

**APPENDIX C**

**SURVEY RESPONSES: ELECTRIC UTILITY COMPLIANCE  
WITH THE CLEAN AIR ACT AMENDMENTS OF 1990**



**TABLE C-1**

**STATE PUCs: ACTIONS AND MAJOR ISSUES**

State	Actions Undertaken Concerning That Might Compliance	Contemplating Requirements Limit Market?	What is the Most Important Issue in Implementation?
Alabama	Staff training Review plans	No	Interstate allowance trading
Arizona	Staff training	No	Incorporate into least-cost planning Ratemaking treatment of allowances Determine market value of allowances
Arkansas	No action	No	Allocation of subsidiaries' allowances
California	No response	No response	No response
Colorado	No action	No	No response
Connecticut	Staff training Sponsor workshop Develop policy Review plans	Not decided  Impact on integrated resource planning	Ratemaking treatment of allowances Impact on multistate holding companies Impact on power pool dispatch
Delaware	Staff training	No	Treatment of trading gains/losses
District of Columbia	Staff training Review plans	No	Environmental impact of secondary waste
Florida	Staff training Develop policy Review plans	No	Treatment of trading gains/losses Prudence of compliance plans Allocation of special growth allowance
Georgia	Staff training	No	Not known
Idaho	Staff training	No	Not known

**TABLE C-1--Continued**

State	Actions Undertaken Concerning That Might Compliance	Contemplating Requirements Limit Market?	Issue in What is the Most Important Implementation?
Illinois	Staff training Sponsor workshop Develop policy	No	Treatment of old and purchased allowances Reform of fuel adjustment clause Establishment of risk-sharing mechanism
Indiana	Staff training Develop policy	No	"Optimal" compliance strategies Incorporation into least-cost planning Treatment of allowances Coordination with other regulators
Iowa	Staff training Review plans	No	Under determination
Kansas	No action	No	How to deal with new capacity needs
Kentucky	Review plans Initiate generic case	No	Least-cost planning versus coal mining economy Accounting and ratemaking for allowances Rate impact of compliance
Louisiana	No response	No response	No response
Maine	Staff training	No	Can afford to wait and see what others do
Maryland	Develop policy Review plans	No	Cost recovery for capital investment Cost allocation among ratepayers
Massachusetts	Other--open docket	No	Distribution of risk, cost, and benefit
Michigan	Staff training Develop policy Review plans	No	Best compliance strategy with low cost

**TABLE C-1--Continued**

State	Actions Undertaken Concerning Compliance	Contemplating Requirements That Might Limit Market?	What is the Most Important Issue in Implementation?
Minnesota	Sponsor workshop Review plans	No	Allocation of costs and benefits Valuation of allowances
Mississippi	Staff training Develop policy Review plans	No	Treatment of initial allowances Comparing strategies at utilities
Missouri	Review plans	No	Value of allowances
Montana	No action	No response	No response
Nebraska	No response	No response	No response
Nevada	No action	No	Bonus allowances for renewable energy
New Hampshire	No action	No	Compliance with phase I Ensuring least cost strategies
New Jersey	Staff training Review plans	No	Consistent with least-cost planning Proceeds from allowance trades
New Mexico	Staff training	No	Allocation of compliance costs
New York	Staff training Sponsor workshop	No	Not decided
North Carolina	No action	No	Prudence of purchases/sales of allowances
North Dakota	No action	No	Fuel-switching impact on mining economy Increased electric rates Allowances for future plants
Ohio	Staff training Sponsor workshop Review plans Develop policy	No Impact on Ohio industries	Distribution of compliance costs Impact on coal economy

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**TABLE C-1--Continued**

State	Actions Undertaken Concerning Compliance	Contemplating Requirements That Might Limit Market?	What is the Most Important Issue in Implementation?
Oklahoma	No action	No	Treatment of emission trading
Oregon	Staff training	No	Valuing emission allowances Coordinating compliance and least-cost
Pennsylvania	Staff training Sponsor workshop Review plans Develop policy	No	CWIP Prudence review Allowance trading
Rhode Island	Sponsor workshop	No	Not decided
South Carolina	No action	No	No response
South Dakota	No action	No	Affected units in phase II
Tennessee	No response	No response	No response
Texas	Staff training Develop policy Review plans	No	Sufficient allowances for future growth
Utah	No action	No	How to take advantage of bonus allowance
Vermont	Staff training	No	Few interests in phase I or II sources
Virginia	Staff training Review plans	No	Reasonableness of costs Scrubbing versus switching
Washington	Staff training	No	Regulatory treatment of allowances Interjurisdictional issues
West Virginia	Review plans	No	Least-cost compliance strategies Least costs for power pools Assignment of costs to power pools

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**TABLE C-1--Continued**

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State	Actions Undertaken Concerning That Might Compliance	Contemplating Requirements That Might Limit Market?	Issue in	What is the Most Important Implementation?
Wisconsin	Staff training Develop policy Review plans	No	Integration with least-cost Market prices Flexibility	
Wyoming	Staff training Review plans	Uncertain	Accounting for allowances and strategy Toxics 2000 compliance	

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**TABLE C-2**

**STATE PUCs: NEW METHODS AND ALLOCATIONS**

State	Will Implementation Require the Commission to Undertake New Methods or Activities?	Has the Commission Considered How Shareholders and Ratepayers Will be Allocated the Costs and Benefits of Compliance?
Alabama	Change preapproval process	Minor consideration given
Arizona	Develop allowance treatment Alter IRP process	No
Arkansas	No	No
California	No response	No response
Colorado	Change preapproval process Develop allowance treatment Alter IRP process	No
Connecticut	Change preapproval process Alter IRP process	No
Delaware	Develop allowance treatment	Pending PJM Power Pool actions
District of Columbia	Develop allowance treatment	No
Florida	Develop allowance treatment Change preapproval process	Staff report discussed issue
Georgia	Impact utility IRP filings	No action taken to date
Idaho	Not involved in phase I	No
Illinois	Change preapproval process Develop allowance treatment Alter IRP process Alter current prudence review	Yes, see earlier responses
Indiana	Change preapproval process Develop allowance treatment Alter IRP process Rolling prudence review	No

**TABLE C-2--Continued**

State	Will Implementation Require the Commission to Undertake New Methods or Activities?	Has the Commission Considered How Shareholders and Ratepayers Will be Allocated the Costs and Benefits of Compliance?
Iowa	Develop allowance treatment	No
Kansas	Develop allowance treatment Alter IRP process Change preapproval process	See previous answers
Kentucky	Alter IRP process	No formal consideration has been given
Louisiana	No response	No response
Maine	Develop allowance treatment Alter IRP process	No
Maryland	Develop allowance treatment Alter IRP process	Precedent for allocation among ratepayers and shareholders will be set in a current cost recovery/compliance case (the unit is not in Maryland)
Massachusetts	Externality treatment	Not yet addressed
Michigan	Slight modifications	Have begun considerations, but have made no decisions
Minnesota	Develop allowance treatment Change preapproval process	Established a work group to evaluate this and other CAAA compliance issues
Mississippi	Develop allowance treatment Change preapproval process	Preliminary stages of considering issue
Missouri	None anticipated at this time	Not at this time
Montana	No response	No response
Nebraska	No response	No response
Nevada	No response	No

**TABLE C-2--Continued**

State	Will Implementation Require the Commission to Undertake New Methods or Activities?	Has the Commission Considered How Shareholders and Ratepayers Will be Allocated the Costs and Benefits of Compliance?
New Hampshire	None anticipated at this time	No consideration yet
New Jersey	Develop allowance treatment	Informal consideration has begun, but no formal decision
New Mexico	Develop allowance treatment	No
New York	Too early to judge	Not yet
North Carolina	Unsure at this time	Not yet
North Dakota	Unsure at this time	No
Ohio	Change preapproval process Develop allowance treatment Alter IRP process Commission Ordered Investigations on allowance trading	Preliminary consideration only, but no final determination
Oklahoma	Develop allowance treatment Alter IRP process	No
Oregon	Develop allowance treatment Alter IRP process	No
Pennsylvania	No	Hearings have been completed on the West Penn Power (APS) Compliance filing
Rhode Island	Change preapproval process Develop allowance treatment Alter IRP process Alter prudence review procedure Alter rolling prudence review	No
South Carolina	Develop allowance treatment	No
South Dakota	Case-by-case basis examination	No

**TABLE C-2--Continued**

State	Will Implementation Require the Commission to Undertake New Methods or Activities?	Has the Commission Considered How Shareholders and Ratepayers Will be Allocated the Costs and Benefits of Compliance?
Tennessee	No response	No response
Texas	Develop allowance treatment Alter IRP process Alter prudence review procedure	No decisions made yet
Utah	Develop allowance treatment Alter IRP process	No formal deliberation yet
Vermont	Alter IRP process	No
Virginia	Develop allowance treatment	No
Washington	Develop allowance treatment	No
West Virginia	No response	No final determinations
Wisconsin	Change preapproval process Develop allowance treatment Alter IRP process	Preliminary belief is that ratepayers bear the costs and receive the benefits
Wyoming	Develop allowance treatment Alter IRP process	Informal consideration, no dockets or public discussions

**TABLE C-3**

**STATE PUCs: TREATMENT OF ALLOWANCES AND MULTISTATE ISSUES**

State	Has the Commission Decided How to Treat Costs and Revenues Related to SO <sub>2</sub> Emission Allowances for Setting Rates?	Does the Commission Anticipate Having to Address Multistate Issues? If So, Does It Plan to Coordinate with Other Commissions?
Alabama	Not at this time	Yes
Arizona	No	Probably, but no plans to coordinate yet
Arkansas	No	Yes, but decision hasn't been made to coordinate with other commissions
California	No response	No response
Colorado	No	Yes
Connecticut	No	Yes, plans are unclear at this time although a history of interstate coordination exists in New England
Delaware	No	Yes. PJM Power Pool has been meeting on the subject for one year
District of Columbia	No	Yes. We will be in contact with Maryland, Virginia, and other midAtlantic states
Florida	Staff report discussed issue	Yes, with regards to Gulf Power Company, a member of the Southern Company System
Georgia	No decision at this time	Yes, possibly. With regard to operating companies of the Southern Company

**TABLE C-3--Continued**

State	Has the Commission Decided How to Treat Costs and Revenues Related to SO <sub>2</sub> Emission Allowances for Setting Rates?	Does the Commission Anticipate Having to Address Multistate Issues? If So, Does It Plan to Coordinate with Other Commissions?
Idaho	No	The only impact in Idaho will be from other states--no plan
Illinois	Staff recommends reconciling costs and benefits through fuel adjustment clause	Yes, Illinois will be required to review Missouri and Iowa jurisdiction utilities' compliance plans No formal coordination plans yet
Indiana	No	Yes, in regards to AEP. The Commission participates in an AEP oversight committee with other states' regulators
Iowa	No	Yes. We hope to coordinate with other commissions
Kansas	No	Yes. Two utilities in Kansas' jurisdiction also serve in Missouri No discussions with Missouri representatives to date
Kentucky	No	Yes. Yes
Louisiana	No response	No response
Maine	No	Examine how NEPOOL functioning will be affected
Maryland	Will be decided by accounting division	Yes. We are and will continue to address multistate issues
Massachusetts	No response	Yes. The New England states may decide to have a meeting to coordinate CAAA compliance

**TABLE C-3--Continued**

State	Has the Commission Decided How to Treat Costs and Revenues Related to SO <sub>2</sub> Emission Allowances for Setting Rates?	Does the Commission Anticipate Having to Address Multistate Issues? If So, Does It Plan to Coordinate with Other Commissions?
Michigan	Staff consensus is that cost/benefit approach fits standard ratemaking procedures	Yes. We have participated in the AEP Regional Coordinating Committee with six other states
Minnesota	Not at this time	Although we have some multistate utilities, this is not expected to be a major issue. We plan to communicate plans with other states but probably not develop full coordination plans
Mississippi	Could consider allowances as assets to company and modify performance criteria to measure compliance activities	We will need to address these issues since the Southern Company plans to comply on a "systemwide" basis. No contacts made so far
Missouri	Not at this time	We will face allocation issues with multistate companies. We have not undertaken coordination efforts but intend to, at least informally
Montana	No response	No response
Nebraska	No response	No response
Nevada	No	No
New Hampshire	Cost of compliance will flow through fuel and purchased power adjustment clause	Standing coordination vehicle through New England Governors' Conference's Power Planning Committee. No action to date

**TABLE C-3--Continued**

State	Has the Commission Decided How to Treat Costs & Revenues Related to SO <sub>2</sub> Emission Allowances for Setting Rates?	Does the Commission Anticipate Having to Address Multistate Issues? If So, Does It Plan to Coordinate with Other Commissions?
New Jersey	Informal consideration has begun, but no decision	Yes. The Commission has initiated an informal dialogue between regional air agencies and PUCs. More formal cooperation is desirable, but difficult to achieve given state-specific concerns
New Mexico	No	Yes
New York	Informal consideration has begun, but no decision	Probably, but too early to specify what actions might be taken
North Carolina	Not yet	No
North Dakota	No response	No response
Ohio	Yes, only preliminary discussions	Yes. Such coordination is taking place through the AEP Regional Coordinating Committee
Oklahoma	No	Yes. Yes
Oregon	No	Yes. We have existing forums for addressing multistate issues and will use those
Pennsylvania	The West Penn Power Compliance filing will be the first case the Commission will rule on	Yes. Coordinating with other state PUCs depends on the complexity of the case or issues. PUCs within PJM region are exchanging information
Rhode Island	Not yet	Yes. The New England Governor's Conference's Power Planning Committee plans to address these issues at its January 1992 meeting

**TABLE C-3--Continued**

State	Has the Commission Decided How to Treat Costs and Revenues Related to SO <sub>2</sub> Emission Allowances for Setting Rates?	Does the Commission Anticipate Having to Address Multistate Issues? If So, Does It Plan to Coordinate with Other Commissions?
South Carolina	No	Yes. Do not know
South Dakota	No	Yes. No plans at this time
Tennessee	No response	No response
Texas	No decisions made yet	Yes. The Texas Commission will coordinate with other commissions as necessary
Utah	No	Yes. PacifiCorp operates in seven states. We plan to coordinate with other states via the PacifiCorp Interjurisdictional Task Force on Allocations (PITA)
Vermont	No	Some issues may arise in regard to NEPOOL membership. They will be addressed via NECPUC and the Power Planning Committee of the New England Governor's Conference
Virginia	Not yet decided	No
Washington	No	Yes. We plan to coordinate with other commissions
West Virginia	Two decisions	Yes. Informal discussions and development of ad hoc staff committees
Wisconsin	Currently evaluating utility proposals for accounting treatment alternatives	Yes. Not yet
Wyoming	No	Perhaps

**TABLE C-4**

**STATE PUCs: DESIRED INFORMATION AND RESEARCH UNDERTAKEN**

	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
Alabama	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models	Cost-benefit studies of: - fuel switching
Arizona	Newsletters Training workshops or seminars PC-based compliance planning models	Cost-benefit studies of: - conservation and renewable energy
Arkansas	Electronic bulletin board Newsletters PC-based compliance planning models	No
California	No response No response	
Colorado	Electronic bulletin board Newsletters PC-based compliance planning models	Cost-benefit studies of: - scrubbers - fuel switching - conservation and renewable energy
Connecticut	Electronic bulletin board Newsletters Training workshops or seminars	No
Delaware	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models	No
District of Columbia	Newsletters Training workshops or seminars	No
Florida	Aggregate price information on allowance transactions maintained by some centralized source	Surveys. We conducted a survey of utilities' views on accounting tax issues associated with SO <sub>2</sub> emission allowances

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**TABLE C-4--Continued**

	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
Georgia	Newsletters Training workshops or seminars PC-based compliance planning models	No
Idaho	Training workshops or seminars	No response
Illinois	Electronic bulletin board Newsletters PC-based compliance planning models	Cost-benefit studies of: - scrubbers - fuel switching - overcompliance
Indiana	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models	No
Iowa	Electronic bulletin board Training workshops or seminars	No
Kansas	Training workshops or seminars Direct meetings with air quality officials	Cost-benefit studies of: - scrubbers - conservation and renewable energy
Kentucky	Newsletters Training workshops or seminars PC-based compliance planning models	Generic case
Louisiana	No response No response	
Maine	Newsletters Training workshops or seminars PC-based compliance planning models	No response
Maryland	Electronic bulletin board Newsletters Training workshops or seminars	No response
Massachusetts	Newsletters	No



**TABLE C-4--Continued**

	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
Michigan	Newsletters Training workshops or seminars PC-based compliance planning models	Considering opening a docket to hear issues and concerns of interested and involved parties
Minnesota	Electronic bulletin board Newsletters Training workshops or seminars	No
Mississippi	Newsletters Training workshops or seminars	Cost-benefit studies of: - fuel switching - overcompliance
Missouri	Newsletters	Cost-benefit studies of: - scrubbers - fuel switching - overcompliance - clean-coal technology - conservation and renewable energy
Montana	No response	No response
Nebraska	No response	No response
Nevada	No response	Cost-benefit studies of:  - conservation and renewable energy
New Hampshire	Newsletters Training workshops or seminars	Commission is not undertaking studies on its own. We are reviewing utility and independent studies
New Jersey	Newsletters Training workshops or seminars Joint USDOE/EPA project on pool-wide integrated resource planning	No response
New Mexico	Newsletters Training workshops or seminars Coordination with State	Surveys

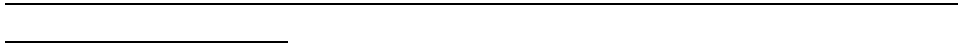


**TABLE C-4--Continued**

	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
New York	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models	We are not currently undertaking or funding independent analyses A staff Clean Air Act Group has periodic discussions with utilities and New York Power Pool Task Force analyzing various compliance issues
North Carolina	Newsletters Training workshops or seminars	No research
North Dakota	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models Personal contacts and any information such as proposed rulemaking	Nothing yet
Ohio	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models Establishment of Title IV rules and regulations	Cost-benefit studies of: - scrubbers - fuel switching - conservation and renewable energy Economic impact studies Surveys
Oklahoma	Newsletters Training workshops or seminars	No
Oregon	Electronic bulletin board Newsletters Training workshops or seminars	We are looking at fuel switching and alternative resources but not in this context
Pennsylvania	Electronic bulletin board Newsletters	Cost-benefit studies of: - fuel switching

Training workshops or seminars  
PC-based compliance planning models

Economic impact studies



**TABLE C-4--Continued**

	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
Rhode Island	Uncertain	No
South Carolina	Newsletters Training workshops or seminars	No
South Dakota	Newsletters Consultations	No
Tennessee	No response No response	
Texas	Newsletters Training workshops or seminars PC-based compliance planning models Personal contacts	Surveys Consideration in biannual Peak Demand and Capacity Resources Forecast for Texas
Utah	Newsletters	The Commission is not currently undertaking any major research
Vermont	Newsletters Training workshops or seminars	No
Virginia	No response Surveys	
Washington	Newsletters Training workshops or seminars PC-based compliance planning models	Cost-benefit studies of: - conservation and renewable energy
West Virginia	Electronic bulletin board Newsletters Training workshops or seminars	Cost-benefit studies of: - scrubbers - fuel switching - overcompliance Economic impact studies
Wisconsin	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models	We are reviewing our utilities' research or markets, costs, etc.

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**TABLE C-4--Continued**

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	What Sources of Information from Federal or State Air Pollution Agencies Will Assist Your Decision-Making Regarding Implementation?	Is Your Commission Undertaking Any Major Research Projects Concerning Implementation of, State or Compliance with, Title IV?
Wyoming	Electronic bulletin board Newsletters Training workshops or seminars PC-based compliance planning models Anything else available	Not at this time. We are, however, monitoring other studies as we become aware of them

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**TABLE C-5**

**UTILITY COMPLIANCE ACTIVITY**

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State	What Action(s) Have Utilities in Your Jurisdiction Indicated They Intend to Take to Comply with the Title IV Provisions?
Alabama	Identified specific units that are affected Proposed or stated what action will be required to comply
Arizona	Identified specific units that are affected No action has been taken by utilities to date
Arkansas	No action has been taken by utilities to date
California	No response
Colorado	No action has been taken by utilities to date
Connecticut	Identified specific units that are affected Other--presented seminars and briefings
Delaware	Identified specific units that are affected It is IOU's intention to hold allowances for future expansion and compliance needs
District of Columbia	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis
Florida	Proposed or stated what action will be required to comply Have stated how allowances will be used
Georgia	Proposed or stated what action will be required to comply
Idaho	Identified specific units that are affected
Illinois	Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis

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**TABLE C-5--Continued**

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State	What Action(s) Have Utilities in Your Jurisdiction Indicated They Intend to Take to Comply with the Title IV Provisions?
Indiana	Proposed or stated what action will be required to comply
Iowa	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis Have stated how allowances will be used
Kansas	See earlier comments on SO <sub>2</sub> emission status of Kansas' coal-fired power plants
Kentucky	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis
Louisiana	No response
Maine	Only one affected unit in phase II in the state
Maryland	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis Have stated how allowances will be used
Massachusetts	Proposed that SO <sub>2</sub> emissions should not be subject to environmental externality add ons
Michigan	Proposed or stated what action will be required to comply
Minnesota	Identified specific units that are affected Discussed a number of possible compliance options
Mississippi	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what actions will be required to comply Have stated how allowances will be used

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**TABLE C-5--Continued**

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State	What Action(s) Have Utilities in Your Jurisdiction Indicated They Intend to Take to Comply with the Title IV Provisions?
Missouri	The utilities have submitted reference data (fuel costs, capital costs, O&M costs, emission levels with various fuel and equipment modifications, etc.) that they will use in formulating their preferred compliance strategy
Montana	No response
Nebraska	No response
Nevada	No response
New Hampshire	Identified specific units that are affected Proposed or stated what actions will be required to comply Submitted a compliance plan analysis
New Jersey	Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis
New Mexico	PNM has created a specific group to implement Title IV. At present they are working with the Environmental Improvement Division in developing test and monitoring guidelines. PNM has also looked at the plants which might be affected and done a preliminary analysis of its entitlements and future needs
New York	Identified specific units that are affected Proposed or stated what actions will be required to comply Have stated how allowances will be used
North Carolina	Identified specific units that are affected Commission has not requested any specific action by utilities to date
North Dakota	Identified specific units that are affected

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**TABLE C-5--Continued**

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State	What Action(s) Have Utilities in Your Jurisdiction Indicated They Intend to Take to Comply with the Title IV Provisions?
Ohio	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis Have stated how allowances will be used
Oklahoma	No action has been taken by electric utilities to date
Oregon	Identified specific units that are affected Only have phase II units
Pennsylvania	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis Have stated how allowances will be used
Rhode Island	No action has been taken by electric utilities to date
South Carolina	No action has been taken by electric utilities to date
South Dakota	Identified specific units that are affected Proposed or stated what action will be required to comply
Tennessee	No response
Texas	Identified specific units that are affected Proposed or stated what action will be required to comply Some have proposed voluntary pooling of § 406 bonus allowances
Utah	Identified specific units that are affected Proposed or stated what action will be required to comply
Vermont	No action has been taken by electric utilities to date

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**TABLE C-5--Continued**

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State	What Action(s) Have Utilities in Your Jurisdiction Indicated They Intend to Take to Comply with the Title IV Provisions?
Virginia	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis
Washington	Identified specific units that are affected No action has been taken by electric utilities to date
West Virginia	Submitted systemwide compliance plan Identified specific units that are affected Proposed or stated what action will be required to comply Submitted a compliance plan analysis
Wisconsin	Submitted systemwide compliance plan Identified specific units that are affected Submitted a compliance plan analysis
Wyoming	Identified specific units that are affected

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**TABLE C-6****STATE LEGISLATURE: ACTIONS AND STATUTORY CONFLICTS**

State	Has Your State Legislature Taken Any Action Concerning Compliance with Title IV?	If Parts of Title IV Are in Conflict with State Statutes, What Has the Legislature Done to Address These Issues?
Alabama	Two bills addressing the Alabama Clean Indoor Air Act passed in the Senate in 1991 but failed to come up for a vote in the House	No statutes have been established
Arizona	No response	No response
Arkansas	No legislative action taken to date	Not applicable
California	No response	No response
Colorado	No legislative action taken to date	None
Connecticut	No legislative action taken to date	No response
Delaware	No legislative action taken to date	None
District of Columbia	No legislative action taken to date	No conflicts identified
Florida	No legislative action taken to date	Not applicable
Georgia	A new statute, HB-280, mandates a new approach to integrated resource planning including precertification of capacity resources. CAAA requirements will impact electric utility filings under this statute	Not aware of any activity
Idaho	No legislative action taken to date	None

**TABLE C-6--Continued**

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State	Has Your State Legislature Taken Any Action Concerning Compliance with Title IV?	If Parts of Title IV Are in Conflict with State Statutes, What Has the Legislature Done to Address These Issues?
Illinois	State acid rain law Legislation concerning preapproval of compliance plans Legislation designed to mandate or predetermine a particular compliance option	None
Indiana	Legislation concerning preapproval of compliance plans	No response
Iowa	No legislative action taken to date	None
Kansas	No legislative action taken to date	Not applicable
Kentucky	No legislative action taken to date	None
Louisiana	No response	No response
Maine	Legislation designed to mandate or predetermine a particular compliance option	None
Maryland	No legislative action taken to date	No response
Massachusetts	Not aware of any legislative action	Not aware of any conflict
Michigan	State acid rain law enacted in 1980 No new legislative action	Not applicable
Minnesota	No legislative action taken to date	No apparent conflicts to date
Mississippi	No legislative action taken to date	No conflicts anticipated
Missouri	No legislative action taken to date	No response
Montana	No response	No response

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**TABLE C-6--Continued**

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State	Has Your State Legislature Taken Any Action Concerning Compliance with Title IV?	If Parts of Title IV Are in Conflict with State Statutes, What Has the Legislature Done to Address These Issues?
Nebraska	No response	No response
Nevada	No legislative action taken to date	No conflicts
New Hampshire	State acid rain law predates CAAA	Not applicable
New Jersey	No legislative action taken to date	Existing sulfur-in-fuel limit may limit options available for compliance No action undertaken to date
New Mexico	No legislative action taken to date	State regulations already exceed CAAA levels
New York	No legislative action taken to date	The State Department of Environmental Conservation is reviewing the extent to which Title IV as well as other portions of CAAA are consistent or can be reconciled with New York's State Acid Deposition Control Act No legislative action pending
North Carolina	No legislative action taken to date	No conflicts
North Dakota	No legislative action taken to date	No
Ohio	State acid rain law Legislation concerning preapproval of compliance plans	None required
Oklahoma	No legislative action taken to date	None

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**TABLE C-6--Continued**

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State	Has Your State Legislature Taken Any Action Concerning Compliance with Title IV?	If Parts of Title IV Are in Conflict with State Statutes, What Has the Legislature Done to Address These Issues?
Oregon	Enabling legislation for Department of Environmental Quality passed in 1991	Enabling legislation trued up the two
Pennsylvania	No legislative action taken to date	CAAA Conservation Section requires a preapproval DSM program. State PUC regulations do not require preapproval. Our regulations have been made to agree with CAAA
Rhode Island	No legislative action taken to date	No conflicts identified
South Carolina	No legislative action taken to date	None
South Dakota	No legislative action taken to date	Department of Water and Natural Resources is drafting legislation for 1992 session
Tennessee	No response	No response
Texas	State acid rain law No new legislative action taken	Texas Clean Air Act has been modified to conform with the Federal CAAA. The modifications have been comprehensive and not limited only to Title IV
Utah	No legislative action taken to date	No
Vermont	No legislative action taken to date	None

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**TABLE C-6--Continued**

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State	Has Your State Legislature Taken Any Action Concerning Compliance with Title IV?	If Parts of Title IV Are in Conflict with State Statutes, What Has the Legislature Done to Address These Issues?
Virginia	No legislative action taken to date	No response
Washington	State acid rain law	Not applicable
West Virginia	No response	No response
Wisconsin	State acid rain law in effect before phase I of CAAA	No response
Wyoming	Previous stringent state statutes concerning emissions and proactive problem solving by utilities, state DEQ, and PSC have resulted in generating facilities in Wyoming which generate allowances. No immediate pressure to modify laws. This is being constantly monitored	None at present

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**TABLE C-7**

**STATE AIR AGENCY: REQUIREMENTS ON UTILITIES AND INTERACTION WITH PUCs**

State	Has the State Air Agency Or Any Other State Agency Imposed Any Requirements on Utilities Operating in Your State in Connection with CAAA?	Has There Been Or Does Your Agency Plan to Have Any Interaction with Your State Air Agency Regarding CAAA Compliance?
Alabama	None in addition to the Federal guidelines	Not to our knowledge
Arizona	No response	No response
Arkansas	No	No
California	No response	No response
Colorado	No	No
Connecticut	No	Yes. Interagency Working Group established in March 1991
Delaware	Department of Natural Resources and Environmental Control is responsible for administering CAAA compliance	Yes. The Department of Natural Resources and Environmental Control will permit allowance trading
District of Columbia	No	Yes, there will be coordination
Florida	No actions taken or expected	Most interaction has been in the form of information exchange on engineering questions
Georgia	Unaware of any other requirements	Informal liaison at this time
Idaho	No	No plan
Illinois	No	Yes. Ongoing liaison activities

**TABLE C-7--Continued**

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State	Has the State Air Agency Or Any Other State Agency Imposed Any Requirements on Utilities Operating in Your State in Connection with CAAA?	Has There Been Or Does Your Agency Plan to Have Any Interaction with Your State Air Agency Regarding CAAA Compliance?
Indiana	No	Commission will continue to participate in Interagency State Acid Rain Working Group
Iowa	Not to our knowledge	Yes, the agency is participating in the inquiry
Kansas	None yet that we are aware of	Yes. We have agreed that there is a need for face-to-face meetings sometime in the near future
Kentucky	Not to our knowledge	Yes. We have conducted one meeting
Louisiana	No response	No response
Maine	No	Yes, meetings
Maryland	None so far There is continuing contact with	the State Air Agency and Department of Natural Resources
Massachusetts	We are not aware of any such requirements	To the extent that the agency's decisions influence ratemaking and cost allocation issues, we may have to coordinate with that agency
Michigan	No	Yes, we have met with representatives of the Department of Natural Resources, Air Quality Division, and will continue to discuss issues with them

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**TABLE C-7--Continued**

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State	Has the State Air Agency Or Any Other State Agency Imposed Any Requirements on Utilities Operating in Your State in Connection with CAAA?	Has There Been Or Does Your Agency Plan to Have Any Interaction with Your State Air Agency Regarding CAAA Compliance?
Minnesota	None to date	At a minimum, there will be informal discussion and interaction, but this has not yet occurred
Mississippi	No	No plans to do so
Missouri	The Department of Natural Resources' Clean Air Advisory Group is currently involved	The Chairman of the PSC is a member of the Department of Natural Resources' Clean Air Advisory Group
Montana	No response	No response
Nebraska	No response	No response
Nevada	No	They sometimes intervene in resource planning dockets
New Hampshire	State Department of Environmental Services is in the process of developing strategy for compliance with CAAA. PUC chairman is a member of the strategy steering committee	Yes
New Jersey	State air agency has stated that, due to local air concerns, allowance purchase may not be an acceptable alternative to scrubbing at a particular affected unit	Yes, in fact the Board of Regulatory Commissioners was recently merged into the DEP to form the Department of Environmental Protection and Energy (DEPE)
New Mexico	They are in the process of development	Minimal to date

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**TABLE C-7--Continued**

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State	Has the State Air Agency Or Any Other State Agency Imposed Any Requirements on Utilities Operating in Your State in Connection with CAAA?	Has There Been Or Does Your Agency Plan to Have Any Interaction with Your State Air Agency Regarding CAAA Compliance?
New York	DEC has proposed very stringent draft rules concerning life extension of fossil-fired generating plants that would require the repowering or retirement of such units at forty-five years of service. No date on when or if final action would be taken	There has been routine interaction between DPS staff, DEC, and the NY Power Pool on CAAA
North Carolina	No, except for increasing certain permit fees administered by the Division of Environmental Management (Air Quality Section)	Not yet
North Dakota	Not yet	Not at this time, but there likely will be future interactions
Ohio	Not at this time	Yes, interagency coordination has been established
Oklahoma	Not at this time	No official interaction planned at this time
Oregon	Emission fees have increased pursuant to enabling legislation	We have already coordinated efforts on the Clean State issue
Pennsylvania	Not sure	Yes, we had two meetings with them
Rhode Island	No	Yes. We will meet in December 1991
South Carolina	Not known at this time	Yes. At present only to discuss issues

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**TABLE C-7--Continued**

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State	Has the State Air Agency Or Any Other State Agency Imposed Any Requirements on Utilities Operating in Your State in Connection with CAAA?	Has There Been Or Does Your Agency Plan to Have Any Interaction with Your State Air Agency Regarding CAAA Compliance?
South Dakota	Department of Water and Natural Resources is drafting legislation for 1992 session	Very little interaction thus far-- expect more in the future
Tennessee	No response	No response
Texas	Texas Air Control Board is considering new rulemaking as a result of Title IV Governor may encourage pooling of bonus allowances allocated under § 406	The Texas PUC and the Texas Air Control Board staffs interact where appropriate
Utah	Not as yet Not immediately	
Vermont	No	No
Virginia	No	Not yet
Washington	Not sure	Yes
West Virginia	No response	No response
Wisconsin	Currently under development	An interagency task force has been working together for some time
Wyoming	Previous stringent state statutes concerning emissions and proactive problem solving by utilities, state DEQ and PSC have resulted in generating facilities in Wyoming which generate allowances. No immediate pressure to modify laws. This is being constantly monitored	Yes

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