**Cap-and-Trade Regulation Amendment Request**

NOTE: Please use this form to highlight a request to amend a specific section (or related sections) of the Cap-and-Trade Regulation. Submission of this form aids staff in tracking requests and **does not mean** staff will ultimately propose an amendment in the version of the amendments noticed pursuant to the Administrative Procedure Act. This form is intended only as an additional tool ARB will use to evaluate requested changes to the regulation. Amendment requests may be for reasons of policy, clarity, or errors, etc. Staff may contact you if we need more information. Additionally, submission of this form will be a public record, and will be included in the ultimate rulemaking file related to these amendments, but may not be specifically answered in the Final Statement of Reasons. (Government Code section 11346.9(a)(3).) Please complete this form (with as much detail as possible, though it need not be formal regulatory language) and mail or email (preferred) to:

David Allgood ([dallgood@arb.ca.gov](mailto:dallgood@arb.ca.gov))

Stationary Source Division

P.O. Box 2815

Sacramento, CA 95812

**General Information**

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| August 2, 2013 |

Date:

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| Bill Buchan, Market Potential, Inc. |

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| Cardinal Cogen, Inc. |

Submitted by: Affiliation:

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| Buchan@mktpotential.com |

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| 510 928 5786 |

Contact Phone: E-mail:

**Section**

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| 95856(h)(1)(c) and (2)(c) |

Primary section(s):

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| 95894(c) and (d) |

Related section(s):

**Amendment Request**

Type of amendment: xPolicy ☐Error ☐Clarity

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| Legacy contract allowances are proposed to receive 2015 vintage allowances for the 2013-14 compliance period. Asking our 3rd party CHP to float the cost of compliance before receiving state compensation is a real and unnecessary cost to our facility. These allowances should be allowed for use is settling the 2013-14 compliance requirements. Unfortunately, the draft regulation under 95856 (h)(1)(c) and (2)(c) do not yet allow this. |

Reason for amendment:

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| 1. Request that 95894(c) and (d) be added to the list of entity’s in 95856(h)(1)(c) that can use current year vintage allowances for annual surrender 2. Request that 95894(c) and (d) be added to the list of entity’s in 95856(h)(2)(c) that can use current year vintage allowances for triennial surrender. 3. Add terminology in 95894 specifically stating the use of 2015 allowances for 2013-14 compliance as provided to the universities and public service facilities under 95891(e). |

Additional information: