



November 2, 2015

Dear Representatives and Senators,

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Helotes, TX

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Houston, TX

On behalf of the Texas Public Policy Foundation, I write to you urge you to support the House and Senate resolutions under the Congressional Review Act (CRA) disapproving of the Environmental Protection Agency's rule regarding carbon emissions from new and existing electric utility generating units. The so-called Clean Power Plan (CPP) is an overreach of executive power by the EPA and it being challenged in the courts by 26 states (including Texas) and dozens of industry groups.

As research from the Texas Public Policy Foundation (TPPF) shows, the CPP will likely result in a cap-and-trade scheme - a policy rejected by Congress several times in the past only now being enacted by an unelected bureaucracy.

On October 16, the Electric Reliability Council of Texas (ERCOT) released an "Analysis of the Impacts of the Clean Power Plan" noting that the rule will result in the retirement of at least 4,000 megawatts of low cost, reliable coal-fired generation capacity. Furthermore, ERCOT anticipates an "up to 16 percent" increase in the cost of retail power prices, "not including the impacts of new transmission projects or other investments that could be needed to support compliance." These additional "impacts" would run into the billions of dollars.

TPPF's research further illustrates that higher electric rates will hurt consumers and destroy jobs in energy-intensive manufacturing industries across Texas and other states. The estimated double digit rate increases will hurt middle and low income families the most and further restrict business expansion.

In his recent Congressional testimony, Dr. Bryan Shaw, Chairman, Texas CEQ said:

"In effect, EPA is setting standards for existing power plants based on the method of electric generation they prefer, not on the control technology or methods that can be feasibly applied to existing sources. And the rule does not provide a single quantifiable climate benefit...the EPA is deceiving the American public by 'wildly inflating' the economic benefits of the rule, and many of the claimed health benefits from the rule are actually 'co-benefits' from reductions of non-greenhouse gas pollutants already regulated under other rules."

The CPP is an "all pain for no gain" regulatory overreach imposing massive costs on American families for an immeasurable decrease in climate temperatures. As TPPF's Vice President, Chuck DeVore as said, "The bottom line is that the Clean Power Plan nationalizes regulation of electrical power generation, imposing higher costs on most states... [and] imposes California's electricity costs—on most of the rest of the nation, which will result in soaring electric bills.

For these and other reasons, we urge Members of Congress to fight for reliable and affordable electricity by supporting meaningful efforts to overturn the flawed EPA rule, such as

Congressman Whitfield's H. J. Res 71 and H.J. Res. 72, Majority Leader McConnell's S.J.Res.23, and Senator Capito's S.J.Res.24.

Sincerely,



Brooke Rollins
President & CEO



Kathleen Harnett White
Distinguished Senior Fellow-In-
Residence & Director, Armstrong
Center For Energy & The Environment



Doug Domenech
Director
Fueling Freedom Project