

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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Stationary Source Division
P.O. Box 2815
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General Information

Date: August 2, 2013

Submitted by: Claire Halbrook

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Section

Primary section(s): 95894(YYY) "Legacy Contract Generator"

Related section(s):

Amendment Request

Type of amendment: ☒ Policy ☐ Error ☐ Clarity

Reason for amendment:

ARB should exclude generators that were eligible to execute contracts or amendments, but chose not to pursue this option. This change will clarify that assistance is not available to a party that intentionally bypassed an established process to provide reasonable means to recover GHG costs.

Additional information:

(YYY) “Legacy Contract Generator” means a covered entity which is ineligible to execute a contract or amendment under the Combined Heat and Power Program Settlement pursuant to CPUC Decision 10-12-035 and operates a stand-alone electricity generating unit or a cogeneration facility system and sells electricity or thermal energy pursuant to one or more legacy contracts.