Year to date made through your Regional Center.
  - b. The total aggregate number of approved EB-5 alien investor I-829 petitions per each Federal Fiscal Year to date through your Regional Center.
7. The total aggregate sum of EB-5 alien capital invested through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
8. The combined total aggregate of "new" direct and/or indirect jobs created by EB-5 investors through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
9. If applicable, the total aggregate of "preserved" or saved jobs by EB-5 alien investors into troubled businesses through your Regional Center for each Federal Fiscal Year to date since your approval and designation.
10. If for any given Federal Fiscal Year your Regional Center did or does not have investors to report, then provide:
  - a. a detailed written explanation for the inactivity,
  - b. a specific plan which specifies the budget, timelines, milestones and critical steps to:
    - i. actively promote your Regional Center program,
    - ii. identify and recruit legitimate and viable alien investors, and
    - iii. a strategy to invest into job creating enterprises and/or investment activities within the Regional Center.
11. Regarding your website, if any, please be prepared to provide a hard copy which represents fully what your Regional Center has posted on its website, as well as providing your web address. Additionally, please provide a packet containing all of your Regional Center's hard copy promotional materials such as brochures, flyers, press articles, advertisements, etc.
12. Finally, please be aware that it is incumbent on each USCIS approved and designated Regional Center, in order to remain in good standing, to notify the USCIS within 15 business days at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov) of any change of address or occurrence of any material change in:
  - the name and contact information of the responsible official and/or Point of Contact (POC) for the RC
  - the management and administration of the RC,
  - the RC structure,
  - the RC mailing address, web site address, email address, phone and fax number,
  - the scope of the RC operations and focus,
  - the RC business plan,
  - any new, reduced or expanded delegation of authority , MOU, agreement, contract, etc. with another party to represent or act on behalf of the RC,
  - the economic focus of the RC, or

California Energy Investment Center, LLC  
Page 6

- any material change relating to your Regional Center's basis for its most recent designation and/or reaffirmation by USCIS.

If you have any questions concerning the Regional Center approval and designation under the Immigrant Investor Pilot Program, please contact the USCIS by Email at [USCIS.ImmigrantInvestorProgram@dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@dhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Christina Poulos", written in a cursive style.

Christina Poulos  
Director  
California Service Center



July 9, 2010

Mr. Michael Peterson, Chairman  
Solargen Energy, Inc.  
20400 Stevens Creek Blvd.  
Suite 740  
Cupertino, CA 95014

*Serving the Cities of:*

Clovis

Coalinga

Firebaugh

Fowler

Fresno

Huron

Kerman

Kingsburg

Mendota

Parlier

Reedley

San Joaquin

Sanger

Selma

*and*

*The County of Fresno*

Dear Mr. Peterson,

I enthusiastically support the Solargen solar farm project in Fresno County (Panoche Valley). This will be one of the largest projects of its kind in the U.S. and a major creator of jobs. As important, we are pleased by Solargen Energy Inc.'s efforts to expand renewable energy and advanced technology through the California Energy Investment Regional Center (CEIC), an approved regional investment center designated by the U.S. Citizenship and Immigration Services(USCIS) in the Department of Homeland Security. These investment projects are of significant economic benefit to all of the communities in Fresno and San Benito counties because they assist a wide variety of businesses and generate support to economic and social services.

Solargen Energy Inc., through CEIC, will enable foreign private investors to provide capital that will directly support and generate job growth in our region. We are very excited that a projected 1060 direct and indirect jobs will be created. Fresno and the Central Valley of California constitutes an ideal location for the Solargen Energy Inc. solar farm because of both the natural and human resources available to develop solar power. The region has one of the nation's highest numbers of sun days; the Solargen acreage has direct access to existing Pacific Gas and Electric power transmission lines. In addition, there are plentiful technical and business services and human resources in the area that can serve the needs of the solar farm.

I'm pleased that Solargen Energy, Inc. has been approved by the USCIS as an investment project under the EB-5 Program approved by the U.S. Congress. I wish you success as you move forward to create new jobs that will enable California to continue its leadership role as the world's center for advanced energy development.

Sincerely,

Steve Geil, President/CEO  
Economic Development Corporation *serving* Fresno County

California Energy



Investment Center LLC

P.O. Box 19000  
Palo Alto, CA 94309

August 19, 2009

Michael Peterson  
Solargen Energy, Inc.  
20400 Stevens Creek Blvd.  
Suite 740  
Cupertino, CA 95014

Subject: Solargen Energy, Inc. designation as an approved EB-5 project company

Pursuant to Section 610 of the Appropriations Act of 1993, on March 10, 2009, Solargen Energy, Inc. in partnership with California Energy Investment Center, LLC (CEIC) submitted an application seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the California Energy Investment Center, LLC (CEIC) and project company Solargen Energy, Inc.

Based on its review and analysis of the request to approve the California Energy Investment Center, LLC and Solargen Energy, Inc. the business plan, and supplementary evidence, the U.S. Citizenship and Immigration Services (USCIS) approved the designation of the CEIC as a regional center and Solargen Energy, Inc. as an approved EB-5 project effective August 12, 2009.

As an approved EB-5 project through the USCIS, Solargen Energy, Inc. has been approved for the geographic area including all of Merced, Madera, San Benito, Fresno, Kings, Tulare, Kern, San Bernardino, Riverside, and Imperial counties in California. Solargen Energy, Inc. geographic focus contains Targeted Employment Areas (TEAs) as designated by the State of California, and rural TEAs as defined in 8 CFR 204.6(e). Therefore the minimum capital investment threshold for any individual immigrant investment into Solargen Energy, Inc. under the EB-5 program shall be \$500,000.

Solargen Energy, Inc. EB-5 project has been approved for up to 60 investors at a minimum investment of \$500,000.

A copy of the job creation methodology required in 8 CFR 204.6(j) (4) (iii), as contained in the final CEIC economic analysis which has been approved by USCIS reflects that investments by an individual immigrant investor require that the approved project company (Solargen Energy, Inc.) will create not fewer than ten (10) full time employment positions, either directly or indirectly, per immigrant investor.

As an approved EB-5 project, Solargen Energy, Inc. will be required to provide documentation proving the creation of new direct jobs or the creation of new indirect jobs based on a multiplier tied to underlying new direct jobs properly supported by evidence of job creation. Solargen Energy, Inc. job creation will need to be supported by probative evidence of the number of new direct full time (35 hours per week) jobs for qualified employees whose positions have been created as a result of the alien investment. Such evidence may include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of qualified employees whose jobs were created directly.

If you have any questions concerning Solargen Energy, Inc. project approval under the California Energy Investment Center, LLC designation under the Immigrant Investor Pilot Program, please contact me at [info@ceic.us.com](mailto:info@ceic.us.com)

Sincerely,



Michael J. Penbera  
Executive Director  
California Energy Investment Center, LLC

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0025  
(916) 319-2025  
FAX (916) 319-2125

DISTRICT OFFICE  
1912 STANDIFORD AVE., SUITE 4  
MODESTO, CA 95350  
(209) 576-6425  
FAX (209) 576-6426

E-MAIL  
assemblymember.berryhill@assembly.ca.gov

# Assembly California Legislature



**TOM BERRYHILL**  
ASSEMBLYMEMBER, TWENTY-FIFTH DISTRICT

COMMITTEES  
VICE CHAIR, HUMAN SERVICES  
AGRICULTURE  
WATER, PARKS AND WILDLIFE

June 21, 2010

California Energy Commission  
Grants and Loans Office  
1516 Ninth Street, MS-1  
Sacramento, CA 95814  
(916) 654-4584

**Re: AE Advanced Biofuel Production Grant (PON-09-604)**

Dear Commissioner Boyd, Commissioner Eggert, and Members of the Commission,

We are writing to express our strong support for the recent grant application (under CEC PON-09-604) submitted by AE Advanced Fuels Keyes, Inc. (AEAFK) to create a next-generation cellulosic ethanol facility. The pre-commercial facility will be located next to an existing 55 million gallon per year ethanol production facility in Keyes, California which will be operated by AEAFK's parent company, Cupertino based AE Biofuels, Inc. The project will leverage the operating facility to expedite the introduction of large scale volume production of advanced cellulosic ethanol in California.

Grant support for this facility is on-point consistent with the Administration's current policy direction, including Assembly Bill 118 and Governor's Executive Order S-06-06. Indeed, this facility has the potential to – in the words of Governor Schwarzenegger - “reduce California's dependence on petroleum-based fuels,” while at the same time it will strengthen our economy, local job creation and our environment protection.

AE Biofuels has developed a patent-pending cellulosic ethanol technology that will utilize abundant agricultural waste from California's central valley to produce next-generation, ultra-low carbon fuel ethanol. The company plans to relocate its existing research and development demonstration facility from Butte, Montana to the Keyes, California site to accelerate the research and pre-development of the technology. Work done at the Keyes pre-commercial facility will focus on characterizing various California agricultural waste feedstocks (wheat straw, corn stover, cotton waste etc.) and to refine the company's proprietary enzymes for large scale commercial utilization. The pre-commercial facility will produce batches of second-generation fuel grade ethanol that will be utilized for testing and green house gas emissions profile analysis.

By locating the pre-commercial plant near the Keyes plant, AEAFK will be able to quickly accelerate the full commercialization of the technology into an existing ethanol facility and utilize the infrastructure for storage, handling, and processing of non-food feedstock inputs. AEAFK's cellulosic technology and use of local non-food agricultural waste inputs are expected to reduce the amount of corn used at the Keyes ethanol plant by 25%, or 14,168 bushels per day. This integration will reduce the GHG pathway score for the facility as less corn will be required to be railed in from

the Midwest, and will help California achieve its Bioenergy Action Plan goals of producing more fuels within the State, and having those fuels be of an increasingly lower carbon-intensity.

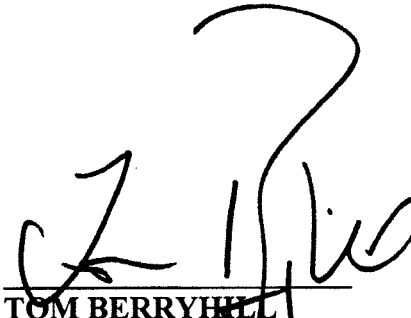
Restarting the ethanol plant will create 50 direct jobs, and an estimated 300 indirect jobs in Stanislaus County, which currently has an unemployment rate of 19%. The pre-commercial facility will add additional new jobs that will transfer to the operating ethanol facility when the technology is fully implemented.

We believe that AEAF's approach is in keeping with the stated goals of AB 118 an Executive Order S-06-06: developing renewable low carbon fuels, encouraging the use of existing agricultural waste/energy crops in the place of food crops, and the creation of new jobs.

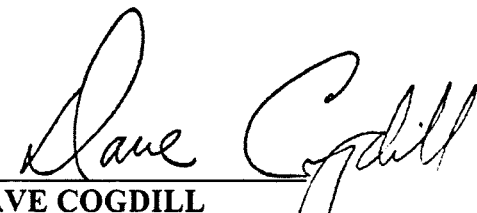
We strongly urge the California Energy Commission to approve AE Advanced Fuels' request for funding under the Biofuel Production Grant Program.

Thank you in advance for your consideration.


Sincerely,



**TOM BERRYHILL**  
Assemblyman, 25<sup>th</sup> District



**DAVE COGDILL**  
Senator, 14<sup>th</sup> District



**JEFF DENHAM**  
Senator, 12<sup>th</sup> District

Cc: Advisory Committee, Tim Olson, Jim McKinney, Mike Smith, Charles Mizutani, Peter Ward



California Energy



Investment Center LLC

P.O. Box 19000  
Palo Alto, CA 94309

August 19, 2009

Eric McAfee  
AE Biofuels, Inc.  
20400 Stevens Creek Blvd.  
Suite 700  
Cupertino, CA 95014

Subject: AE Biofuels, Inc. designation as an approved EB-5 project company

Pursuant to Section 610 of the Appropriations Act of 1993, on March 10, 2009, AE Biofuels, Inc. in partnership with California Energy Investment Center, LLC (CEIC) submitted an application seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the California Energy Investment Center, LLC (CEIC) and project company AE Biofuels, Inc.

Based on its review and analysis of the request to approve the California Energy Investment Center, LLC and AE Biofuels, Inc. the business plan, and supplementary evidence, the U.S. Citizenship and Immigration Services (USCIS) approved the designation of the CEIC as a regional center and AE Biofuels, Inc. as an approved EB-5 project effective August 12, 2009.

As an approved EB-5 project through the USCIS, AE Biofuels, Inc. has been approved for the geographic area including all of Merced, Madera, San Benito, Fresno, Kings, Tulare, Kern, San Bernardino, Riverside, and Imperial counties in California. AE Biofuels, Inc. geographic focus contains Targeted Employment Areas (TEAs) as designated by the State of California, and rural TEAs as defined in 8 CFR 204.6(e). Therefore the minimum capital investment threshold for any individual immigrant investment into AE Biofuels, Inc. under the EB-5 program shall be \$500,000.

AE Biofuels, Inc. EB-5 project has been approved for up to 60 investors at a minimum investment of \$500,000.

A copy of the job creation methodology required in 8 CFR 204.6(j) (4) (iii), as contained in the

final CEIC economic analysis which has been approved by USCIS reflects that investments by an individual immigrant investor require that the approved project company (AE Biofuels, Inc.) will create not fewer than ten (10) full time employment positions, either directly or indirectly, per immigrant investor.

As an approved EB-5 project, AE Biofuels, Inc. will be required to provide documentation proving the creation of new direct jobs or the creation of new indirect jobs based on a multiplier tied to underlying new direct jobs properly supported by evidence of job creation. AE Biofuels, Inc. job creation will need to be supported by probative evidence of the number of new direct full time (35 hours per week) jobs for qualified employees whose positions have been created as a result of the alien investment. Such evidence may include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of qualified employees whose jobs were created directly.

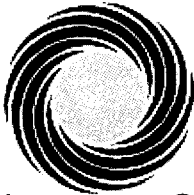
If you have any questions concerning AE Biofuels, Inc. project approval under the California Energy Investment Center, LLC designation under the Immigrant Investor Pilot Program, please contact me at [info@ceic.us.com](mailto:info@ceic.us.com)

Sincerely,



Michael J. Penbera  
Executive Director  
California Energy Investment Center, LLC

California Energy



Investment Center LLC

P.O. Box 19000  
Palo Alto, CA 94309

August 19, 2009

Roger P. Herbert  
Blast Energy Services, Inc.  
14550 Torrey Chase Blvd.  
Suite 330  
Houston, TX 77014

Subject: Blast Energy Services, Inc. designation as an approved EB-5 project company

Pursuant to Section 610 of the Appropriations Act of 1993, on March 10, 2009, Blast Energy Services, Inc. in partnership with California Energy Investment Center, LLC (CEIC) submitted an application seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the California Energy Investment Center, LLC (CEIC) and project company Blast Energy Services, Inc.

Based on its review and analysis of the request to approve the California Energy Investment Center, LLC and Blast Energy Services, Inc. the business plan, and supplementary evidence, the U.S. Citizenship and Immigration Services (USCIS) approved the designation of the CEIC as a regional center and Blast Energy Services, Inc. as an approved EB-5 project effective August 12, 2009.

As an approved EB-5 project through the USCIS, Blast Energy Services, Inc. has been approved for the geographic area including all of Merced, Madera, San Benito, Fresno, Kings, Tulare, Kern, San Bernardino, Riverside, and Imperial counties in California. Blast Energy Services, Inc. geographic focus contains Targeted Employment Areas (TEAs) as designated by the State of California, and rural TEAs as defined in 8 CFR 204.6(e). Therefore the minimum capital investment threshold for any individual immigrant investment into Blast Energy Services, Inc. under the EB-5 program shall be \$500,000.

Blast Energy Services, Inc. EB-5 project has been approved for up to 60 investors at a minimum investment of \$500,000.

A copy of the job creation methodology required in 8 CFR 204.6(j) (4) (iii), as contained in the final CEIC economic analysis which has been approved by USCIS reflects that investments by an individual immigrant investor require that the approved project company (Blast Energy Services, Inc.) will create not fewer than ten (10) full time employment positions, either directly or indirectly, per immigrant investor.

As an approved EB-5 project, Blast Energy Services, Inc. will be required to provide documentation proving the creation of new direct jobs or the creation of new indirect jobs based on a multiplier tied to underlying new direct jobs properly supported by evidence of job creation. Blast Energy Services, Inc. job creation will need to be supported by probative evidence of the number of new direct full time (35 hours per week) jobs for qualified employees whose positions have been created as a result of the alien investment. Such evidence may include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of qualified employees whose jobs were created directly.

If you have any questions concerning Blast Energy Services, Inc. project approval under the California Energy Investment Center, LLC designation under the Immigrant Investor Pilot Program, please contact me at [info@ceic.us.com](mailto:info@ceic.us.com)

Sincerely,



Michael J. Penbera  
Executive Director  
California Energy Investment Center, LLC