

## 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:

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### General Information

Date: August 2, 2013

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### Section

Primary section(s): 95870(j)(1)

Related section(s): 95913(f)(5)

### Amendment Request

Type of amendment: ☐ Policy ☐ Error ☒ Clarity

Reason for amendment:

To avoid misinterpretation, PG&E recommends the language and references in the Staff proposal be more clearly written.

Additional information:

Section 95870(fj)(1) Beginning in 2015, 10% of all ~~remaining~~ allowances from each **future budget year vintage** not allocated for uses specified in section 95870(a) are eligible to be sold pursuant to section 95913(f).

Section 95913(ef)(5) This provision only applies to the Reserve sale immediately preceding the compliance obligation instrument surrender on November 1. Pursuant to section 95870(fj)(1), **additional allowances in the Auction Holding Account** will be made available at the highest price tier of the Allowance Price Containment Reserve if the amount of accepted bids at the highest price tier exceeds the number of allowances in that tier.

(E) The allowances defined in section 95870(fj)(1) will be sold beginning with the ~~latest~~ vintage **furthest in the future** in the Auction Holding Account and then the preceding vintages, from **furthest in the future** ~~latest~~ to **closest to the present** ~~most recent~~, until all accepted bids at the highest price tier are filled or until all the allowances defined in section 95870(fj)(1) have been sold. The allowances defined in section 95870(fj)(1) sold pursuant to this section shall first reduce the quantity of allowances defined in section 95870(b) if available and then will reduce the quantity of allowances defined in section 95870(j)(2).