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May 28, 2020

Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

**Re: California Municipal Utilities Association's Comments on California Air Resources Board's Proposed Amendments to the Proposed Advanced Clean Truck Regulation**

Clerk of the Board,

The California Municipal Utilities Association ("CMUA") appreciates the opportunity to submit these comments on the California Air Resources Board's ("CARB") Proposed Amendments to the Proposed Advanced Clean Truck Regulation ("Proposed Amendments").

CMUA is a statewide organization of local public agencies in California that provide electricity and water service to California consumers. CMUA represents 42 publicly owned electric utilities ("POUs") and 44 public water agencies. Collectively CMUA members provide electric service to approximately 24% of Californians and provide water service to approximately 70% of Californians. California's POU's and public water agencies are committed to, and have a strong track record of, providing safe, reliable, affordable and sustainable water and electricity service. Our members support a balanced and cost-effective approach to meeting the states air quality goals that includes renewable transportation fuels in addition to zero-emission technologies to reduce GHG emissions.

On October 22, 2019 CARB released its Proposed Advanced Clean Trucks Regulation and within it established a Large Entity Reporting Requirement.<sup>1</sup> CMUA submitted comments on the Proposed Regulation on December 9, 2019.<sup>2</sup> On May 1, 2020, CARB revised and reposted the Proposed Amendments. While the Proposed Amendments mark an improvement to the Proposed Regulation, they continue to raise concerns about timing and data security.

### **CMUA Supports CARB's Actions to Streamline the Proposed Regulation**

The Proposed Amendments clarify or strike sections of the Proposed Regulation in order to facilitate more clear and accurate reporting.

#### **Subsidiary Reporting<sup>3</sup>**

The Proposed Amendments authorize subsidiaries, parent companies or joint ventures to report independently. Many of California's POU's and public water agencies are departments of a city government and may wish to opt for such a reporting process. CMUA requests that CARB further clarify that this option is available to state and local government entities.

#### **Facility Reporting Requirement<sup>4</sup>**

CMUA supports removing the Facility Category Reporting requirement. This would have required facilities to report on characteristics of vehicles they neither own nor control. This would have imposed a substantial regulatory burden to provide information that CARB can more easily obtain from the fleet owners and operators.

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<sup>1</sup> Proposed Regulation, § 2012.2.

<sup>2</sup> California Municipal Utilities Association's Comments on California Air Resources Board's Proposed Advanced Clean Trucks Regulation, December 9, 2019.

<sup>3</sup> Proposed Amendments, § 2012(e)(1).

<sup>4</sup> Proposed Regulation, § 2012.2.

## Vehicle Dispatch Data<sup>5</sup>

The Proposed Amendments clarify the requested data and provide more clear descriptions for how a vehicle is used. These changes provide important guidance to reporting entities.

### **The Proposed Regulation Does Not Provide Sufficient Time to Collect Data**

As CMUA has commented previously, the Proposed Regulation mandates that regulated entities complete the reporting requirement by April 1, 2021 for the 2020 calendar year.<sup>6</sup> Collecting, organizing and providing this data will require significant time and for many CMUA members this cannot be completed in three months. While some of the information may be collected before the end of 2020, the data required pursuant to Section 2012.2 of the Proposed Amendments will require more time to collect, summarize and report. Further, an April 1, 2021 compliance deadline imposes additional burden on the compliance and reporting staff of regulated entities due to existing reporting requirements. The United States Environmental Protection Administration's Greenhouse Gas Reporting Program requires regulated entities to report annual emissions by March 31<sup>st</sup> of each year.<sup>7</sup> Additionally, California's Mandatory Reporting Regulation requires that regulated entities report annual GHG emissions by June 1<sup>st</sup> of each year.<sup>8</sup> For many CMUA members, these reporting obligations fall to the same staff and create significant workflow challenges. As CARB has indicated, information from this one-time reporting requirement will be used to better inform development of the ultimate Advanced Clean Trucks regulation. CMUA supports

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<sup>5</sup> Proposed Amendments, § 2012.2(b)(2)

<sup>6</sup> *Id.* at Subsection (e).

<sup>7</sup> 40 CFR, § 98.

<sup>8</sup> 17 CCR, § 95103(e).

CARB's intent to gather information to better inform a potential regulation and encourages CARB to provide sufficient time for reporting entities to gather, collate and submit the data. In order to provide reporting entities the time needed to gather the data needed pursuant to this regulation, and recognizing reporting obligations already facing regulated entities, CMUA suggests a deadline of July 1, 2021.

## **Conclusion**

CMUA appreciates the opportunity to comment on the Proposed Regulation and looks forward to continuing to work with CARB to best inform future regulations.

Respectfully submitted,

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