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Whitfield Unveils Ratepayer Protection Act to Address EPA's Overreaching Power Plant Rule

March 23, 2015



Hearing on Bill to Protect Jobs and Affordable Energy Set for April 14

WASHINGTON, DC - Energy and Power Subcommittee Chairman Ed Whitfield (R-KY) today unveiled a discussion draft of the Ratepayer Protection Act, which would empower states to protect households and businesses from the harmful effects of EPA's proposed rule regulating carbon dioxide emissions from existing power plants. The subcommittee will examine the legislation at a hearing on April 14, 2015. Details and witnesses will be announced.

State governors, federal and state regulators, and electric reliability authorities have raised broad concerns about the impacts of this rule on electricity rates, reliability and state and local economies. In addition, EPA's proposal faces many legal challenges and could ultimately be struck down by the courts. Regardless of this uncertainty, EPA seeks to compel states to move forward with compliance and submit costly implementation plans, or become subject to a federal plan, before the litigation is resolved. Rep. Whitfield's draft legislation would allow for judicial review of any final rule before requiring states to comply or ratepayers to incur new costs. The draft would also provide a safe harbor if the governor of a state determines that implementation of a state or federal plan under any final rule would have significant adverse effects on the state's ratepayers or the reliability of its electricity system.

"EPA's proposed rule is riddled with problems and faces an uphill battle in the courts. Just last week we heard powerful [testimony](#) on the legal and implementation challenges, and it is clear this unprecedented power grab cannot stand," said **Whitfield**. "My commonsense legislation will

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protect states and their citizens from EPA's damaging overreach, and I look forward to working with my colleagues in advancing it."

Full committee Chairman **Fred Upton** (R-MI) added, "This bill is about protecting families and jobs. It gives states the time they need before this expensive and legally shaky new rule puts affordable, reliable power at risk. I thank Rep. Whitfield for putting forward this legislation as we continue our work to keep the lights on and electric bills affordable."

To view text of the discussion draft, click [HERE](#).

To view a summary of the draft legislation, click [HERE](#).

To view a section by section of the draft legislation, click [HERE](#).

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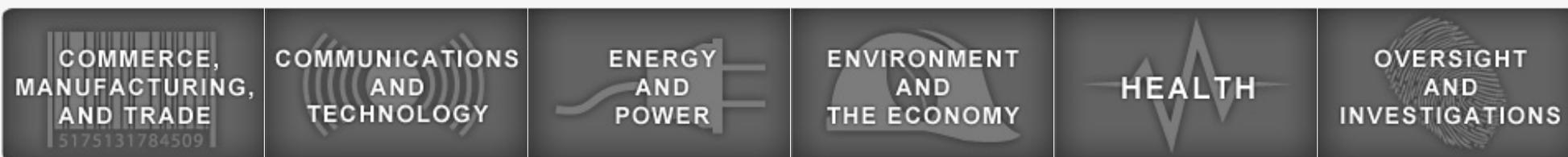
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- E&C Membership
- Committee History
- Rules
- Documents and Resources
- Archives

Subcommittees

- Commerce, Manufacturing, and Trade
- Communications and Technology
- Energy and Power
- Environment and the Economy
- Health
- Oversight and Investigations

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- Press Releases
- ICYMI
- E&C Blog
- Letters
- Fact Sheets

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- E&C Analysis
- Powering the Future
- The Exam Room
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