

**Table 1. Environmental Disclosure Requirements by State – August 2002**

State	Disclosure Requirement	Scope	Frequency	Distribution	Effective Date	Authority	Legislation/Regulation	Verification Requirement	Notes
<b>Full Disclosure Requirements</b>									
Arkansas	Standards to be set for disclosure of environmental impacts	Electric service providers	TBD	TBD	TBD	Legislature	1999 Act 1556; Rules not yet developed	TBD	Restructuring delayed until 2003.
California	Fuel mix required in standard format.	Electric service providers	Quarterly	Bill insert, offers, and written promotional materials (except ads)	1999	Legislature	Title 20, Article 5, California Code of Regulation	Report to Commission annually with supporting documentation.	Suppliers not making specific claims may disclose system mix.
Colorado	Fuel mix. Standard format is suggested.	Investor owned utilities with load >100MW	Twice annually	Bill insert or mailing	1999	Public Utility Commission	Rule (4 Code of Colorado Regulations ) 723-3-10	Supporting documentation regarding calculation must be submitted to PUC for approval.	Electricity market is not open to competition.
Connecticut	Fuel mix and air emissions	Electric distribution companies	TBD	TBD	TBD	Legislature	1998 PA 98-28; Rules under development	TBD	Two suppliers currently provide information.
Delaware	Fuel mix	Electric suppliers	Quarterly	Bill insert or mailing, offers, marketing materials	1999	Public Service Commission	1999 HB 10; Docket No. 49	Not specified. Suppliers must report fuel mix data to PSC quarterly.	
Florida	Fuel mix	Investor-owned utilities	Quarterly	On bill or bill insert	1999	Public Service Commission	25-6.093, Florida Administrative Code	Not specified.	Electricity market is not open to competition.
Illinois	Fuel mix and CO <sub>2</sub> ; NO <sub>x</sub> ; SO <sub>2</sub> ; high-level and low-level nuclear waste emissions in standard format.	Electric utilities and alternative retail suppliers	Quarterly	Bill insert	1998	Legislature	Public Utilities Act 220 ILCS 5/16-127; 83 Illinois Administrative Code 421	Information must be filed with the Commission and verified by the filing party before a public notary.	
Maine	Fuel mix and CO <sub>2</sub> NO <sub>x</sub> ; SO <sub>2</sub> emissions in format similar to sample	Electric service providers (Residential and small commercial customers only.)	Quarterly	Bill insert or mailing and prior to initiation of service.	1999	Public Utilities Commission	Chapter 306 PUC Rules	Annual report with supporting documentation must be submitted to PUC. PUC may require audits.	New England Generation Information System (GIS) database to supply data
Maryland	Fuel mix and CO <sub>2</sub> ; NO <sub>x</sub> ; SO <sub>2</sub> emissions in standard format	Electric suppliers	Twice annually	Bill insert or mailing and with contracts	2000	Legislature	1999 SB 300; 7-505b Code of Maryland; PSC Order No. 76241	Commission plans to issue separate rules regarding verification.	
Massachusetts	Fuel mix and CO <sub>2</sub> ; NO <sub>x</sub> ; SO <sub>2</sub> emissions in standard format	Competitive suppliers	Quarterly	Bill insert and prior to initiation of service.	1998	Dept. of Telecommunications and Energy	220 CMR 11.06	Annual report to DTE with verification by ISO or independent auditor.	New England GIS database to supply data
Michigan	Fuel mix and SO <sub>2</sub> ; CO <sub>2</sub> ; NO <sub>x</sub> ; high-level nuclear waste emissions in standard format	Electric utilities and alternative electric providers	Twice annually	Bills and on Commission web site	(2002)	Legislature	2000 Public Act 141, Sec. 10r; Proposed rules issued June 2001	TBD	Proposed rules issued

Minnesota	Fuel mix, air pollutant emissions, and nuclear waste emissions in standard brochure	Rate regulated electric utilities	Twice annually	Web, phone referral on bill, full info on bill insert	(2002)	Public Utilities Commission	Order 10/2/01, Docket No. E,G-999/CI-00-1343	Not specified.	Utilities must file sample brochure by 2/1/02. Market is not competitive.
New Jersey	Fuel mix, energy efficiency, and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> emissions in standard format	All electric suppliers	Twice annually	Mailings, direct mail marketing, solicitations, contracts	1999	Legislature	P.L. 1999 Chapter 23; BPU Interim Standards, July 1999	Must be verified by an independent auditor	Interim standards issued
New Mexico	Fuel mix and associated emissions, standard format required under proposed rules	Competitive electric suppliers	TBD, proposed annually	TBD	TBD	Legislature	1999 SB 428; NMPRC Case No.3349, Proposed rules issued in May 2000.	Proposed suppliers to file annual verification report verified by affidavit.	Proposed rules issued. Restructuring delayed until 2006.
Nevada	Fuel mix and emissions of high-level radioactive waste, SO <sub>2</sub> , CO <sub>2</sub> , CO, PM, VOCs, NO <sub>x</sub> , and heavy metals.	Electric utilities and competitive power providers	Twice annually	Bill insert and web	2002	Legislature	2001 A.B. 197; PUC Regulations 704.763	Unspecified	
New York	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> emissions in standard format	Load serving entities	Twice annually	Bill insert and prior to offers	2002	Public Service Commission	PSC Opinion 98-19	Administrator will provide and verify data	
Ohio	Fuel mix, CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> emissions and high-level and low-level radioactive waste in standard format	Retail electric service providers	Annually , plus quarterly comparisons of actual and projected	Bill insert or mailing, and contracts	2001	Legislature	1999 SB 3; 4901:1-21-09, Ohio Administrative Code	Suppliers must maintain documentation to verify accuracy of data.	
Oregon	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> ; spent nuclear fuel emissions in standard format	Electric service providers	Quarterly	On bill or insert, marketing materials, contracts, URL on bill	2000	Legislature	1999 SB 1149; 860-030-300, Oregon Administrative Rules	Suppliers must file a "reconciliation report" with Commission beginning April 2003	
Texas	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> ; Particulates; Nuclear waste emissions in standard format	Retail electric providers	Twice annually	Bill insert or mailing, solicitations, Commission web site	(2002)	Legislature	1999 SB 7; PUC Project #22816	Suppliers must use data in generator scorecard tracking system	
Washington	Fuel mix in standard format	Retail suppliers	Twice annually (plus two referrals)	Bill insert or mailing, solicitations	2001	Legislature	EHB 2565; Code of Washington 19.29.A	Suppliers must have information to support disclosed information	Electricity market is not open to competition.

Partial Disclosure Requirements									
Arizona	Fuel mix and emissions to extent reasonably known	Electric suppliers including default suppliers	Upon request and written marketing materials	Upon request	2000	Arizona Corporation Commission	14-2-1617, A.A.C	Not specified.	
District of Columbia	Fuel mix	Retail electricity suppliers	Twice annually to Commission	Supplied only to the Commission	2001	Legislature	DC Code D.V,T.34, Subt. III, Ch. 15	Not specified.	Commission must report fuel mix to legislature
Pennsylvania	Fuel mix and energy efficiency	Electric generation supplier	Upon request	Supply to Commission annually	1998	Public Utility Commission	52 Pennsylvania Code 54.6	Annual report to Commission verified by independent auditor	Providers must be able to support special claims.
Virginia	Fuel mix and emissions to the extent feasible	Competitive service providers; CSP's making claim-based sales	Annually to extent feasible	"Reported to customers."	(2002)	Virginia State Corporation Commission	20 VAC 5-312-10; Final Order Issued 6/19/01	Suppliers making special claims must maintain supporting documentation	Suppliers making special claims must provide supporting documentation electronically and by request.
Proposed/Pending Disclosure Requirements									
Iowa	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub>	IOUs	Once annually	TBD	TBD	Iowa Utilities Board	Proposed rule, Docket No. RMU-03-8, April 21, 2003	Not specified.	
Montana	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> , spent nuclear waste, hydro	Retail electricity suppliers	Twice annually	Product offers, contracts, ads	TBD	Dept. of Public Service Regulation	Proposed rule, 69-8-102, MCA	Not specified.	
Vermont	PSB authorized to set standards for fuel mix and environmental impacts	Electric suppliers	Once annually	TBD	TBD	Legislature	2002 S. 138	PSB authorized to set standards	Legislature authorized PSB to set disclosure standards
West Virginia	Fuel mix and CO <sub>2</sub> ; SO <sub>2</sub> ; NO <sub>x</sub> and high-level and low-level nuclear waste	Retail electricity suppliers including default suppliers	Supplied to Commission quarterly	Solicitations Posted on company web site	TBD	Public Service Commission	Proposed rule 150-13-16 issued 08/00	Supplier must maintain documentation to support claims.	Commission to publish state-wide data