

DOCKETED

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*Comment Received From: Western States Petroleum Association
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**WSPA Comments on April SB X1-2 Pre-Rulemaking Workshop -
Terminal Position Holders**

Additional submitted attachment is included below.



Sophie Ellinghouse

Vice President, General Counsel & Corporate Secretary

April 25, 2024

California Energy Commission
Docket Unit, MS-4
Docket No. 23-OIR-03
715 P Street
Sacramento, California 95814

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RE: WSPA Comments on April 11, 2024, SB X1-2 Pre-Rulemaking Workshop (Terminal Position Holders) [Docket #23-OIR-03]

The Western States Petroleum Association (WSPA) appreciates the opportunity to provide comments on the California Energy Commission's (CEC) April 11, 2024, pre-rulemaking workshop to implement Senate Bill (SB) X1-2 (2023) – specifically, regarding the current draft California Merchant Terminal Position Holder emergency data regulations, forms, and reporting instructions. WSPA is a non-profit trade association representing companies that import and export, explore, produce, refine, transport and market petroleum, petroleum products, natural gas, and other energy supplies in California.

We notice the CEC is showing leadership by clearly communicating the addition of other regulated entities under SB X1-2. The CEC's administrative oversight of the entire petroleum supply chain would indeed be incomplete without a thorough understanding of the petroleum industry's operations, including how position holder terminals contribute to supplying gasoline to California consumers. WSPA had previously expressed concerns^{1,2} that the CEC had not yet identified a complete universe of regulated entities who would be subject to voluminous data reporting requirements beginning on June 26, 2023.

We had encouraged – and will continue to encourage – that the CEC conduct a public stakeholder survey to ensure that the agency is confident that they have identified *all* regulated entities who may otherwise be unaware of their compliance obligation. Doing so will help ensure that the CEC receives the additional input necessary to effectively implement the statutes as the State Legislature had intended.

We look forward to working with the CEC to provide ongoing input to properly comply, to ensure that the data submitted is responsive and consistent across the industry, and that all market-sensitive, confidential, and proprietary data is well-protected.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Ellinghouse", is positioned above the typed name.

Sophie Ellinghouse
Vice President, General Counsel & Corporate Secretary

¹ See May 30, 2023, WSPA Comments Regarding SB 2 Implementation Workshop [Docket #23-SB-02]

² See June 23, 2023, letter from WSPA President and CEO Catherine H. Reheis-Boyd to CEC Vice Chair Siva Gunda