

**DOCKETED**

<b>Docket Number:</b>	19-BUSMTG-02
<b>Project Title:</b>	Public Comment on California Energy Commission Business Meetings
<b>TN #:</b>	228746
<b>Document Title:</b>	Steve Uhler Comments Petition requesting rulemaking re 1208(c)
<b>Description:</b>	N/A
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<b>Organization:</b>	Steve Uhler
<b>Submitter Role:</b>	Applicant
<b>Submission Date:</b>	6/12/2019 11:57:51 AM
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*Comment Received From: Steve Uhler*  
*Submitted On: 6/12/2019*  
*Docket Number: 19-BUSMTG-02*

## **Petition requesting rulemaking re 1208(c)**

Petition requesting rulemaking hearings  
Filed with the executive director of the California Energy Commission pursuant to 20 CCR Section 1208. Filing of Documents.

To:  
Drew Bohan, Executive Director  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5122  
Drew.Bohan@energy.ca.gov

Request pursuant to GOV Section 11340.6 and 20 CCR Section 1221. Petitions.

Name, address, and telephone number of the petitioner;  
Steve Uhler  
3327 53rd Street, Sacramento, CA, 95820-1628  
916-451-2385  
sau@wwmpd.com

Substance or nature of the regulation, amendment, or repeal requested;  
Please provide the person, party, or entity that desires documents to be filed in a timely manner for a proceeding, a standard method to open a docket in a timely manner.

Reasons for the request;  
All Energy Commission regulations are prompted by the identification of a "problem" that needs to be addressed by the Energy Commission through the adoption, amendment, or repeal of regulations in order to enforce or administer a statute. For example, when the Energy Commission enacts a new program or amends regulation governing existing programs, the Energy Commission may leave it up to the staff administering the program to implement the program. The Energy Commission must then adopt, amend, or repeal regulations to avoid the use of prohibited "underground regulations."

The Energy Commission places requirements on the filing of all documents for the record in a proceeding. These requirements are found in 20 CCR Section 1208 and 1208.1.

1208 (c) Places the responsibility to ensure that a document has been timely filed with the person, party, or entity that desires the document to be filed. A docket is required before any document can be filed. I don't find any regulations that provides the person, party, or entity that desires documents to be filed in a timely manner a method to open a docket in a timely manner.

The lack of a method to open a docket in a timely manner, so to file for the record for a proceeding, frustrates the public's ability to petition their government when a filing is required.

Reference to the authority of the commission to take the action requested;

Authority cited: Sections 25213 and 25218 (e), Public Resources Code; and Section 11340.6, Government Code. Reference: Sections 11340.7 and 11340.85 (b)(5), Government Code.