



January 5, 2009

DOCKET	
07-HFS-1	
DATE	JAN 05 2009
RECD.	JAN 06 2009

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

Mike Boitano, President
Amador County
Agricultural Commissioner /
Scaler of Weights and Measures
12200 Airport Road
Jackson, CA 95642-9527
209/223-4487

Scott Hudson, President Elect
San Joaquin County
Agricultural Commissioner /
Scaler of Weights & Measures
1868 E. Hazelton Avenue
P.O. Box 1809
Stockton, CA 95201-1809
209/468-3300

Docket No. 07-HFS-01 – AB 868 Fuel Delivery Temperature Study

Dear Commissioners Boyd and Douglas:

The California Agricultural Commissioners and Sealers Association (CACASA) appreciates the dedicated and thorough efforts of the California Energy Commission in examining the issues surrounding the implementation of automatic temperature compensation technology at retail fuel stations throughout the state. CACASA commends the California Energy Commission (CEC) and its staff for its conduct of open discussions in the related workshops and public hearings and for its compilation of findings in the Staff Report.

Robert G. Atkins, Vice President
(Agriculture)
San Diego County
Agricultural Commissioner /
Scaler of Weights & Measures
5555 Overland Avenue, Ste. 3101
San Diego, CA 92123-1256
619/494-2741

William J. Stephens, Vice President
(Weights & Measures)
El Dorado/Alpine Counties
Agricultural Commissioner /
Scaler of Weights & Measures
311 Fair Lane
Placerville, CA 95667-4195
530/621-5520

CACASA is the legally sanctioned association of County Agricultural Commissioners and Sealers of Weights and Measures from throughout California, with membership consisting of the Sealers from all 54 jurisdictions within the state. County Sealers of Weights and Measures, together with the personnel of the Division of Measurement Standards within the California Department of Food and Agriculture, provide the primary enforcement of state weights and measures laws and regulations and oversight of the California marketplace to ensure consumer protection and fair competition.

Mark Quisenberry, Executive Secretary
Sutter County
Agricultural Commissioner /
Scaler of Weights & Measures
142 Garden Highway
Yuba City, CA 95991-5512
530/822-7500

At our association's most recent conference, which was held in Sacramento from December 8 through 12, 2008, our members received a briefing on the findings of the CEC staff regarding the AB 868 Fuel Delivery Temperature Study expressed in the Staff Report. As it is within CACASA's mission to ensure accuracy in commercial transactions and to support enhancements to the providing of consumer protection and fair competition among competing businesses, we support the conclusions of the CEC staff regarding the negligible costs of implementation and the benefits that would be recognized, most notably set forth in pages 75 through 78 of the report.

The facilitation of value comparison in commercial transactions and the assurance of accuracy in conducting such transactions are central to the regulatory efforts of our members. Automatic temperature compensation (ATC) technology provides enhancements to the means for achieving each of these endeavors. As reported in the Staff Report, this technology may be

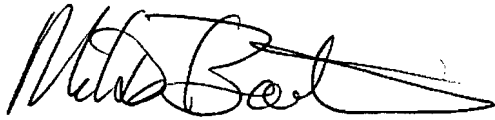
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implemented at a very reasonable cost of seven-tenths of a cent per gallon in a single year if all costs are passed on to consumers by retailers and at a cost of seven-hundredths of a cent per gallon for all recurring costs thereafter. As the report states, these costs are "extremely small" in consideration of the benefits provided.

CACASA recognizes the benefits of ATC to fuel measurement accuracy, its ability to aid consumers in performing value comparison when shopping for fuel, and the reasonable pass-through cost of implementation. CACASA urges your Commission to recommend to the Legislature that it pursue the establishment of a State law to mandate the implementation of ATC at retail fuel stations throughout California within the time frames suggested in the report.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Boitano", with a long horizontal flourish extending to the right.

MIKE BOITANO
President, CACASA