



June 19, 2015

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Upton,

The Texas Public Policy Foundation strongly supports passage of H. R. 2042, the Ratepayer Protection Act.

The Environmental Protection Agency's so-called Clean Power Plan will have a severe impact on the state of Texas forcing a federal takeover of our electric power generation system. The plan disproportionately hurts Texas and our economy by reshaping energy production capacity likely forcing 19-25 coal plants to close, and proposes that Texas increase renewable energy capacity by 153 percent.

This important legislation would delay implementation of the EPA's proposed rule under Section 111(d) of the Clean Air Act to regulate CO<sub>2</sub> gas emissions from existing power plants until such times as all judicial review has been completed. The legislation would also provide States like Texas the authority not to implement a federal or state plan – as called for in the plan – if the governor determines it would adversely affect electric rates or reliability, as it surely will.

In our view, the EPA's plan as proposed is clearly illegal and therefore likely to be overturned through litigation in federal court. However, litigation takes time, which means this ill-conceived rule could do significant economic damage to all residential and business electricity users before it is overturned.

The "Clean Power Plan" would raise electric rates and threaten reliability in many states. The poor, the elderly on fixed incomes, and the disadvantaged will be hurt the most.

For these reasons, we urge every member of Congress to vote Yes on H. R. 2042, the Ratepayer Protection Act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brooke Rollins", is written in a cursive style.

Brooke Rollins  
President  
Texas Public Policy Foundation

CC: Texas Congressional Delegation