

**SMALL BUSINESS IMPACT STATEMENT FOR PROPOSED REGULATION
AMENDMENTS
APC Regulations No. 46**

APC Regulation No. 46

SMALL BUSINESS IMPACT STATEMENT

Agency submitting regulation:

DEM

Subject matter of regulation:

This regulation establishes the Rhode Island component of the CO₂ Budget Trading Program, which is designed to stabilize and then reduce anthropogenic emissions of CO₂, a greenhouse gas, from the CO₂ budget sources in an economically efficient manner.

ERLID No: 7539 (Supersedes ERLID # 5195)

Statutory authority:

These regulations are authorized pursuant to R.I. Gen. Laws §42-17.1-2(s), §23-23 and §23-82, as amended.

Other agencies affected:

Office of Energy Resources.

Other regulations that may duplicate or conflict with the regulation:

None

Describe the scope and objectives of the regulation:

This regulation establishes the Rhode Island component of the CO₂ Budget Trading Program, which is designed to stabilize and then reduce anthropogenic emissions of CO₂, a greenhouse gas, from the CO₂ budget sources in an economically efficient manner.

What was the rationale for establishing this regulation?

To reduce greenhouse gas emissions.

Does the rationale still exist?

Yes.

Is the rationale still relevant?

Yes.

Business industry (s) affected by the regulation:

Electric generating utilities.

Types of businesses included in the industry (s):

Electric generating utilities.

Total number of small businesses included in the regulated industry (s) *(Please see the attached guidance documents for assistance determining the total number of small businesses)*

None.

Number of small businesses potentially subject to the proposed regulation:

None.

How often do small businesses contact your agency for assistance with clarification of the regulation and/or receive assistance with compliance issues?

Never.

What is the cost to your agency of establishing and enforcing this regulation?

1/3 of FTE

What would the consequences be if the regulation did not exist?

Regional increase in greenhouse gas emissions. Decrease in funding for energy efficiency projects.

Effective date used in cost estimate:

December 2012.

For each question below, please answer “yes” or “no” and offer a brief explanation.

Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.

1.		No	Do small businesses have to create, file, or issue additional reports? No small businesses are regulated under this program.
2.		No	Do small businesses have to implement additional recordkeeping procedures?
3.		No	Do small businesses have to provide additional administrative oversight?
4.		No	Do small businesses have to hire additional employees in order to comply with the proposed regulation?
5.		No	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
6.		No	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?

7.		No	Are performance standards more appropriate than design standards?
8.		No	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?
9.		No	Does the regulation have the effect of creating additional taxes and/or fees for small businesses?
10.		No	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
11.		No	Is the regulation likely to <i>deter</i> the formation of small businesses in RI?
12.		No	Is the regulation likely to <i>encourage</i> the formation of small businesses in RI?
13.		No	Can the regulation provide for less stringent compliance or reporting requirements for small businesses?

14.		No	Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
15.		No	Can the compliance or reporting requirements be consolidated or simplified for small businesses?
16.		No	Can performance standards for small businesses replace design or operational standards?
17.		No	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
18.		No	Have any small businesses or small business organizations been contacted during the preparation of this document? If so, please describe.

APC Regulation No. 47

SMALL BUSINESS IMPACT STATEMENT

Agency submitting regulation:

DEM

Subject matter of regulation:

This regulation establishes rules for administration of the distribution of CO₂ allowances as part of Rhode Island's component of the CO₂ Budget Trading Program. The CO₂ Budget Trading Program is designed to stabilize and then reduce anthropogenic emissions of CO₂, a greenhouse gas, from CO₂ budget sources. This regulation complements the provisions of APC Regulation No. 46 – “CO₂ Budget Trading Program”.

ERLID No:

5196

Statutory authority:

These regulations are authorized pursuant to R.I. Gen. Laws §42-17.1-2(s), §23-23 and §23-82, as amended.

Other agencies affected:

Office of Energy Resources.

Other regulations that may duplicate or conflict with the regulation:

None.

Describe the scope and objectives of the regulation:

This regulation establishes rules for administration of the distribution of CO₂ allowances as part of Rhode Island's component of the CO₂ Budget Trading Program. The CO₂ Budget Trading Program is designed to stabilize and then reduce anthropogenic emissions of CO₂, a greenhouse gas, from CO₂ budget sources. This regulation complements the provisions of APC Regulation No. 46 – “CO₂ Budget Trading Program”.

What was the rationale for establishing this regulation?

Direct method to reduce greenhouse gas emissions.

Does the rationale still exist?

Yes

Is the rationale still relevant?

Yes

Business industry (s) affected by the regulation:

Electricity generating facilities.

Types of businesses included in the industry (s):

Electricity generating facilities.

Total number of small businesses included in the regulated industry (s) (Please see the attached guidance documents for assistance determining the total number of small businesses)

None.

Number of small businesses potentially subject to the proposed regulation:

None.

How often do small businesses contact your agency for assistance with clarification of the regulation and/or receive assistance with compliance issues?

Never.

What is the cost to your agency of establishing and enforcing this regulation?

0.1 FTE

What would the consequences be if the regulation did not exist?

Increase in regional greenhouse gas emissions. Reduction in funding for energy efficiency projects.

Effective date used in cost estimate:

December 2012

For each question below, please answer “yes” or “no” and offer a brief explanation.

Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.

1.		No	Do small businesses have to create, file, or issue additional reports? Small businesses not regulated. Utilities are not considered small businesses.
2.		No	Do small businesses have to implement additional recordkeeping procedures?
3.		No	Do small businesses have to provide additional administrative oversight?
4.		No	Do small businesses have to hire additional employees in order to comply with the proposed regulation?
5.		No	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
6.		No	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?

7.		No	Are performance standards more appropriate than design standards?
8.		No	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?
9.		No	Does the regulation have the effect of creating additional taxes and/or fees for small businesses?
10.		No	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
11.		No	Is the regulation likely to <i>deter</i> the formation of small businesses in RI?
12.		No	Is the regulation likely to <i>encourage</i> the formation of small businesses in RI?
13.		No	Can the regulation provide for less stringent compliance or reporting requirements for small businesses?

14.		No	Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
15.		No	Can the compliance or reporting requirements be consolidated or simplified for small businesses?
16.		No	Can performance standards for small businesses replace design or operational standards?
17.		No	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
18.		No	Have any small businesses or small business organizations been contacted during the preparation of this document? If so, please describe.