

**SMALL BUSINESS IMPACT STATEMENT FOR PROPOSED REGULATION  
AMENDMENTS  
APC Regulations No. 47**

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**SMALL BUSINESS IMPACT STATEMENT**

**Agency submitting regulation:**

DEM

**Subject matter of regulation:**

This regulation establishes rules for administration of the distribution of CO<sub>2</sub> allowances as part of Rhode Island's component of the CO<sub>2</sub> Budget Trading Program. The CO<sub>2</sub> Budget Trading Program is designed to stabilize and then reduce anthropogenic emissions of CO<sub>2</sub>, a greenhouse gas, from CO<sub>2</sub> budget sources. This regulation complements the provisions of APC Regulation No. 46 – “CO<sub>2</sub> Budget Trading Program”.

**ERLID No: 7540 (Supersedes 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 CO<sub>2</sub> allowances as part of Rhode Island's component of the CO<sub>2</sub> Budget Trading Program. The CO<sub>2</sub> Budget Trading Program is designed to stabilize and then reduce anthropogenic emissions of CO<sub>2</sub>, a greenhouse gas, from CO<sub>2</sub> budget sources. This regulation complements the provisions of APC Regulation No. 46 – “CO<sub>2</sub> 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	<p><b>Do small businesses have to create, file, or issue additional reports?</b></p> <p>Small businesses not regulated. Utilities are not considered small businesses.</p>
2.		No	<p><b>Do small businesses have to implement additional recordkeeping procedures?</b></p>
3.		No	<p><b>Do small businesses have to provide additional administrative oversight?</b></p>
4.		No	<p><b>Do small businesses have to hire additional employees in order to comply with the proposed regulation?</b></p>
5.		No	<p><b>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</b></p>
6.		No	<p><b>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</b></p>

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

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