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June 3, 2022

Joshua Grice
Rule Making Lead
Department of Ecology

RE: CCA Rulemaking Deadline

Dear Mr. Grice,

On behalf of the Association Washington Business (AWB) and our membership, we appreciate the opportunity to participate in the ongoing rulemaking on the Climate Commitment Act (CCA). Our members have appreciated the outreach and preliminary discussions around this rule and with the release of the CR-102 are glad to have some more detailed answers to how the Department of Ecology will oversee this important program. This rulemaking is of great interest to our association and our members and many of them are working to develop comments.

As the representative of the state's business community, AWB believes that it is critically important that the final rule not be overly burdensome and create unnecessary economic distress for the people of this state. Ensuring that all interested stakeholders, not just businesses, have the opportunity to provide comment on this landmark program is extremely important. We understand that a program of this size and complexity takes a considerable amount of time and staff resources. We also are aware that the law requires that the Department of Ecology have the rule completed by January 1, 2023.

Despite the tight timeline, AWB and its members believe that allowing a slightly longer public comment period for the CR-102 would be very helpful for the development of the final language and ultimately contribute to the success of the CCA program. The CR-102 language raises some important issues that need careful analysis and consideration by the business community. While we are working as quickly as possible, we do not believe the current period provides enough time to fully answer these questions to the degree necessary. Therefore, AWB and the undersigned businesses are requesting that the Department of Ecology extend the public comment period by 15 days to allow time for additional stakeholder input and for businesses to gather the data and information they need to craft their responses.

The CCA is an extremely complicated piece of legislation and the details of the implementation will be crucial to the future of the covered entities participating in the program as well as the



success of the program in reducing carbon emissions. The page count for the CR-102 comes in at 138 pages while the supporting documents add another several hundred pages of additional, highly technical information, and the economic modeling- also highly technical- has not been released at all. Our members are seeing many of these details for the first time, and do not have a key piece to understand and review. Gathering the data and additional information to craft relevant and important feedback takes time. These comments will provide important feedback that is integral to the success of the CCA by helping to ensure covered entities can comply with the program.

We also note that the public hearings occur at the end of the comment period. If new issues are raised in these hearings that require a response, there is insufficient time to allow for members to do so. Extending the comment period allows additional time to respond to any new issues before the period concludes.

While AWB and our members fully understand the importance of getting the final rule completed by January, we believe that providing 15 extra days does not jeopardize this goal. And extension would allow the stakeholder community to provide more targeted, constructive and helpful feedback that Ecology could use in development of the final rule. AWB and our members are fully committed to ensuring that implementation of the CCA is smooth and efficient. We are working to ensure that our response to the CR-102 contains helpful information and feedback to help Ecology address our concerns and develop a rule that helps the state reduce carbon emissions while also preventing economic and environmental leakage. Providing an additional 15 days helps to ensure that our members have the time to provide the most helpful and constructive comments to this important process.

Thank you,

Association of Washington Business
Puget Sound Energy
Avista
Alliance of Western Energy Consumers
Northwest Pulp and Paper Association
Invenergy
Food Northwest
Washington Trucking Association
Pacific Power
Washington Food Industry Association

Washington Rural Electric Cooperative
Association
Associated General Contractors of
Washington
Cascade Natural Gas Corporation
Washington Forest Protection Association
Williams Pipeline
Northwest & Intermountain Power
Producers Coalition
Western States Petroleum Association