

## **Resolution in Response to EPA’s Plan to Regulate Greenhouse Gases under the Clean Air Act**

**WHEREAS**, the President has directed EPA to issue regulations setting greenhouse gas emission New Source Performance Standards for new power plants and for modified, reconstructed, and existing power plants under the Clean Air Act; and

**WHEREAS**, ALEC has previously stated its opposition to EPA regulating greenhouse gases<sup>[1]</sup>; and

**WHEREAS**, EPA has proposed regulations for greenhouse gases from new fossil fueled power plants and has announced its intention to issue proposed regulations for existing fossil fueled power plants by June 1, 2014; and

**WHEREAS**, the U.S. Supreme Court has recently decided to review whether the EPA has the authority to issue new source permits for greenhouse gases from stationary sources under the Clean Air Act; and

**WHEREAS**, there is no commercially viable technology to capture and store CO<sub>2</sub> from power plants, ALEC is very concerned about the potential economic impact of greenhouse gas regulation on electricity prices and the harm EPA regulations may have on the economic recovery; and

**WHEREAS**, ALEC favors an “all-of- the-above” energy strategy and not an “all-but-one” approach that restricts the future use of coal to generate affordable electricity.

**WHEREAS**, our federalist system of government, as implicated in the Clean Air Act, requires that EPA recognize the rights and prerogatives of States.

**THEREFORE BE IT RESOLVED**, that ALEC opposes any regulation where States are not allowed to play their proper roles in making the significant policy judgments that are required in adopting any such regulation;

**BE IT FURTHER RESOLVED**, that ALEC opposes regulations that will prevent electric utilities from providing affordable, reliable and safe electric power.

<sup>[1]</sup> See American Legislative Exchange Council, Resolution in Opposition to EPA’s Regulation of Greenhouse Gases from Mobile Sources, (2007).