

EPA Clean Power Plan and Rep. Sloan

Rep. Tom Sloan (R, Lawrence) was the only Kansas legislator to participate in a National Conference of State Legislatures (NCSL) workshop on the U.S. Environmental Protection Agency's (EPA) Clean Power Plan rules. The Clean Power Plan (CPP) is the Agency's rules to reduce carbon emissions from coal and natural gas-fired electric generation plants and the support for renewable and nuclear generation.

"While very controversial because of the impact on 'operations as usual' by many electric utilities, a majority of Americans, based on public polling results, support the development of a lower carbon generation fleet," said Sloan. "The general public, Boards of Directors of publicly traded companies, and the Department of Defense all have called for increased use of renewable energy generation and improvements in the efficient use of energy to address climate change."

The NCSL workshop included presentations by EPA on the components of the Clean Power Plan, an analysis of the basis for challenges to and defense of the Plan with predictions on the likelihood of success, the evolving nature of the electric generation fuel mix and implications for customer rates, and the roles for energy efficiency and coal-fired generation in the evolving energy system.

"The presentation on the legal basis for defending and attacking the Clean Power Plan was particularly informative," Sloan said. "Kansas has joined 26 other states in a lawsuit opposing the Plan, while dozens of states and cities have filed 'Friend of the Court' briefs in support of the EPA's action. The expectation is that the District Court in Washington, D.C. will expedite the hearings and decision with the Supreme Court receiving the case in 2017 for a final decision."

EPA requires states to file plans to comply with the CPP by September 2018, with full compliance by January 1, 2030. Older less efficient coal and natural gas plants are already being retired because of the non-economic cost of upgrading their efficiency and "cleanliness" of generation. The development of new nuclear generation technologies (e.g., modular generators being reviewed by the Nuclear Regulatory Commission), increased construction of wind and solar utility-size generation, increased construction of high voltage electric transmission lines, and the increased development of residential and commercial site renewable generation are all reflections of the movement toward a lower carbon environment.

Rep. Sloan also joined other Kansas Legislators in visiting the Southwest Power Pool (SPP). The SPP is the regional electric transmission operator for utilities in the High Plains States between Canada and the Panhandle of Texas. The SPP ensures that the electric grid operates efficiently and cost-effectively within those states. While Rep. Sloan has previously visited the SPP in Little Rock, Arkansas, and has worked with

SPP officials in Kansas and on national advisory committees, it was the first exposure to the SPP and regional transmission operations for most of the other legislators. “I specifically requested SPP officials brief us on their actions to protect the electric grid against cyber attacks,” Sloan reported.

“I am a frequent speaker at national conferences on how technological innovations can positively impact operations within the electric grid and improve policy options for state legislators and utility regulators,” Sloan said. “Technological improvements in measuring electric consumption at the appliance level and the development of ‘smart apps’ to communicate between utilities and customers will enable customers to better manage their electric use (energy efficiency) and monetize their ability to reduce consumption during high cost periods of a day. Within the next few years, electric utilities will signal when they want to buy power from customer-owned generation (e.g., roof top solar units), when they want to sell power, and when they will pay for customers to reduce their energy consumption.”

Rep. Sloan is serving his 11th term in the Kansas House of Representatives and serves on advisory committees to the U.S. Department of Energy and Federal Communications Commission. He has organized 17 Summits in Kansas at which federal officials have met with Kansas legislators, regulators, utility executives, consumer advocates, and other key stakeholders to improve the understanding and cooperation between federal, state, and private sector interests.

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