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Vice President, Public Policy and Regulatory Affairs



August 17, 2012

Federal Trade Commission
Office of the Secretary, Room H-113
600 Pennsylvania Avenue NW.
Washington, DC 20580

**Re: Proposed Amendments to the Alternative Fuels Rule, (16 CFR Part 309)
(Matter No. R311002)**

Clean Energy Fuels Corp. (Clean Energy), North America's leader in natural gas refueling, supports the two amendments to 16 CFR Part 309 as proposed by the FTC and requests an additional requirement to include upstream emissions generated to power electric vehicles EVs. While the consumer market for alternative fuel vehicles (AFVs) is in its infancy, putting in place proper regulations now will allow for streamlined growth in the future. We strongly encourage the inclusion of AFV driving range information on the EPA label as it is currently proposed. The range of a vehicle is key in a consumer's decision making process. To omit this information from the labeling requirements would adversely affect the AFV market by: (1) denying a consumer the ability to make a confident choice in an AFV purchase based on a label with incomplete information; (2) discouraging a repeat purchase of AFVs from a consumer who had a bad experience or was misled by an incomplete labeling system, further re-enforcing range anxiety amongst consumers; and (3) creating an unlevel playing field in favor of underperforming AFVs as AFV technologies do vary in range performance.

One of the main components of the public's interest in AFVs is the vehicle's beneficial impact on the environment and their ability to displace foreign oil. The required vehicle labels can assist purchasers in assessing these benefits if done right. In order to do so, vehicle labels should include information which discloses the total environmental impact of an AFV's utilization. EVs are different from most other AFV's because the electricity that is used to power the vehicle is generated by other fuels that are predominantly fossil-based. Thus, the appropriate point of emissions evaluation for EVs is during the generation of electricity, not the tailpipe. These upstream emissions should be reflected in the FTC's labeling requirements for EVs to both educate consumers on the real environmental benefits of EVs and to, again, create a level playing field so that all AFV strategies can fairly compete in the marketplace. Clean Energy, therefore, respectfully requests the inclusion of upstream electrical generation emissions for EVs in any new rule making. To

exclude these upstream emissions associated with EVs would mislead the public on a key decision point, namely, the actual environmental impact of the vehicle.

In order to evaluate these upstream emissions a national profile of electric generation sources could be utilized to determine the average emissions per kilowatt hour generated in the U.S. and then apply this information to the operation of the EV.

Thank you for your consideration of our comments and suggestions to this important rulemaking. If you have any questions regarding Clean Energy's submission please feel free to contact me at your earliest convenience at (562) 493-2804, ext. 338.

Sincerely, _

~~(((~~ Todd R. Campbell
Vice President, Public Policy and Regulatory Affairs