



Momentum Continues for America's Clean Power Plan

After the divided and unprecedented decision by the Supreme Court issuing a "stay" of the Clean Power Plan, many states have prudently chosen to keep moving forward with compliance planning and stakeholder engagement. **Twenty states across the country**—states opposed to the Clean Power Plan as well as states strongly supportive—**have weighed in constructively following the decision** by expressing their support for the Clean Power Plan, their confidence in its strong legal foundation, or affirming plans to continue working towards compliance or to secure carbon reductions from the power sector.

Supportive of Clean Power Plan | Full Steam Ahead on Compliance

- **California**
 - [Governor Brown](#) statement:

“As the world gets hotter and closer to irreversible climate change, these justices appear tone-deaf as they fiddle with procedural niceties. This arbitrary roadblock does incalculable damage and undermines America’s climate leadership. But make no mistake, this won’t stop California from continuing to do its part under the Clean Power Plan.”
 - [Attorney General Kamala Harris](#) statement:

“I am extremely disappointed by the Supreme Court’s decision today to block President Obama’s Clean Power Plan,” said Attorney General Harris. “The Court’s decision, and the special interests working to undermine this plan, threatens our environment, public health and economy.”

 - LA Mayor Eric Garcetti ([via Twitter](#)): "Climate change is the most critical threat of our time. It is already warming the earth, raising our sea levels, and affecting our food supply - and it is our responsibility to stop it. Last year, Los Angeles made a firm commitment in our Sustainable City pLAN to end our dependence on coal by 2025, and we know that the future of our planet, economy, and children's health depends on cities across the world moving forward with us. I am disappointed that the Supreme Court is taking a step backwards by putting a hold on President Obama's sensible clean power plan. But here's the good news: no matter what happens on the federal level, local leaders will not ignore the danger of complacency, or the urgent need for immediate action.”
- **Colorado**
 - [Governor Hickenlooper](#) quote (April 7, 2016):

“Our full intention is to get to, and in many cases exceed, what the goals are in the Clean Power Plan... So, (however the budget debate settles out), the focus of

(health and environment department) and this state is to get to cleaner air in real time.”

“Our goal is to get to much cleaner standards and probably achieve or exceed what’s in the Clean Power Plan... our goal here is to get cleaner air without really any negative impact to the ratepayer’s pocketbooks.”

- [Governor Hickenlooper](#) statement (February 10, 2016):
“While we're still reviewing the implications of the Supreme Court's decision, we remain committed to having the cleanest air in the nation. We'll continue to build upon the great strides we've made as a state — with the Clean Air Clean Jobs Act and our Renewable Energy Standard — to protect our public health and environment.”
- [CO Department of Public Health & Environment](#):
“It is prudent for Colorado to move forward during the litigation to ensure that the state is not left at a disadvantage if the courts uphold all or part of the Clean Power Plan. Because the Supreme Court did not say whether the stay would change the rule’s compliance deadlines, Colorado could lose valuable time if it delays its work on the state plan and the rule is ultimately upheld.”
- **Connecticut** [Governor Dannel Malloy](#) statement: "I believe in science - the data is real. Global warming is happening. Urgent action is needed on a national and an international basis to combat it. That's why the Supreme Court's ruling to pause implementation of the Clean Power Plan is disappointing and shortsighted. However, it is not a final decision on the legal merits of the Clean Power Plan, so it is important that we continue with preparations for compliance with the plan while these issues are being worked out in the courts.

Connecticut is already a national leader on global warming - and that will not change. We're going to continue to cut carbon in a cost-effective, reliable manner while growing a clean energy economy. Through programs like the Regional Greenhouse Gas Initiative, we already have achieved significant reductions in carbon pollution from the electric sector, while growing our economies and maintaining reliable power. We have an obligation to combat greenhouse gases, and Connecticut is going to continue to do just that."

- The ruling "changes but does not end the need for conversation [among states]," [said](#) Jack Betkoski, Vice-Chair of the Connecticut Public Utilities Regulatory Authority and second vice president of NARUC.
- **Delaware** Governor Jack Markell ([via Facebook](#)): "I am disappointed in yesterday’s Supreme Court action on the EPA Clean Power Plan, but optimistic that it will be upheld when the courts review the merits of the case. We remain determined to move forward in responding to the issue of climate change. As a RGGI state, Delaware has led the country in working to curtail greenhouse gas emissions from the power sector, and we will continue to do so regardless of the decision to stay the Clean Power Plan rule. As a

coastal state, we are acutely aware of the serious threats of climate change and sea level rise, and the Clean Power Plan represents a sensible and flexible approach for states to make the changes required to protect our economy and quality of life."

- **Minnesota**

- [Governor Mark Dayton](#) statement: "While the Court's temporary stay is disappointing, it does nothing to diminish our resolve in Minnesota to keep moving forward on clean energy initiatives, including the development of our state's Clean Power Plan. President Obama's strong leadership, the nation-leading initiatives of some of our state's utilities, and my administration's commitment will assure our state's continued progress.

"We shouldn't need a federal edict to understand how vital it is that we keep doing everything in our collective powers to reduce harmful greenhouse gas emissions, improve energy efficiency, and advance Minnesota's clean energy economy."

- Minnesota Pollution Control Agency ([via Twitter](#)) "CleanPowerPlanMN is moving forward – attend our listening session in Bemidji next week."
- "Some state officials [proclaimed](#) they would nonetheless plow ahead with planning until a final court decision. 'We will go full speed ahead,' said David Thornton, assistant commissioner of the Minnesota Pollution Control Agency."

- **New Hampshire** [Governor Maggie Hassan](#): "New Hampshire has long led efforts to cut carbon emissions and combat climate change so that we can have the cleaner and safer environment that our people need to live healthy, productive lives – and it's crucial that other states follow our lead and take responsibility for the pollution that they cause. Through programs such as the Regional Greenhouse Gas Initiative, our region is showing that it is possible to protect public health, spur energy innovation, and promote affordable, reliable energy sources for our economy. That's why I have been a strong supporter of the Clean Power Plan, and the Supreme Court's decision to delay this important step forward is very disappointing."

- **New York**

- [AG Eric Schneiderman + Joint Statement of States and Counties*](#): "We are confident that once the courts have fully reviewed the merits of the Clean Power Plan, it will be upheld as lawful under the Clean Air Act. Our coalition of states and local governments will continue to vigorously defend the Clean Power Plan—which is critical to ensuring that necessary progress is made in confronting climate change."

*Additional states and cities: California, Connecticut, Hawaii, Illinois, Maine, Maryland, Massachusetts, New Hampshire, New Mexico, Oregon, Rhode Island, Vermont, Virginia, Washington, the District of Columbia, the cities of New York, Boulder, Chicago, Philadelphia, South Miami and Broward County, Florida.

- Governor Andrew Cuomo [quote](#): “The Supreme Court’s decision to temporarily halt President Obama’s Clean Power Plan is a disappointing setback in the nation’s efforts to address climate change. The plan should absolutely be upheld on its merits, and New York State remains committed to moving forward with our own actions to protect the environment and the public health. From dedicating \$5 billion to advance the clean tech economy, to requiring that 50 percent of electricity in the state come from renewable sources by 2030 and limiting greenhouse gas emissions in line with the global Under 2 MOU, New York is leading by example in addressing one of the most pressing challenges of our time. But this issue requires a global response – and the Clean Power Plan is crucial to ensuring a cleaner, greener, and safer future for all.”

- **Oregon** Governor Kate Brown ([via Facebook](#)): “Even though the Clean Power Plan is going through a battle in the courts, Oregon has been and continues to be committed to national efforts to reduce greenhouse gas emissions from the power sector. Oregon is well-positioned to comply with the EPA targets because there have already been early actions in Oregon through investments in energy efficiency, renewable energy development, and moving away from coal.”

- **Pennsylvania**
 - [DEP Secretary John Quigley](#) quote: “The rule’s in effect, the rule hasn’t gone away. We, at least currently, see a path to submitting [a state plan] on Sept. 6... It’s clear that renewables are the future. What the Clean Power Plan is calling for is really good business.”

 - [Governor Wolf’s](#) spokesman Jeff Sheridan quote: “Pennsylvania will continue planning and engagement with stakeholders on the Clean Power Plan, pending final decision of this issue by the Supreme Court. We will continue to closely monitor the ongoing legal process.”

- **Vermont** [Governor Peter Shumlin](#) statement: “This is incredibly disappointing news. The forces fighting President Obama’s common sense plan are those with a stake in the dirty energy status quo that is of polluting our air, water, and forests and contributing to global climate change. Their desperate attempt to make a profit at the expense of our health and the future of the planet is standing in the way of serious action to combat climate change and preserve a livable planet for future generations.

“It is no surprise that the suit over the Clean Power Plan was brought by proponents of the coal industry. That industry, and those who support it, will do everything they can to boost their profits, even if it means imperiling our planet’s future. This is just one more example why Vermont should not be in the business of supporting the coal industry and should divest from coal stocks.”

- **Virginia** [Governor McAuliffe](#) statement: “Over the last several months my administration has been working with a diverse group of Virginia stakeholders that includes members of the environmental, business, and energy communities to develop a strong, viable path forward to comply with the Clean Power Plan. As this court case moves forward, we will stay on course and continue to develop the elements for a Virginia plan to reduce carbon emissions and stimulate our clean energy economy.”
- **Washington** [Governor Inslee](#) statement: “Yesterday’s Supreme Court ruling on the Clean Power Plan is very troubling, surprising, and disappointing. And it inexplicably breaks with past rulings in which the high court has called for federal rules to limit the carbon pollution that is driving climate change.

“We cannot afford to wait any longer for federal action to address carbon pollution and transition to clean energy. Here in Washington state we are unfortunately already seeing the harmful impacts of climate change, and we will continue to take steps that reduce carbon and to lead the nation in clean energy. The EPA’s Clean Power Plan remains a crucial tool to ensure that every state must do its part, and to empower them to do so.”

Continued Engagement on Compliance, Securing Carbon Reductions

- **Arizona**
 - Eric Massey of [Arizona Department of Environmental Quality](#) quote: “...the state will continue gathering information while the court considers the Clean Power Plan. By March the division is expecting to complete a baseline outlook for 15 years of carbon emissions given impending changes including APS fuel conversions, growth in renewable energy and energy efficiency.”
- **Georgia**
 - Sheree Kernizan, Electric Unit Director for the : [Georgia PSC](#): "We were already on track under the proposed rules to kind of meet the goals anyway -- without doing anything -- and this was prior to the 2016 [integrated resource plan] that was filed this year," Kernizan said. "And [Georgia Power Company's] talking about adding more renewables, continuing the energy efficiency programs that have been in place."
- **Idaho**
 - “The [Idaho DEQ](#) will continue to work with the Office of Energy Resources and the Idaho Public Utilities Commission to determine the best options for the state if the rule is reinstated.

Meanwhile, technical analysis of the rule and its impacts will continue and, "as time allows, we will continue discussions with affected utilities and surrounding states," the Idaho DEQ said.”

- **Illinois**
 - The Clean Power Plan listening sessions remain "in the works," [said](#) Ann McCabe of the Illinois Commerce Commission.
- **Iowa**: The Iowa Department of Natural Resources stated "...DNR would like to work collaboratively with stakeholders to analyze our next steps. To that end, we will still have the February 22nd stakeholder meeting as scheduled. The agenda for the meeting is attached and includes time to hear your thoughts on next steps and focus on EM&V. Given the judicial uncertainty of the rule, hearing from stakeholders on the way forward is very important."

The Iowa DNR plans to move forward with a previously scheduled Clean Power Plan stakeholder meeting on [February 22](#).

- **Louisiana**
 - [Louisiana Departmental Quality's](#) Secretary Chuck Carr Brown: "Some of the coal states are saying, 'Put your pencils down'... I took this as an opportunity to sharpen the pencil -- to create something that is going to work for the state of Louisiana."

"Regardless what happens, I feel that EPA has already been successful in that now everybody is talking about carbon emissions and addressing them," Brown said, adding later, "I don't think there's anybody out there that doesn't believe climate change is real -- if they do, I don't know where they've been." Any plan Louisiana develops "is going to be right for the state of Louisiana," Brown argued, saying that plan aims to include an "advantageous [carbon] trading component... A lot of folks are looking at what we do in Louisiana. We have a red state and a moderate Democratic governor [and] a new director. If we can get it right, so can everybody else, whatever that plan is."

- **Massachusetts Attorney General Maura Healey**: "Although we are disappointed with the Supreme Court's decision to delay implementation of the EPA's Clean Power Plan, we believe the courts will uphold this program after full consideration of the merits of the case. Massachusetts has made important progress on addressing the threat of climate change, and as this case proceeds we will work with our coalition of states and local governments to continue to defend the Clean Power Plan's reasonable, flexible and cost effective approach to lowering the greenhouse gas emissions of our country's power plants."
 - "Based on our review, the Commonwealth, as part of the nine-state Regional Greenhouse Gas Initiative (RGGI), is well positioned to meet the goals of the federal Clean Power Plan," a spokeswoman for the Massachusetts Executive Office of Energy and Environmental Affairs told Bloomberg BNA in an e-mail.
 - Bloomberg BNA: *States Respond to Clean Power Plan Stay* (Childers)

- **Nevada:**

- [Governor Brian Sandoval](#) on reconvening the New Energy Industry Task Force: “Nevada was already well on the road to compliance with proposed federal regulations concerning carbon emission rate reductions,” said Sandoval. “That rule is now under scrutiny by the U.S. Supreme Court. This task force will work with the Nevada Division of Environmental Protection and other stakeholders to determine the best path forward for our state, a uniquely Nevadan solution that balances energy efficiency, economic development, and environmental stewardship. The Task Force will be making recommendations for the state to consider with regard to future EPA compliance issues, but more importantly to do the right thing for the people of Nevada. I have also asked the director to look into rooftop solar and Nevada’s energy grid so that we are prepared with any necessary legislation in time for the 2017 session of the Nevada Legislature.”
- [Governor Sandoval](#) on the Clean Power Plan litigation: “The Governor did not request the filing of an amicus brief in the Clean Power Plan case. In taking this action, the Attorney General is simply offering his legal opinion. The Governor is focused on finding a uniquely Nevada policy solution for clean and renewable energy through the work of the recently reconvened New Energy Industry Task Force that centers around the tenets laid out in the bipartisan Clean Energy Accord that he signed with 16 other governors last week.” – Communications Director Mari St. Martin

- **New Mexico**

- [NM Environment Secretary Ryan Flynn](#) said in a statement that "despite capricious political winds, the New Mexico Environment Department remains committed to taking meaningful action to reduce greenhouse gases by a projected 5.7 million tons by the end of 2017."

But, he added, "as New Mexico has stated since the Clean Power Plan was originally proposed, a bi-partisan legislative solution to reduce greenhouse gas emissions can be more effective for creating sustainable results, and thus avoid the overstepping of federal regulatory boundaries which occurs when the Executive branch of government attempts to legislate through regulations, rather than Congress."

- **South Carolina**

- “But some states, more aggressive in their carbon reduction work, say they will continue with their efforts regardless of the case's outcome. [South Carolina](#) has indicated it expects to continue work to decarbonize the state's power industry, an effort which began two years ago.”

- **Wyoming:** “[[Governor Mead](#)], in an interview Friday, said Wyoming would continue to oppose the rules in court, adding the stay provides added justification to Wyoming’s

argument the EPA plan is illegal. The Cowboy State nevertheless will continue compliance planning, albeit at a slower pace, he said.”

- “State Sen. Michael Von Flatern, a Gillette Republican who chairs the powerful Senate Minerals, Business and Economic Development Committee, voiced support Friday for continued planning. ‘Whatever the court decides and our neighboring states and our receiving states choose, Wyoming should be prepared,’ he said.”
- [State Rep. Norine Kasperik](#) (R), who serves on the Minerals, Business and Economic Development Committee, said planning would not stop.

"They're going to meet and discuss with stakeholders on the issue," she said. "Any more funding they need can be put back in next session. It's not going to be moving forward that quickly."