

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062-2000  
202/463-5310

November 11, 2013

TO THE MEMBERS OF THE UNITED STATES CONGRESS:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting and defending America's free enterprise system, strongly supports draft legislation that would provide critical protections against the Environmental Protection Agency's (EPA) aggressive and economically damaging greenhouse gas rules applicable to new and existing power plants.<sup>1</sup> The Chamber applauds the leadership of Representative Whitfield and Senator Manchin for crafting this important legislation, which is expected to be introduced and considered in the near future.

The Chamber continues to believe that the Clean Air Act is not the appropriate vehicle to regulate greenhouse gas emissions and is poorly designed for such a task. Nonetheless, in September EPA proposed what will be the first-ever greenhouse gas regulations on new power plants. The proposal is the latest edition in a string of already issued and expected rules targeted at many of America's most affordable and reliable electric generation facilities. The impact these rules will have on power prices means that they could ultimately have negative implications extending to nearly every segment of the economy.

Specifically, EPA's recently proposed rule would mandate limits on carbon emissions from newly built power plants, in particular requiring that all new coal-fired power plants include carbon capture and sequestration (CCS) systems. However, despite Clean Air Act requirements that mandated technologies be "adequately demonstrated," CCS is nowhere near commercial viability due to financial, technological, and other hurdles. Accordingly, EPA's designation of CCS as the best system for compliance under this rule amounts to little more than a regulatory euphemism for what is plainly a ban on the construction of new coal-fired power plants.

The draft Whitfield-Manchin bill would address this problem by prohibiting EPA from mandating CCS until it has been adequately employed on commercial-scale power plants. It would also prohibit expected EPA greenhouse gas regulations on existing power

---

<sup>1</sup> <http://energycommerce.house.gov/sites/republicans.energycommerce.house.gov/files/BILLS-113hr-PIH-legislation-to-address-epa-rules-affecting-electricity-generation.pdf>

plants from taking effect until and unless the effective date of such regulations are explicitly authorized by Congress. These are common sense solutions that would serve to uphold the spirit and intent of the Clean Air Act and prevent disruption to the affordable and reliable electricity that provides the backbone of the American economy.

The Chamber looks forward to working with Congress on this important legislation. The House and Senate must ensure that new greenhouse gas regulations promulgated by EPA are reasonable, achievable, and sustain coal's continued vital role in America's diverse energy portfolio. When this legislation is introduced, the Chamber urges all Members of Congress to cosponsor it.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being more prominent.

R. Bruce Josten