

Dear Ms. Morin

I have read the JPAC report and have no comments/suggestions to add other than the need for recourse by submitters.

As we noted at the time, and reiterated with our "appeal" to the commission, we continue to strenuously disagree with the termination of our submission (SEM-99-001). Our NAFTA Chapter 11 claim deals with California's unfair and improper ban of MTBE, while our CEC submission deals with California's failure to enforce underground gasoline storage tank and broad environmental laws. Our NAFTA claim is a trade matter, and our CEC submission is an environmental matter. The US assertion that underground gasoline storage tanks and environmental laws are "the subject of" our NAFTA claim is factually incorrect, but we do acknowledge that they might be referenced for evidentiary purposes. We continue to struggle to understand the commission's easy acceptance of the US position regarding our submission.

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