

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)
Stationary Source Division
P.O. Box 2815
Sacramento, CA 95812

General Information

Date: August 2, 2013

Submitted by: Claire Halbrook

Affiliation: PG&E

Contact Phone: 415-973-0012

E-mail: cehu@pge.com

Section

Primary section(s): 95830(i)

Related section(s):

Amendment Request

Type of amendment: ☐ Policy ☐ Error ☒ Clarity

Reason for amendment:

Clarification on whether "facility" rather than "entity" is the correct reference, and suggests the removal of subpart (5) which requires original signatures of the officer or directors of the entity being purchased. PG&E does not see the need of the provision given in subpart 5.

Additional information:

95830 (i) **Change of ownership due to merger or acquisition.** When the ownership of a facility changes registered entity is acquired by or merged into another entity, the following information must be submitted by the surviving or new entity within 30 days of finalization of ownership change:

(5) Original signatures by a Director or Officer from the entities being purchased and the purchasing entity, authorizing the change of ownership.