

ITEM 6
ADOPTION OF PROPOSED REGULATION AMENDMENTS
AFTER CLOSE OF 45-DAY COMMENT PERIOD
DIGITAL SIGNATURES ON E-FILED COMMISSION FORMS AND
GENERAL CLEANUP PROVISIONS

PROPOSED AMENDMENTS TO
CALIFORNIA CODE OF REGULATIONS, TITLE 2, DIVISION 2, CHAPTER 2.5

ARTICLES 1, 2, 3, 5, 6, AND 7

SECTIONS 1181.1, 1181.3, 1181.10, 1182.2, 1183.17, 1185.1, 1185.4, 1186.6, AND 1187.8

EXECUTIVE SUMMARY

Background

The purpose of this rulemaking is to require e-filed Commission forms to be digitally signed and to generally clean-up, clarify, and streamline Commission regulations and update language for consistency. The proposed regulations: (1) require e-filed Commission forms to be digitally signed and clarify the e-filing process; (2) clarify the process for submitting late written comments when participating in a Commission meeting via teleconference; (3) make minor, non-substantive consistency edits and corrections; and (4) update reference citations.

At its regular meeting on March 25, 2022, the Commission adopted Order No. 22-03 to initiate rulemaking proceedings in accordance with Government Code sections 11346.2, 11346.4, 11346.8, and 11346.9.

The proposed text was posted on the Commission’s website and served on the regulatory mailing list on March 28, 2022 and on March 30, 2022;¹ was published in the California Regulatory Notice Register 2022, Number 14-Z on April 8, 2022; and was available to the public through May 23, 2022 for the 45-day comment period. There was no request to hold a public hearing and no comments were filed on the proposed amendments.

Pursuant to Government Code section 11346.9(a)(4), staff finds that no alternative would be more effective in carrying out the purpose for which the regulations are proposed, would be as effective as and less burdensome to affected private persons than the proposed regulations, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

¹ The rulemaking package was reissued on March 30, 2022, following minor revisions to the Notice of Proposed Rulemaking.

Staff therefore recommends that the Commission adopt the regulations as originally proposed to be amended in the Commission's Order No. 22-03 to initiate rulemaking proceedings, adopted on March 25, 2022 and issued on March 28, 2022 and on March 30, 2022.²

Staff Recommendation

Staff recommends that the Commission:

- Find that no alternative would be more effective in carrying out the purpose for which the regulations are proposed, would be as effective as and less burdensome to affected private persons than the proposed regulations, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.
- Adopt the Final Statement of Reasons (Exhibit G).
- Adopt the proposed amendments, as originally noticed, to California Code of Regulations, Title 2, Division 2, Chapter 2.5, Articles 1, 2, 3, 5, 6, and 7, effective October 1, 2022 (Proposed Text, Exhibit B).
- Authorize staff to issue the Order to Adopt Proposed Rulemaking, Commission Order No. 22-04 (Exhibit H), and make any non-substantive, technical corrections to the proposed regulatory text requested by the Office of Administrative Law or Barclays Official California Code of Regulations prior to publication.

² Exhibit B, Proposed Text.