



**NATURAL RESOURCES DEFENSE COUNCIL**  
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*Via: e-mail to [jcostant@arb.ca.gov](mailto:jcostant@arb.ca.gov) and [jblakesl@arb.ca.gov](mailto:jblakesl@arb.ca.gov)*

Jon Costantino and Jeannie Blakeslee  
Office of Climate Change  
California Air Resources Board

Re: Administrative Fee Pursuant to AB 32

Dear Mr. Costantino and Ms. Blakeslee:

We support ARB's proposal to collect a fee to cover the costs of administering and implementing AB 32. We believe the proposed structure is fully in accordance with the requirements and intent of AB 32.

We note with concern that the proposed fee does not simply follow the existing GHG Reporting Protocols, and instead uses a fuel-based structure that does not include electricity imports. As mandated by Health and Safety Code § 38530(b)(2), the Reporting Protocols account for all electricity consumed in California, whether or not it is generated in California. In order to accomplish this, the Reporting Protocols are applicable to electricity generating facilities in California retail providers, and marketers, including those that are the first point of delivery of electricity into California. 17 CA Code Regs §95101(b)(4-6) & 95102(a)(112). These protocols will be the basis of other regulations under AB 32, and they should also be the basis for the administrative fee.

We look forward to participating in the workshop on February 25, and to seeing the draft regulations for the administrative fee.

Sincerely,

Noah Long  
Sustainable Energy Fellow

Kristin Grenfell  
Legal Director, Western Energy and Climate  
Projects