

EPA's Latest Grid-Impacting Power Plant Regulations

by

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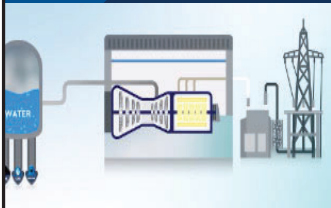
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PRESENTATION OUTLINE



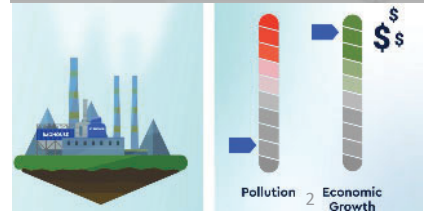
PART I
State of the Grid



PART II
EPA Power Plant Regulations



PART III
Litigation Update



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Houston, we *still* have a problem.

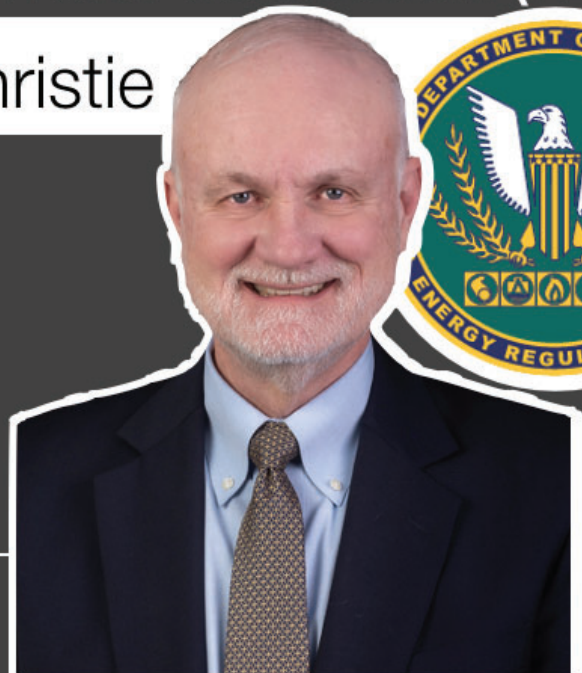


FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Commissioner Mark Christie

"The United States is heading for a reliability crisis. I do not use the term "crisis" for melodrama, but because it is an accurate description of what we are facing. I think anyone would regard an increasing threat of system-wide, extensive power outages as a crisis."

Senate Committee Energy & Natural Resources
Oversight Hearing on FERC | May 4, 2023



DOE RELIEF VALVE USE IS SKYROCKETING

Use of Federal Power Act Emergency

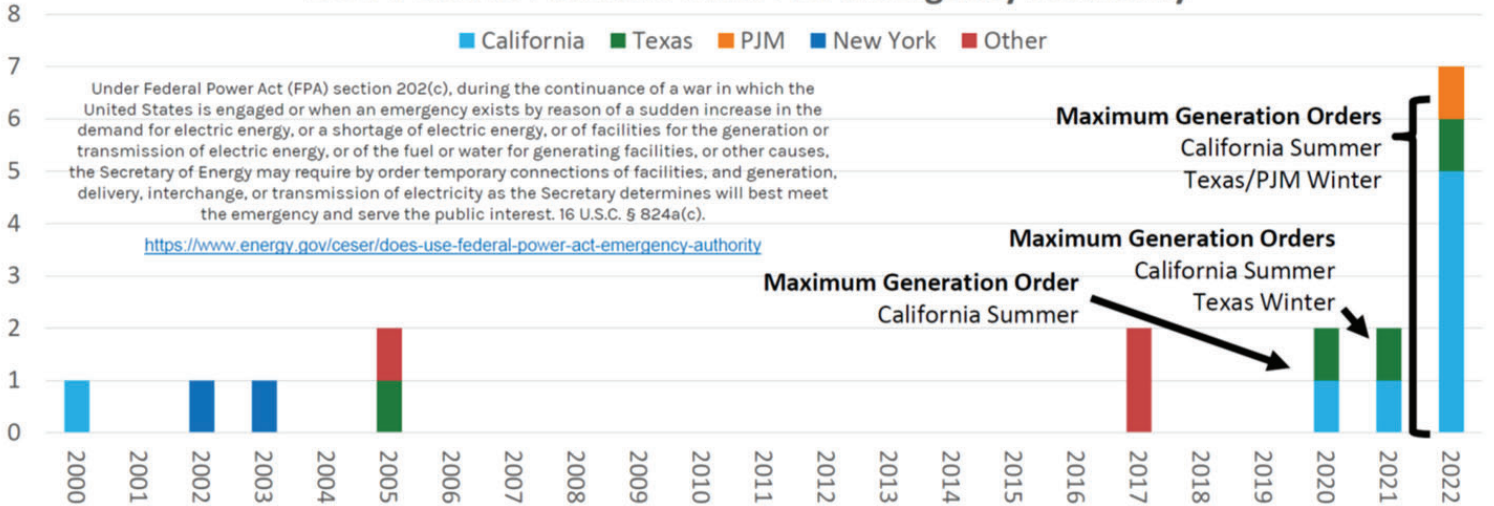
On Marginal Days System is Stretched to Limits

DOE's Use of Federal Power Act Emergency Authority

California Texas PJM New York Other

Under Federal Power Act (FPA) section 202(c), during the continuance of a war in which the United States is engaged or when an emergency exists by reason of a sudden increase in the demand for electric energy, or a shortage of electric energy, or of facilities for the generation or transmission of electric energy, or of the fuel or water for generating facilities, or other causes, the Secretary of Energy may require by order temporary connections of facilities, and generation, delivery, interchange, or transmission of electricity as the Secretary determines will best meet the emergency and serve the public interest. 16 U.S.C. § 824a(c).

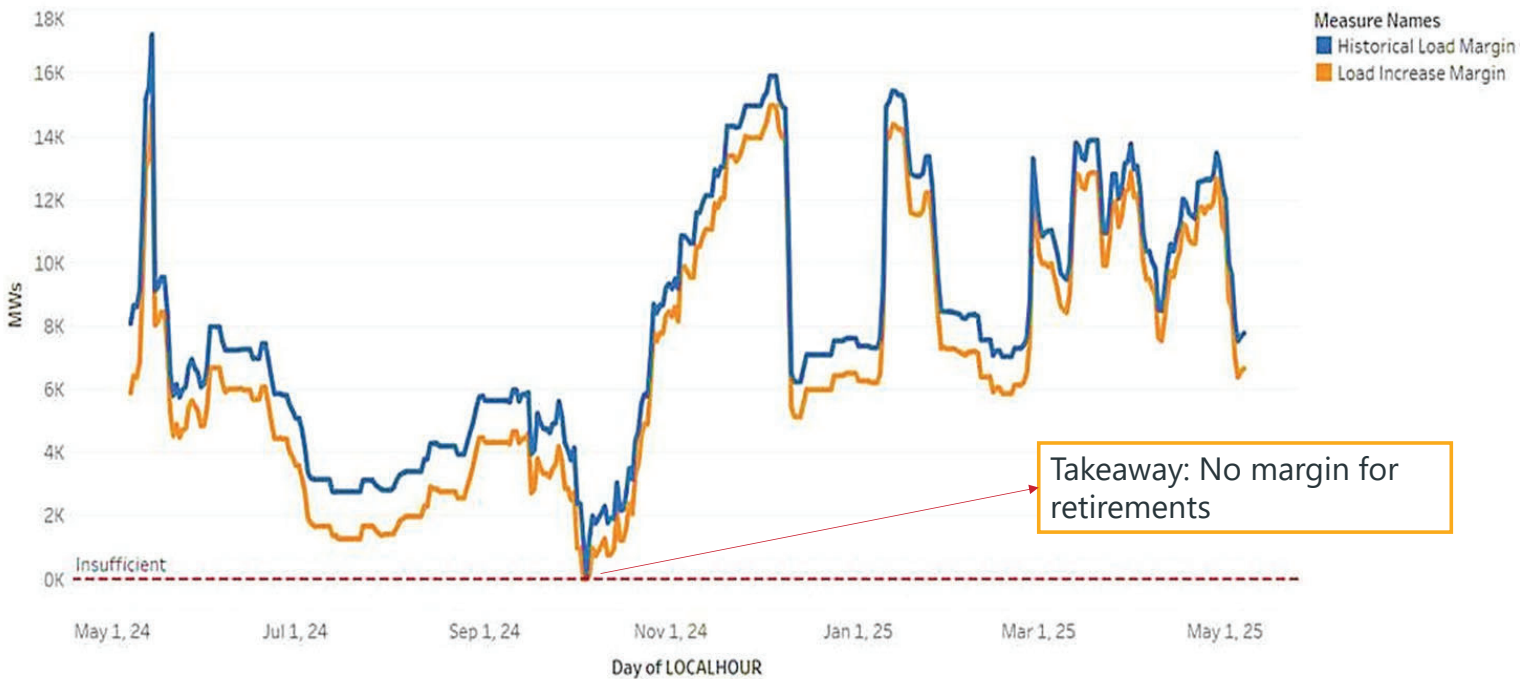
<https://www.energy.gov/ceser/does-use-federal-power-act-emergency-authority>



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SPP Projection: Premature Coal Retirements Will Eliminate Reserve Margins

Retirement Margins (URI WWE Removed) (Load Increase 3%)



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