

January, 2004

**How to Bid in the EPA SO₂ Allowance Auctions
Twelfth Annual Auctions
March 22, 2004**

To reduce acid rain, Title IV of the Clean Air Act Amendments of 1990 (CAAA) established the Acid Rain Program, which uses an innovative, market-based allowance trading system to cut in half sulfur dioxide emissions. The CAAA mandated that EPA hold yearly auctions of a small portion of allowances (2.8 percent) reserved from the total allowances allocated to utilities each year. The auctions are intended to help signal price information to the allowance market and provide a public source of allowances for new utilities that are not allocated allowances. Utilities, environmental groups, allowance brokers, and anyone else interested in purchasing allowances can participate in the EPA auctions. Allowances sold at the auctions will be sold to the highest bidder until no allowances remain. EPA cannot set a minimum acceptable price for allowances in the auctions and bidders are not restricted as to the quantity or price of their bid.

When will the twelfth EPA auctions be held and how many allowances will be sold?

On March 22, 2004, EPA will sponsor the twelfth annual allowance auctions under the CAAA. One hundred and twenty-five thousand allowances will be sold in the “spot” auction (usable for compliance beginning in 2004), and 125,000 allowances will be sold in the 7-year advance auction (usable for compliance beginning in 2011).

What is the role of the Chicago Board of Trade in the EPA auctions?

EPA has delegated the administration of the auctions to the Chicago Board of Trade (CBOT). CBOT will not charge fees for their services, bid for allowances in the auctions, or transfer allowances in the EPA Allowance Tracking System.

Can I offer some of my allowances to be sold in the EPA auctions?

Yes, for the 2004 auctions, utilities that are allocated allowances, or others that have purchased allowances held in the Allowance Tracking System, can offer their allowances for sale in the EPA auctions and set a minimum price for those allowances. However, offered allowances will be sold after the allowances from the reserve, so offered allowances will consequently be sold at a lower price than the allowances from the reserve. To offer allowances in the 2004 auctions, EPA must receive an original SO₂ Allowance Offer Form by the close of business on March 1, 2004. **Faxed copies of the SO₂ Allowance Offer Form will NOT be accepted.**

Do I need an account in the Allowance Tracking System before I bid in the EPA auctions?

Yes, to be able to bid in the EPA auctions, one must first have an account in the EPA Allowance Tracking System (ATS). Affected units are automatically given unit accounts in the ATS. All others wanting to bid in the EPA auctions must open a General Account in the ATS by submitting an Allowance Account Information Form. EPA encourages bidders to open a General Account prior to close of business March 16, 2004, the deadline by which bids must be received by CBOT.

How do I bid in the EPA auctions?

Anyone can bid in the EPA auctions by opening an account in the Allowance Tracking System and submitting a Bid Form. Submitted with the Bid Form must be a certified check, an EPA Letter of Credit Form, or a statement of intent to use to a wire transfer to cover the total amount of the bids. EPA will only accept an EPA Letter of Credit Form that is signed by a bank that is a member of the Federal Reserve and is a participant in the FEDWIRE funds transfer system. Complete original Bid Forms must be received by CBOT by the close of business (4:30 p.m. Central Standard Time) on **March 16, 2004**. **Faxed copies of the Bid Forms will NOT be accepted.**

When will the forms needed to bid in the EPA auctions be available?

By the end of January 2004, the Allowance Account Information Form and the EPA auction forms can be obtained from the Acid Rain Hotline at (202) 363-9620 or on the Acid Rain Program Homepage: <http://www.epa.gov/airmarkets>. BOTCC Clearing Member Reimbursement Agreement Forms can be obtained from the Chicago Board of Trade at (312) 347-5528.

How will I know the results of the EPA auctions?

CBOT will issue a press release of the auction results on March 23, 2004, and EPA will post the results on the Acid Rain Program Auctions Web site by 2:00 p.m. on the day of the press conference. (<http://www.epa.gov/airmarkets/auctions/>).

When do I pay for allowances won at the auctions if I use a Letter of Credit Form to guarantee payment?

If a winning bidder uses an EPA Letter of Credit Form, that bidder must wire funds to EPA's bank account or ensure that CBOT receives a certified check for the full amount owed no later than noon, **March 26, 2004** EST. If payment is not received by that time, CBOT will demand payment from the bank that signed the EPA Letter of Credit Form.

May I use a wire transfer of funds to cover my bids?

Yes, you may use a wire transfer of funds to cover the amount of your bids instead of using a cashier's check or an EPA Letter of Credit Form. Submit a cover letter, along with your bid form, indicating that you are using a wire transfer to cover the amount of your bid. If you are

submitting more than one bid form, you may use one wire transfer to cover the total amount of all the bids. The funds must be wired to EPA Account: TREAS NYC/(68011233)EPA no later than 4:30 p.m. Central Standard Time on the Tuesday before the date of the auction (March 16, 2004).

Who do I contact for more Information?

To obtain additional information on the EPA auctions, call the Acid Rain Hotline at (202) 363-9620 or check the Acid Rain Program Auctions Web site (<http://www.epa.gov/airmarkets/auctions/>).

Summary of Information to Participate in the EPA Auctions

| Action | Form Needed | Send To | Received by |
|---|--|----------------|-------------------------------------|
| Offering allowances in the EPA auctions | SO ₂ Allowance Offer Form | EPA | Close of business March 1, 2004 |
| Bidding in the EPA auctions | | | |
| C Open ATS General Account (does not apply to affected units) | Allowance Account Information Form | EPA | Close of business March 16, 2004 |
| C Submit completed auction bid with method of payment | Bid Form with: (1) certified check; (2) EPA Letter of Credit Form; or, (3) Cover letter stating intent to use a wire transfer to cover the total amount of the bids. | CBOT | 4:30 p.m. CST March 16, 2004 |