

DOCKETED	
Docket Number:	23-BUSMTG-01
Project Title:	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
TN #:	249068
Document Title:	Steve Uhler Comments on Rulemaking petition to amend 20 CCR 1222(a)
Description:	N/A
Filer:	System
Organization:	Steve Uhler
Submitter Role:	Other Interested Person
Submission Date:	3/8/2023 7:34:50 PM
Docketed Date:	3/8/2023

*Comment Received From: Steve Uhler
Submitted On: 3/8/2023
Docket Number: 23-BUSMTG-01*

BUSMTG-2023-01 Rulemaking petition to amend 20 CCR 1222(a)

BUSMTG-2023-01 Rulemaking petition to amend 20 CCR 1222(a)

Docket Unit please distribute this petition to the Executive Director.

Steve Uhler
sau@wwmpd.com

Additional submitted attachment is included below.

BUSMTG-2023-01 Rulemaking petition to amend 20 CCR 1222(a)

Docket Unit please distribute this petition to the Executive Director.

Current regulation:

Section 1222(a), The commission may, upon its own motion or upon granting a petition filed pursuant to section 1221 of these regulations, adopt an order to institute a rulemaking proceeding in accordance with the procedures of Sections 11346.4, 11346.5 11346.7, and 11346.8 of the Government Code.

Reason for this petition is the current regulation cites sections of the Government Code that have been repealed and section numbers later used for provisions not applicable to the Energy Commission. Example GOV 11346.7 now applies only to the Office of Administrative Law.

Perhaps other changes are required to maintain legislative intent that is now vague. 1222(a) implies the Energy Commission can deny a rulemaking hearing by denying a 1221 petition notwithstanding GOV 11346.5(a)(17), and GOV 11346.8(a).

Nature of the amendments that are needed are to ensure appropriate legislative bills are implemented since the regulation was adopted to ensure clarity of legislative intent.

GOV 11346.4 bills:

AB2540-19871988, AB2531-19931994, AB505-19992000

GOV 11346.5 bills:

AB1144-19931994, AB2531-19931994, AB1822-19992000, AB1822-19992000, AB505-19992000, AB505-19992000, AB1857-20012002, AB1612-20112012, AB1612-20112012, AB2041-20112012, AB2041-20112012, AB410-20112012, SB617-20112012

GOV 11346.7 bills:

AB2540-19871988, AB2531-19931994, AB505-19992000

GOV 11346.8 bills:

AB2540-19871988, AB2531-19931994, AB1822-19992000, AB505-19992000

Authority cited: Section 25213, Public Resources Code. Reference: Sections 25210 and 25214, Public Resources Code.

Steve Uhler

sau@wwmpd.com

3327 53rd Street

Sacramento, CA, 95820-1628

916-451-2385