

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:) Docket No. 08-OIR-1
) Order No. 08-0130-5
Proposed Adoption of Regulations)
For the Administration of the) ORDER INSTITUTING
Alternative and Renewable Fuel and) RULEMAKING
Vehicle Technology Program)
_____) January 30, 2008

I. PURPOSE AND SCOPE OF THE PROCEEDING

Pursuant to Public Resources Code section 25210 and Title 20, California Code of Regulations, section 1222(a), the California Energy Commission (Energy Commission) hereby institutes a rulemaking proceeding to adopt guidelines, definitions, and other provisions as deemed necessary for the administration of the Alternative and Renewable Fuel and Vehicle Technology Program (Program). The Program, established by Assembly Bill No. 118 (Stats. 2007, ch. 750), gives responsibilities to the Energy Commission as described in Health and Safety Code sections 44270 - 44273.

Among its responsibilities, the Energy Commission is directed to: (1) provide funding to public and private entities to develop and deploy innovative fuels and vehicle technologies to help reduce greenhouse gas emissions, (2) create an advisory body to help develop an investment plan, (3) define terms, (4) establish sustainability goals to ensure that funded projects, on a full fuel-cycle assessment basis, will not adversely impact the state's natural resources, (5) identify revenue streams for the program, (6) ensure that results of the reductions in emissions or benefits can be measured and quantified, and (7) adopt criteria to determine if a proposed project will benefit electric or natural gas ratepayers. (Health & Saf. Code, §§ 44271(a), 44271.5, 44272, and 44273.)

The rulemaking shall consider, but not necessarily be limited to, adopting guidelines, definitions, and other provisions necessary for the administration of the Alternative and Renewable Fuel and Vehicle Technology Program and its Advisory Body.

II. DELEGATION OF AUTHORITY TO THE TRANSPORTATION AND FUELS COMMITTEE

The Energy Commission's Transportation and Fuels Committee, consisting of Vice-Chairman James D. Boyd as Presiding Member and Commissioner Jeffrey D. Byron as Second Member, or a successor committee appointed by the Energy Commission with comparable powers and duties pursuant to Public Resources Code section 25211, shall preside over this rulemaking proceeding. The Committee may hold workshops and hearings as it deems appropriate and has the authority to take, and shall take on behalf of the Energy Commission, all actions necessary and appropriate to comply with all applicable legal requirements of the Public Resources Code, the Administrative Procedure Act (Gov. Code, §11340 et seq.), and implementing regulations, including submission, after an Energy Commission hearing, of all necessary documents to the Office of Administrative Law, and issuance of notices for all hearings and workshops.

III. PUBLIC PARTICIPATION

The Energy Commission encourages full and free public participation in this proceeding. Any person present at any hearing or workshop shall be afforded a reasonable opportunity to make oral comments on the subject matter of the proceeding. Petitions to intervene are not necessary. Any person may file written comments addressed to:

Docket No. 08-OIR-1
Docket Unit, MS-4
California Energy Commission
1516 Ninth Street
Sacramento, California 95814-5512

Please provide twelve copies of all written materials to the Docket Unit. Alternatively, a person may provide one original paper copy to the above address and one electronic

copy to docket@energy.state.ca.us. The Docket Unit will accept Word documents, but please send PDF if possible. Identify all comments with "Docket Number: 08-OIR-1". The Transportation and Fuels Committee will set forth a deadline for the receipt of written comments in a Notice of Proposed Action, which will be published later in the proceeding.

The Executive Director, in conjunction with the Public Adviser, shall ensure that this order and notices of hearings and workshops are distributed to all interested persons and that drafts of the regulations are made available sufficiently in advance of workshops, interim hearings, and final adoption by the Energy Commission to allow timely participation.

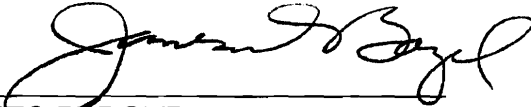
The Energy Commission's Public Adviser is available to help any person who wants to participate in this proceeding. Please call (916) 654-4489 or toll-free in California at (800) 822-6288, or contact pao@energy.state.ca.us.

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JACKALYNE PFANNENSTIEL
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JAMES D. BOYD
Vice Chair



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Commissioner



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