

October 17, 2014

**Comments of the Independent Energy Producers Association on  
CARB's Proposed Amendments to the Regulation for the  
Mandatory Reporting of Greenhouse Gas Emissions  
(Released October 2, 2014)**

The Independent Energy Producers Association (IEP) submits these comments on the Proposed Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions, released October 2, 2014. In these proposed "15-Day Changes" the CARB has proposed new language in Section 95111(b)(2) that reads as follows:

*In order to register a specified unit(s) source of power pursuant to section 95111(g)(1), the reporting entity must provide to ARB unit level GHG emissions consistent with the data source requirements of this section and net generation data as reported to the EIA, along with contracts for delivery of power from the specified unit(s) to the reporting entity, and proof of direct delivery of the power by the reporting entity as an import to California.*

As IEP understands it, the proposed language above is only meant to apply to importers that voluntarily wish to register a resource under a "unit" specific emissions factor rather than a facility specific emission factor. IEP believes that the proposed language above would benefit from additional clarity in the Final Statement of Reasons (FSOR) document to indicate that the requirements above (i.e. to submit contractual information) do not apply to in-state facilities, or entities that use facility-specific emission factors. Rather these requirements only apply to entities that voluntarily propose to register using a unit-specific emission factor. Additional explanation in the FSOR will be helpful to clarify that CARB is not imposing new, additional requirements on in-state generators that are already subject to the Mandatory Reporting obligation and out-of-state resources that will continue to use a facility-specific emissions factor.

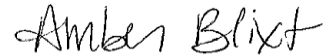
Provided that these clarifications are made, IEP is generally comfortable with CARB's proposal: for those that voluntarily request a unit-specific emission factor, the CARB may require the submission of contractual information related to the delivery of imported power from the specified unit(s) to the reporting entity. However, IEP suggests that any such contractual information provided to the ARB shall be held in confidence by the ARB until such time as the contract information is made publicly available by any governing body, utilities commission, or other regulatory body responsible for approving the power contract. Alternatively, CARB should work with the entities that are providing contractual information to ensure that a sufficient cover of confidentiality is provided.

IEP appreciates the opportunity to comment on the CARB's Proposed Amendments to the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions.

Respectfully Submitted,



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