

January 15, 2016

TO: NRECA Board of Directors
Distribution CEOs
Statewide Managers
G&T Managers

Congressional Cooperative Business Caucus Announced

With a special mention of NRECA and electric cooperative efforts, House Foreign Affairs Chairman Royce (R-CA) and Rep. Pocan (D-WI) announced the new bipartisan [Congressional Cooperative Business Caucus](#). We look forward to working with the caucus in efforts that support cooperative development and growth, address federal policy issues unique to the cooperative community and promote the cooperative business model. Chairman Royce has no electric co-ops in his district, so his support highlights the benefits of working with a diverse set of members of Congress. Chairman Royce has become a valued electric co-op friend through his leadership on the Electrify Africa Act.

House Passes Resolution to Block WOTUS Rule, Veto Expected

A disapproval resolution (S. J. Res. 22) to block the Waters of the U.S. (WOTUS) final rule cleared the House on a 253-166 [vote](#) that included 12 Democrats. While the President is expected to veto the measure, the House reinforced the Senate vote last November to demonstrate bipartisan opposition to the WOTUS rule. We continue to work with Congress to address co-op concerns about regulatory burdens and compliance costs undermining co-ops' ability to build and maintain electric infrastructure. The WOTUS rule took effect in August 2015 and implementation was to start October 1, 2015. It has been temporarily stayed in all 50 states under a federal Circuit Court of Appeals [order](#) until the court decides if it has jurisdiction over the legal challenges.

FWS Further Addresses Co-op Issues in Special Rule on Northern Long-Eared Bat

In a major win for electric co-ops, several of our concerns on maintaining reliability and safety are addressed in the Fish and Wildlife's (FWS) final [special rule](#) on "takings" under the northern long-eared bat ["threatened" listing](#). After reviewing comments by NRECA and electric co-ops, the FWS allows essential utility rights-of-way management, including cutting down hazardous trees and emergency response. The rule also allows incidental bat takings during routine rights-of-way maintenance, development and expansion with two conditions: 1. Stay at least a quarter-mile from a known hibernation area; 2. Do not cut or destroy occupied maternity roost trees, or other trees inside a 150-foot radius, during pup season (June 1 - July 31).

When the FWS originally proposed an "endangered" finding sought by environmental groups, we [explained](#) why that action would threaten reliability and worked with the FWS on clarifying issues like how the listing affects new installations. The disease affecting the bat population is unrelated to electric lines. For questions about the policy, contact NRECA's [Carol Whitman](#).

President's Address Drops 'All-of-the-Above' on Energy

President Obama made a notable shift on energy issues during his State of the Union address when he dropped any mention of an “all-of-the-above” energy strategy and pledged that his Administration would “accelerate the transition away” from fossil fuels for the rest of his term. He focused on his Administration’s efforts to promote renewable energy sources and singled out solar energy investment as a bright spot in the economy. He also pledged to “push to change the way we manage our oil and coal resources, so that they better reflect the costs they impose on taxpayers and our planet.”

Senate Energy Bill Debate Could Move Soon

Senate floor debate on bipartisan energy legislation (S. 2012) could start the week of January 25 or the first part of February, according to our contacts on the Hill. The 400-page bill would improve energy infrastructure, boost cybersecurity safeguards, promote renewable energy development and reform federal energy programs. We’re working with lawmakers for improvements to the bill to address electric co-op concerns with sections on reliability impact statements on major proposed or final rules.