



ROBERT G. ATKINS

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DOCKET
07-HFS-1

DATE DEC 19 2008

RECD. DEC 19 2008

December 19, 2008

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 07-HFS-01
1516 Ninth Street
Sacramento, CA 95814-5512

Dear Commissioners:

I want to thank the members and commend their excellent work in the "AB 868 Fuel Delivery Temperature Study Staff Report." I support the conclusion of the report that fuel temperature affects the volume of gasoline and diesel when sold in California and that automatic temperature compensation (ATC) is economically feasible.

The fact that fuel expands and contracts with temperature changes is indisputable. The data, gathered by the Task Force from County Weights and Measures Department, confirms that those changes have significant effects on the volume of fuel sold in California and that those changes do not balance throughout the year.

The question then becomes whether the cost of correcting this error in volume is cost prohibitive. The two methods of correction offered were a change to the reference temperature known as the "Hawaiian method" or automatic temperature compensation through the fuel metering.

The data suggests that a single reference temperature change would not satisfy variations in temperature through the seasons and the several regional climatic areas of California. Neither would regionalized reference temperatures.

The remaining question is whether automatic temperature compensation equipment corrects the problem at an acceptable cost. The conclusion of the study is that the cost would be 7/10 of one cent per gallon sold for one year to cover the initial installation and 7/100 of a cent per gallon to maintain and test the systems. To me this is very acceptable.

Automatic temperature compensation would result in the same "gallon" being sold at retail as it is at wholesale so that buyer and seller are both dealing in "net gallons". The obvious benefit for consumers is improved retail price transparency.

If the implementation is mandatory on a date that allows for the natural dispenser replacement cycle to assist with the costs, then the costs become very acceptable. A 5-year implementation period which prohibits voluntary use would accomplish this objective. It would also avoid creating an inequitable market place where ATC is advertised for marketing advantage in comparison to non-ATC sales.

I urge your Commission to recommend that the Legislature adopt a mandatory ATC law that would set an implementation date and prohibit voluntary use and advertising of ATC before that date.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Atkins", with a stylized flourish at the end.

ROBERT G. ATKINS
Agricultural Commissioner/
Sealer of Weights and Measures

RG:JB:mp