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Chief Executive Officer

October 12, 2006

Dr. Robert F. Sawyer
Chairman, California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Proposed amendments to the Zero Emission Bus Regulations

Dear Dr. Sawyer,

The Orange County Transportation Authority (OCTA) appreciates the opportunity to comment on the Initial Statement of Reasons (ISOR) for the proposed amendments to the Zero Emission Bus (ZBus) Regulations published on September 1, 2006.

The current regulations, adopted in 2000, allow transit agencies to adopt one of two paths – the diesel path or the alternative-fuel path – each with different timelines for the phase in of the ZBus purchase requirements. Among other things, the currently proposed regulations postpone the purchase requirement by three years for agencies on the diesel path and one to two years for agencies on the alternative-fuel path.

Staff's own recognition that postponement of the effective date due to "high bus costs, and unproven durability, reliability, and ability of the manufacturers to produce the number of buses required by the regulation" demonstrates that perhaps even the currently proposed extension is not enough. Additionally, the ISOR states that the current cost of hydrogen fuel cell buses is five times that of a conventional bus and four times that of other alternative-fuel buses while only providing one-tenth of the reliability. Particularly for alternative-fuel agencies who opt out of the demonstration program, an extension of one year is not likely to provide the kind of technological advancements and cost reductions that would need to occur in that time.

Transit agencies have been on the leading edge of the development of alternative-fuel technologies and continue to support this effort. The OCTA Board of Directors mandated the purchase of alternate fuel buses in October 1998. Today OCTA operates 42 percent of its fleet with alternate fuels. The fleet purchase plan adopted by the Board of Directors in 2006 stipulates 91 percent of the fleet will be alternate fuel by 2010 and 100 percent alternate fuel by 2013.

America's Number 1 Transportation System

Orange County Transportation Authority
550 South Main Street / P.O. Box 14184 / Orange / California 92863-1584 / (714) 560-OCTA (6282)

Because of our aggressive approach to alternate fuels, the OCTA has reduced fleet emissions by 730 tons of NOx, a 65 percent reduction, since 2001, and with the purchase of 400 alternative fuel buses by 2010, emissions savings will exceed 300 tons of NOx per year, a 90 percent reduction over ten years. These significant reductions come at a time when the OCTA fleet has projected growth of 15 percent.

However, regulations that are proposed must reasonably accommodate the market for these products. The manufacturers simply cannot provide the buses at a reasonable price with respectable reliability factors in even the new timeline provided.

The Air Resources Board (ARB) must recognize that transit agencies have a responsibility to meet the current and future demands of their customers at a reasonable cost that the customer base can afford. With the high cost and low reliability that currently exists with this technology, we simply cannot provide that guarantee to our ridership. Reasonable standards for cost, reliability, and availability should be in place before agencies are expected to begin purchasing the technology. OCTA respectfully requests that the Board consider these factors at their October meeting and consider postponing the ZBus purchase requirements until the technology meets the reliability and cost effectiveness needs of transit.

Thank you for the opportunity to provide comments on the proposed regulations. OCTA looks forward to continuing to collaborate with ARB to promote technologies that allow us to provide cost-effective, reliable, and safe transportation to our customers while doing our part to improve California's air quality.

Sincerely,

Arthur T. Leahy

Arthur T. Leahy
Chief Executive Officer

ATL:wv

c: ARB Board Members
Catherine Witherspoon, Executive Officer
Doug Hoffner, Deputy Cabinet Secretary, Office of the Governor