



CONSUMER PROTECTION | POLICY CENTER

at the

CENTERS FOR PUBLIC INTEREST LAW

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September 22, 2023

Governor Gavin Newsom  
1021 O Street, Suite 9000  
Sacramento, CA 95184

**Re: SB 842- VETO**

Dear Governor Newsom:

On behalf of the Consumer Protection Policy Center (CPPC) (formerly known as the Center for Public Interest Law), I request a veto of SB 842 (Bradford), a bill which would prevent the California Energy Commission (CEC) from stopping unnecessary refinery maintenance without consulting with labor and industry stakeholders and the Department of Industrial Relations.

CPPC is a nonprofit, nonpartisan academic and advocacy organization based at the University of San Diego School of Law. CPPC's mission is to harness the power of the law for positive social change by educating the next generation of leaders – public interest lawyers and government officials – and ensuring that our government adheres to its core mission of protecting its citizens.

SB 842 undermines the landmark price gouging law you championed earlier this year. State regulators need all the tools to protect consumers and combat the increasing gasoline prices in California that are now \$1.43 more than the rest of the country. New state reporting shows refinery margins have doubled since January and are now at \$1.20 per gallon. California refiners are testing the state's resolve as their profit margins climb with gasoline prices.

CPPC was proud to support SBX1-2, and for those same reasons we ask that you veto SB 842.

In addition, you need to ask the Attorney General to initiate an active investigation into California gasoline pricing and antitrust offenses. The current pricing is the largest source of excess profits and consumer overcharging in our nation's history. That sounds like an extreme statement, but I have a substantial history as an antitrust prosecutor – both state and federal. I have filed 22 such cases over 9 years involving violation of state and federal antitrust law, obtaining judgments in all of them. And I commenced an investigation into gasoline pricing some 25 years ago, finding clear evidence of violation of federal and state antitrust law. Our state's radical excess gasoline pricing is not related to taxation or any other legitimate factor. Competition drives prices toward cost, and that is far from the reality in our state.

Sincerely,

Handwritten signature of Robert C. Fellmeth in black ink.

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Robert Fellmeth

Price Professor of Public Interest Law  
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