

Summary Memorandum on EPA 111(d) Public Hearings
August 1, 2014

Summary: EPA held public hearings in Atlanta, Denver, Pittsburg, and Washington DC the week of July 28. Electric cooperatives engaged at each of the four EPA public hearings on 111(d) this week. Following are summaries of each hearing, prepared by NRECA staff who were in attendance at each.

NRECA Government Relations and Communications staff provided support in the following ways:

- Ahead of the hearings:
 - Distributing model talking points
 - Planning social media efforts
 - Bringing IBEW into coalition plans
 - Speaking with statewide association staff and board members about the important political and grassroots opportunities associated with the hearings
 - Running digital ads touting tellEPA.com and previewing co-op presence at hearings
- During the hearings:
 - “Boots on the ground” at each hearing
 - Testimony presented (DC only)
 - Live tweeting
 - Filming and photography
 - Interaction with co-ops to further promote action.coop booths and activities for rest of the comment period.
 - Making connections with media and elected officials for the CoalBlue project

Washington, DC Public Hearing

NRECA’s John Novak provided a strong statement – an excerpt follows:

“The proposal will likely result in the premature closure of a number of power plants owned by electric cooperatives – placing even greater financial burdens on the cooperatives and the consumers who own them. Many of these plants were built when our national policy encouraged the use of coal as a domestic resource and co-ops have invested billions of dollars since then on environmental controls. These plants have a useful life that extends well beyond 2030. Cooperatives have played by the rules, but moving the goalposts again – like this proposal would

– will result in stranded assets and premature shutdowns. For co-ops, this outcome is unreasonable, unjustifiable, and arbitrary.”

Other co-op speakers included:

- Basin Electric Power Cooperative (Chris VandeVenter)
- Hoosier Energy REC, (Michalene Reilly – Environmental Manager)
- Wabash Valley Power Association (S. Dear Schramm-Satayathum – Environmental Affairs Manager)

Atlanta Public Hearing

Summary of EPA public hearings and related activities in Atlanta July 29 – 30

NRECA partnered with the Georgia Electric Membership Cooperatives, the Alabama Rural Electric Association, the Electric Cooperatives of South Carolina, and the Florida Electric Cooperative Association along with a diverse coalition (IBEW; Consumers Energy Alliance, Southern Company) to participate in the public hearings held by the EPA. The coalition included representatives from the power industry, business groups, labor organizations, and consumer advocacy groups.

Consumer Energy Alliance (CEA) Press Conference

NRECA attended and supported the CEA press conference on the morning of Tuesday July 29th. The press conference showcased the diverse coalition that came together to oppose the proposed Clean Power Plan. Some of the strongest remarks included statements from Brian Thompson of IBEW, Sen. Kenneth Wayne Jones – Chairman, Mississippi Legislative Black Caucus, and Jonathan Wood of Coal Blue. The Cooperative Action Network Twitter feed was live tweeting throughout the event using hashtags: #KeepTheLightsOn; #KeepPowerAffordable; #EPAEnergyPlan; #GaPol; #epa4; #EPAHearing; #KeepOurEnergyJobs; #epaatl.

Co-op Representatives Speak Up

Electric co-ops sent over 20 individuals to present the unique cooperative narrative to the EPA. This group included representatives from co-ops in Alabama, Georgia, Florida, and South Carolina. Copies of the testimony given by the Georgia and Florida representatives are attached. Still photos and man and the street interviews can be viewed here:

https://www.dropbox.com/sh/7myal64n0wc9gep/AABawCG255M9SxYv_QO4HWzSa

NRECA is working with the participating statewide associations to make further use of over 30 hours of professional video footage. Sample footage can be found here:

<https://www.youtube.com/user/EnergySouth/videos>

Worth Noting

- Americans for Prosperity held a “Stop the EPA Power Grab” rally at Noon on July 29th. The rally was lightly attended (less than 100 people). The NRECA-EMC-CEA coalition group decided NOT to participate in this event and to instead focus on the CEA press conference.
- The Sierra Club and their coalition groups held a rally and a march at Noon on July 29th. The media reported that nearly 1,000 pro environmental activists were in town for the hearings, many the beneficiaries of paid travel.
- The first day of testimony was unbalanced with a majority of speakers supporting the EPA plan. Many of the speakers declared the EPA plan does not go far enough and they often went off message.
- The second day of testimony was more balanced. It seemed that most of the environmental activists went home after the rally.

Denver Hearing

Hearings were held at EPA District 8 offices in downtown Denver. The Sierra Club and the American Lung Association had a large inflatable asthma inhaler & mobile billboards (respectively) outside of the building. Sierra Club allowed day-of walk up registrations to receive a t-shirt & “Clean Air” talking points. Still, early on day one the EPA hearing chairs were announcing that they had empty speaking slots and were asking for speakers from the room. Despite the lackluster turn-out on day one, the speaker list was heavily skewed towards supporters of the proposed rules. The ratio was approximately 5 to 1 pro throughout the day. Day two had a more even representation, estimate 3 to 1. Hearings were held in two rooms both days.

Representatives from Electric Cooperatives spoke both days. The EPA heard from Cooperative representatives from Colorado Rural Electric Association, Tri-State, Basin & several distribution co-operatives. Also speaking against the proposed rules were members of the National Mine Workers Association, the Boilermakers Union, other utilities and pro-coal groups.

An overarching theme replayed in many remarks was that many were disappointed that Denver was the only hearing West of the Mississippi and that many were disappointed that the EPA is not holding hearings where the most affected by these rules could speak. Phil Russell, who lives in Chinle, Ariz., on the Navajo Reservation challenged the EPA to come to Arizona to “look the people in the eye” for whom the decisions they were making are “life and death.”

Regarding those speaking for the proposed rules; although there were representatives from NRDC, EDF, Earth Justice, Public Citizen and the like, a majority of the speakers were self-identified members of the Sierra Club and were speaking on their own behalf. To that end their comments were quite often off topic, inaccurate, unprofessional and / or highly emotional in

nature. One older gentleman in a Sierra Club blue “I Heart Clean Air” shirt testified about his greenhouse and the “herbs” he was growing.

Worth note is that the list of hearing registrants released by the EPA on their website prior to the hearings was woefully inaccurate. Some registered speakers were not listed and many were out of order.

A “Stop EPA Power Grab” rally was held at the Colorado Capitol building on July 28th from 12 – 3pm. Representatives from American’s For Prosperity, the Colorado Mining Association, Peabody Energy, Boilermakers Union, several state elected officials and gubernatorial candidate Bob Beauprez addressed the crowd of approximately 400. Those in attendance were primarily from coal industry including the Colorado, Wyoming, Montana, Idaho, Utah and Arizona Mining Associations.

The hearing & related events were major news in the Denver market. The events of day one were above the fold front page news for the Denver Post.

Related News articles:

Denver protests over proposed EPA power-plant rules stoked by politics:

http://www.denverpost.com/news/ci_26238611/denver-protests-over-proposed-epa-power-plant-rules

United Mine Workers take aim at EPA carbon plan during Denver

hearing: <http://blogs.denverpost.com/thebalancesheet/2014/07/30/epa/12222/>

EPA hearings turn Denver into political stage:

<http://www.9news.com/story/news/health/2014/07/29/denver-epa-hearings/13340161/>

Pittsburgh Hearings:

There was a major presence here in PA by the coal groups and other various labor unions. The UMW held a rally of more than 10000 people that came from as far away as Alabama to decry the EPA's proposed rule. Many members of the Miner's Union were scheduled to testify throughout the day on August 1. On Thursday, July 30, most of the testimony came from the environmental groups, stating mostly the same thing: clean air for our kids and clean air for the future.

This was a major news story here in Pittsburgh, with front page coverage on the Pittsburgh Tribune, and lead stories on the local evening news. Coverage was as far away as West Virginia (with bleed over into Ohio markets).

On Friday, August 1, co-op nation was represented by Ken Schilling, CEO of the Washington Electric Cooperative in Marietta, OH. His testimony centered around the cooperative model, and the effect that the proposed rule would have on his members and members throughout Ohio. Unemployment in his service area sits at 11% and Ken attributes some of that to power plant closures that have already occurred. He told the EPA that his members require affordable, reliable and environmentally responsible electricity - in that order. WEC works hard to ensure a reliable mix of power that includes coal. While they are committed to maintaining a clean environment, the current proposal would vastly affect their members. They may see rate increases of \$40-50 a month, for not much in return, only diminishing the global temperature rise by .018 degrees. Ken did a great job of carrying the message, and was ultimately interviewed by the Pittsburgh Tribune. We should thank Ken for driving three hours to make his testimony today.

As mentioned earlier, there was a major presence by the UMWA in our testimony room. Their main message was job loss, a loss of retirement benefits when folks aren't paying into the pool (due to job loss), and increased tax burden to pay for unemployment. They also focused on their pillar of the community where they work and live. Another message was the fact that their jobs would go to China and India, with little control on their emissions; thus, not helping the climate in the end. The miners were very appreciative of Ken's testimony and spoke with him afterward to thank him.

The EPA employees in the room were taking a lot of notes, and were extremely courteous to the Miners. When Ken was testifying, all three of the EPA representatives took notes with reference to the cost to members, without much assistance to the environment.