

Regional Greenhouse Gas Initiative (RGGI): Draft Outline of Stakeholder Process

Purpose

The states and provinces participating in the Regional Greenhouse Gas Initiative (RGGI) are committed to developing a regional greenhouse gas cap-and-trade program through a process that integrates public participation and stakeholder input. The RGGI participating jurisdictions recognize the value of incorporating public and stakeholder input into the design of the regional greenhouse gas cap-and-trade program. This document summarizes the stakeholder process that the RGGI Staff Working Group intends to employ.¹

The objectives of the RGGI stakeholder process are to:

1. Provide a mechanism for informing the public and stakeholders of the RGGI Staff Working Group's deliberations, and draft and final work products;
2. Provide a forum for early input from stakeholders on key design elements of a regional cap-and-trade initiative;
3. Maintain an ongoing dialogue between the RGGI Staff Working Group and stakeholders; and
4. Establish opportunities for the public and stakeholders to submit formal comments to the RGGI Staff Working Group at key decision points in the RGGI process.

Approach

To achieve the four objectives outlined above, the RGGI Staff Working Group will:

1. Establish a Mechanism for Sharing Information and Soliciting Stakeholder Input.

A. Identify Stakeholders. The RGGI Staff Working Group will assemble a list of regional and national stakeholders that may have an interest in the RGGI effort. The list will include energy generators, trade associations, non-profit energy and environmental organizations, academics, multi-state organizations such as NARUC, NASEO and EMA, and similar stakeholder groups. In addition, each participating state or province may utilize its existing process for identifying and communicating with stakeholders and/or the public.

¹The RGGI document entitled "Regional Greenhouse Gas Initiative (RGGI): Goals, Proposed Tasks, and Short Term Action Items" (the "Action Plan") establishes the Staff Working Group, which consists of representatives of participating states' environmental and energy regulatory agencies.

B. Create Website. The RGGI Staff Working Group will work expeditiously to create a RGGI website. The website will serve as the primary vehicle for the RGGI Staff Working Group to make its draft and final work products available for public review and comment. In addition, to the extent practical, the Staff Working Group may post the written comments filed by stakeholders and members of the public on the website, along with general summaries of major points raised orally by stakeholders and members of the public at stakeholder meetings.

C. Create Listserv. The Staff Working Group shall expeditiously create a listserv to which stakeholders and members of the public may subscribe by visiting the RGGI website. Subscribers to the listserv will receive email notifications when new content is added to the website, including the availability of draft and final work products, as well as notifications of public stakeholder meetings.

D. Announce Website and Listserv to Stakeholders. After identifying stakeholders and upon completion of the RGGI website and listserv, the Staff Working Group shall issue to all identified stakeholders a written statement announcing the availability of the website. The announcement will encourage stakeholders and interested members of the public to subscribe to the listserv if they wish to receive notifications of draft work products issued for public comment, as well as notices of scheduled stakeholder meetings.

E. Ongoing Postings by RGGI Staff Working Group. The Staff Working Group will update the website content from time to time, and will notify subscribers to the listserv of new additions to the website.

2. Establish a Stakeholder Group. The Staff Working Group will establish a stakeholder group consisting of representatives of regional and state stakeholder groups (the "Stakeholder Group").

A. The Stakeholder Group will be convened by the Staff Working Group on a regular basis for purposes of providing constructive stakeholder input on issues related to the design of the cap and trade program; and be manageable in size (approximately 20 individuals or representatives) to ensure a productive dialogue with the Staff Working Group.

B. Meetings of the Stakeholder Group will be open to the public. To the extent practical, stakeholders who are not members of the Stakeholder Group and members of the public will have an opportunity to comment (either orally or in writing) on the discussions between the Staff Working Group and the Stakeholder Group.

3. Schedule Public Meetings. In addition to making draft work products available on its website for public comment and holding public meetings of the Stakeholder Group, the RGGI Staff Working Group may schedule public meetings to solicit input

from stakeholders and members of the public, as appropriate. In particular, the Staff Working Group may schedule stakeholder meetings after issuing significant draft work products that warrant such meetings, or in the event the Staff Working Group determines it will seek public input on a particular topic or set of topics. These additional stakeholder meetings will observe the following principles:

A. Encourage Written Comments. Participants will be encouraged to submit comments in writing to supplement or replace oral presentations. If there is a large number of participants, it may be necessary to limit time periods for individual oral presentations.

B. Post Comments. To the extent practical, the Staff Working Group will post all written comments filed in electronic format on the RGGI website. In addition, to the extent oral comments are summarized in writing, the oral comments may be posted on the website without attribution.

4. Facilitate Informal Dialogue. The Staff Working Group recognizes the value of facilitating informal interaction with stakeholder groups as such opportunities arise. With respect to such informal outreach, the Staff Working Group will observe the following principles:

A. Targeted Outreach to Stakeholder Groups. Given the limited resources of the Staff Working Group, informal stakeholder interaction will be targeted to achieve maximum public and stakeholder outreach with minimum expenditure of resources.

B. Specific Outreach within States or Provinces. The Staff Working Group recognizes that each state or province has developed relationships with the regulated community and interested stakeholder parties through past regulatory initiatives. Where appropriate, these relationships may be used to facilitate an ongoing dialogue with stakeholders within particular jurisdictions.

5. Rulemaking Procedures Unaffected. This stakeholder process document governs stakeholder input during the design phase of the RGGI effort. The process outlined in this plan is intended to supplement, not supplant any public comment periods required in connection with rulemakings under the laws of specific jurisdictions.

6. Revisions to Stakeholder Plan. The Staff Working Group will revisit this stakeholder process plan from time to time and consider appropriate revisions to the plan based on comments received from stakeholders and members of the public, or on its own initiative.