



U.S. SUPREME COURT ORDERS A STAY ON CLEAN POWER PLAN

Gov. Wolf's Administration ignores ruling and attempts to justify wasting taxpayer resources to develop a compliance plan for a regulation tied up in litigation that may never be enforced.

"The rule's in effect, the rule hasn't gone away." "Our goal remains to submit [a] final plan Sept. 6."

PA DEP SEC. QUIGLEY
February 11, 2016
Pittsburgh Post-Gazette
Sec. Quigley's Twitter

"We heard very significant comments from the generating community urging us to submit a plan in September [2016]. The argument there was, 'We want business certainty.'"

PA DEP SEC. QUIGLEY
December 4, 2015
E&E News

"Not only is this a Federal requirement, it is something we need to do as a society. Earlier this year, we released a Climate Impact Assessment Update prepared by scientists at Penn State University and what they found was profoundly disturbing."

PA DEP SEC. QUIGLEY
November 4, 2015
DEP Public Update

"PJM, which is the grid operator, has done a study of the cost associated with the Clean Power Plan and price impacts and found that through 2025, on a PJM-wide basis, it would actually lower wholesale prices and would have a 2% increase through 2030."

SEC. JOHN HANGER
December 14, 2015
PA Business Council Meeting

"Cheap shale gas has replaced coal as a fuel and if indeed there is a war on coal, it is being waged by natural gas and natural gas is winning."

PA DEP SEC. QUIGLEY
November 4, 2015
DEP Public Update



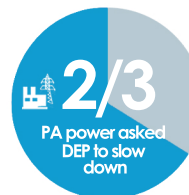
www.BetterWithCoal.com

FACT:

On February 9, the U.S. Supreme Court took the unprecedented step of staying the Clean Power Plan basing the decision on three criteria. One being that there is "a fair prospect" the Supreme Court will vote to overturn the Power Plan if it reaches the court. **The stay suspends all deadlines**, implementation and enforcement until the Supreme Court makes a final ruling on its legality (which is not expected until mid-2017 or 2018). If the regulation is overturned in part or full, all efforts by states will be a waste of taxpayer resources.

FACT:

In September 2015, PA DEP hosted an open comment period and 14 listening sessions statewide. During that time, companies responsible for more than two-thirds of Pennsylvania's gross electric generation publicly asked DEP to consider the costs and take advantage of the full three years in developing a state compliance plan.



* This includes all generation, not just generation capacity, as generators do not operate at their full capacity on a 24/7 basis.

FACT:

"In the Pennsylvania Climate Impacts Assessment Update, published by Penn State University in May 2015 for DEP it stated, 'The projections of future change in this report are primarily based on the RCP8.5 scenario.' Upon further examination, the RCP8.5 may be the most aggressive model in use today."

"The CPP is based on presumptions, distortions, and fanciful science. The real agenda is a political one: wedging expensive alternative energy sources in and shoving fossil fuels out. A look at the details of the EPA's plan bears this out."

- PA Manufacturer's Association
Climate Shenanigans from Wolf and Obama
December 3, 2015

FACT:



**INCREASE IN
WHOLESALE
ELECTRIC RATES**

The PJM report referenced here was on the **proposed** rule and models five different scenarios for potential compliance paths. The findings demonstrated an increase in **wholesale** rates ranging from **2.2% - 30.8%**. However, only the 2% model is noted.

Additionally, **wholesale rates** do not include transmission, distribution and transition costs which are all factored in to the electric bill and each will increase with added infrastructure and changes to the electric mix.

FACT:

Since 2010 there have been **significant** retirements of coal capacity in Pennsylvania due to compliance with the EPA's Mercury Air Toxics Standard, which the Supreme Court of the United States has since remanded because the EPA did not adequately consider the cost of compliance on the energy community and its consumers.

This capacity represents 15 million tons per year, or 20 percent, of lost Pennsylvania coal demand potential that should never have been taken offline, making up a large part of Pennsylvania's "early compliance, glide path". Additional and voluntary early compliance with yet another of EPA's overreaching regulations will be a choice by the Wolf Administration to further an assault on the coal industry and jobs that pay.

