

**Executive Department**  
**State of California**

**FILED**  
In the office of the Secretary of State  
of the State of California

APR 4 - 1979

MARGH FONG EU, Secretary of State

By *Robert Anderson*  
Deputy

EXECUTIVE ORDER B 53-79

**ALLOCATION OF DIESEL FUEL**

WHEREAS, there may be local imbalances in the supply of diesel fuel and other middle distillates; and

WHEREAS, these local imbalances may adversely affect agricultural production in California; and

WHEREAS, the State of California may elect, under a grant of authority from the United States Department of Energy, to participate in a set-aside program for diesel fuel to avoid extreme hardship; and

WHEREAS, the State of California, acting through the State Energy Resources Conservation and Development Commission, is presently administering a set-aside program for gasoline; and

WHEREAS, there may be a variety of methods other than fuel allocation which may alleviate diesel fuel imbalances;

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and Statutes of the State of California, do hereby issue this order, to become effective immediately:

1. The State of California elects to participate in the state set-aside program for allocation of middle distillates in the amount of four percent each month.

2. There is established, within the State Energy Resources Conservation and Development Commission, a Fuel Allocation Office. The purpose of this office shall be, among other things, to administer the state set-aside program for middle distillates. Subject to the general policy direction of the Energy Commission, such office shall have all of the powers and duties delegated by the Department of Energy to State Offices of Petroleum Allocation. (10 CFR §211.15)

3. All state agencies, departments, boards and commissions are hereby directed to assist the Energy Commission and Fuel Allocation Office in administering the state set-aside program. Such assistance shall include, but is not limited to, providing at the request and direction of the Chairman of the Energy Commission, qualified personnel to help staff the Office. The Director of Department of Finance shall be advised by each agency of all resources which are made available to the Fuel Allocation Office.

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4. The Energy Commission is requested to study each of the following methods of alleviating supply imbalances of middle distillates:

- (1) Use of a different base year for the allocation of middle distillates to the agricultural sector;
- (2) Reduction of the rate by which electric utilities replenish fuel oil inventories whenever middle distillate supplies are imbalanced;
- (3) Full use of California refinery equipment to produce the mix of fuels needed to meet demand;
- (4) Increased use of power purchases from British Columbia to reduce fuel oil requirements in California power plants;
- (5) Full use of the Bonneville Power Administration of its thermal power plant capacity to provide additional power purchases for California so as to reduce fuel oil requirements;
- (6) Possible utility actions, pursuant to existing and proposed Federal Economic Regulatory Commission rules, for short term purchases of natural gas to displace fuel oil use in California;
- (7) Implementation of other measures which could result in the conservation of diesel fuel supplies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed hereto this 4th day of April, 1979.



*[Handwritten signature]*  
Governor

*[Handwritten signature]*  
Secretary of State

by *[Handwritten signature]*  
Deputy Secretary of State