

DOCKETED

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Project Title:	Petition for Rulemaking re: Public Utilities Code, section 399.30(c)(4)
TN #:	228387
Document Title:	Steve Uhler Comments Perhaps Ms. Martin-Gallardo and Ms. Vaccaro should review GOV 11340.7
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Perhaps Ms. Martin-Gallardo and Ms. Vaccaro should review GOV 11340.7?

Additional submitted attachment is included below.

Perhaps Ms. Martin-Gallardo and Ms. Vaccaro should review GOV 11340.7?

I have highlighted the parts they may have overlooked.

11340.7. (a) Upon receipt of a petition requesting the adoption, amendment, or repeal of a regulation **pursuant to Article 5 (commencing with Section 11346)**, a state agency shall notify the petitioner in writing of the receipt and shall within 30 days deny the petition indicating why the agency has reached its decision on the merits of the petition in writing **or schedule the matter for public hearing in accordance with the notice and hearing requirements of that article.**

It appears the Energy Commission does not have a regulation implementing GOV 11340.6 and 11340.7.

Title 20, 1221 is unnecessary, there is no requirement beyond a rulemaking and a request, no later than 15 days prior to the close of the written comment period, to receive a public hearing pursuant to Section 11346.8 as found in 11346.5 under Article 5 (commencing with Section 11346) and only if a hearing has not been scheduled by the Energy Commission.

Perhaps I should petition under GOV 11340.6?

take care,

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