

**DOCKETED**

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# **Item 11: Petition to Request a Rulemaking Hearing**

May 31, 2023, Business Meeting

Aleecia Gutierrez  
Director, Energy Assessments Division



# Request for Rulemaking

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- Western States Petroleum Association (WSPA) requests that the CEC initiate a formal rulemaking for SB X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch. 1) and SB 1322 (Stats. 2022, ch. 374).
- Requests rulemaking to “ensure new requirements are understandable and workable in practice.”



# SB X1-2 and SB 1322 Terms

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- SB X1-2 and SB 1322 consist of terms generally used in the industry.
- Refiners can use definitions contained in Title 20 California Code of Regulations and federal law.
- Terms in SB X1-2 and SB 1322 are clear as written.



# SB X1-2 and SB 1322 Data Collection

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- SB 1322 data collection commenced in March 2023.
- On May 16, the CEC hosted an SB X1-2 Implementation Workshop.
  - SB X1-2 data collection begins on June 26, 2023.



# Staff Recommendation

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- WSPA's petition is premature as SB X1-2 has yet to take effect.
- Legislation is clear as written; no impediment to comply by the specified deadlines.
- After implementation begins, CEC will consider whether rulemaking is necessary.
- *CEC Staff recommendation to deny WSPA's request for a formal rulemaking for implementation of SB 1322 and SB X1-2.*