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Contact:

Mica Odom, 512-691-3451, modom@edf.org

Statement of Former State Regulators Expressing Confidence in the Ability of Regulators and the Regulatory System to Implement EPA's Clean Power Plan

(Dallas, TX – July 16, 2014) With the issuance by the Environmental Protection Agency (EPA) of the first proposed carbon pollution standards for existing generation plants, we come together as a non-partisan group of former state utility commissioners from all regions of the U.S. to express confidence in the continuing ability of state utility regulators to do their part in implementing the rules in a manner that meets the environmental goals while maintaining reliability and managing rate impacts. As former regulators, we consider an affordable and reliable energy supply to be vital to the nation's future economic growth, security, and quality of life. We believe the basic structure of the proposed rule is well grounded and provides a sound basis for regulating the power sector's emissions of carbon in the United States.

In years past, environmental compliance required capital investment in scrubbers and other equipment at the plants generating electricity. The proposed requirements issued by EPA in June under the 'Clean Power Plan' offer many additional cost-effective tools to achieve compliance and present greater flexibility to states to craft individual, multi-state, or regional plans, based on potential emission reductions. The tools available for compliance include efficiency improvements at coal plants, increased dispatch of lower-emitting plants, increased renewable resources, and energy efficiency. The National Association of Regulatory Utility Commissioners (NARUC) sought flexibility from the EPA, knowing that it would increase the complexity of compliance but also give state officials the ability to cost-effectively manage compliance.

The compliance tools contemplated by the proposed rules, including energy efficiency and renewable energy, are not new to utility regulators. The transition to cleaner technologies and the availability of effective measures to reduce carbon emissions have been underway for some time with the states' leadership as 'laboratories of democracy.' Many of the signatories to this letter were involved in proceedings across the country to approve facilities and pilots that proved out the effectiveness of these tools. States can now make use of these proven, cost-effective technologies to meet the EPA Clean Power Plan's standards to the benefit of customers across the country.

The signatories to this statement have confidence and every reason to believe state regulators can and will rise to the challenge.

Susan Parker, Alabama, 2006-2010
Renz Jennings, Arizona, 1985-1999
Kris Mayes, Arizona, 2003-2010
Rachelle Chong, California, 2006-2009
Dian Grueneich, California, 2005-2010
Susan P. Kennedy, California, 2003-2005
Matt Baker, Colorado, 2008-2012
Ron Binz, Colorado, 2007-2011
Ron Lehr, Colorado, 1983-1991
James Tarpey, Colorado, 2008-2014
Edward M. Meyers, District of Columbia, 1990-2002
Rick Morgan, District of Columbia, 2003-2011
Agnes A. Yates, District of Columbia, 1993-2008
Ennis Leon Jacobs, Jr., Florida, 1998-2002
Carlito Caliboso, Hawaii, 2003-2011
John Cole, Hawaii, 2006-2012
Darrel Hanson, Iowa, 2007-2014
Diane Munns, Iowa, 1999-2006
Sherman Elliott, Illinois, 2008-2012
Bob Lieberman, Illinois, 2005-2009
Janet Gail Besser, Massachusetts, 1995-1997
David Cash, Massachusetts, 2011-2014
Paul Hibbard, Massachusetts, 2007-2008
Susan Tierney, Massachusetts, 1988-1991
Tim Woolf, Massachusetts, 2007-2010

Allen Freifeld, Maryland, 2004-2009
Cheryl Harrington, Maine, 1982-1991
David Moskovitz, Maine, 1984-1989
Bill Nugent, Maine, 1991-2003
Sharon Reishus, Maine, 2003-2010
Phyllis Reha, Minnesota, 2001-2013
Clifton Below, New Hampshire, 2005-2012
Nancy Brockway, New Hampshire, 1998-2003
Scott Weiner, New Jersey, 1990-1991
Douglas Howe, New Mexico, 2011-2012
Renee Guild, Nevada, 1983-1984
Carl Linvill, Nevada, 2003-2006
Rose McKinney-James, Nevada, 1988-1993
Stephen Wiel, Nevada, 1984-1992
Robert E. Curry, New York, 2006-2012
Cheryl Roberto, Ohio, 2008-2012
Jim A. Roth, Oklahoma, 2007-2009
Ron Eachus, Oregon, 1987-2001
Roger Hamilton, Oregon, 1992-2001
James B. Atkins, South Carolina, 2000-2004
Karl Rabago, Texas, 1992-1995
Richard Cowart, Vermont, 1987-1999
Michael Dworkin, Vermont, 1999-2005
Richard Sedano, Vermont, 1991-2001
Lauren Azar, Wisconsin, 2007-2011
Mark Meyer, Wisconsin, 2004-2011