

EPA's Latest Grid-Impacting Power Plant Regulations

by

Mike Nasi, Partner, Jackson Walker LLP

2023 Gas & Power Institute

Houston, Texas

October 27, 2023

© Jackson Walker LLP

JW.com



1

PRESENTATION OUTLINE



PART I

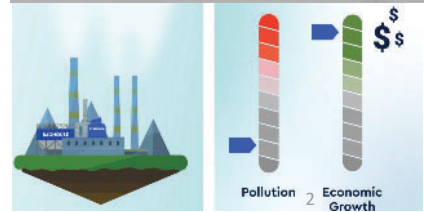
State of the Grid

PART II

EPA Power Plant Regulations

PART III

Litigation Update



2



Houston, we *still* have a problem.

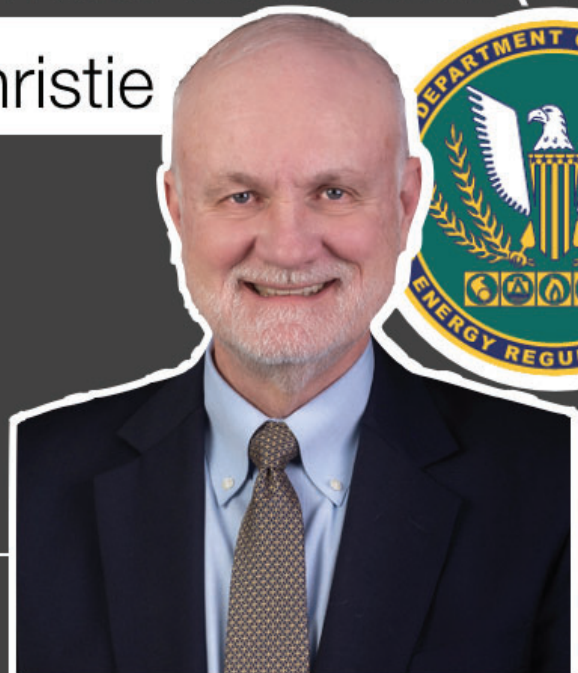


FEDERAL ENERGY REGULATORY COMMISSION (FERC)

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

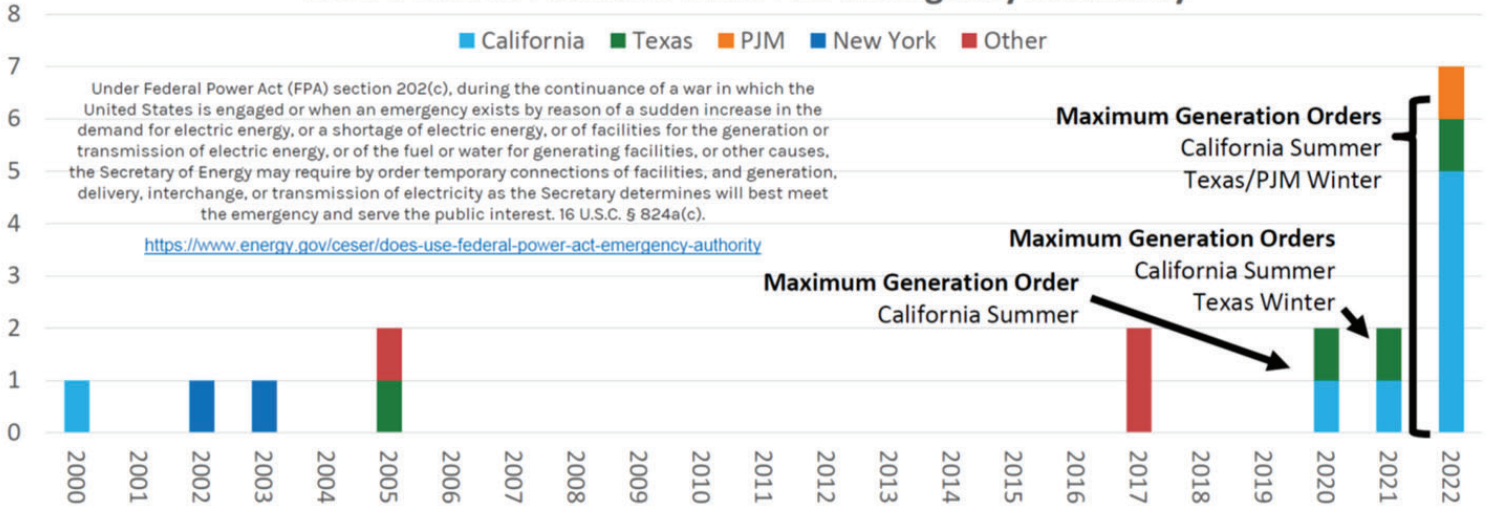


DOE RELIEF VALVE USE IS SKYROCKETING

Use of Federal Power Act Emergency

On Marginal Days System is Stretched to Limits

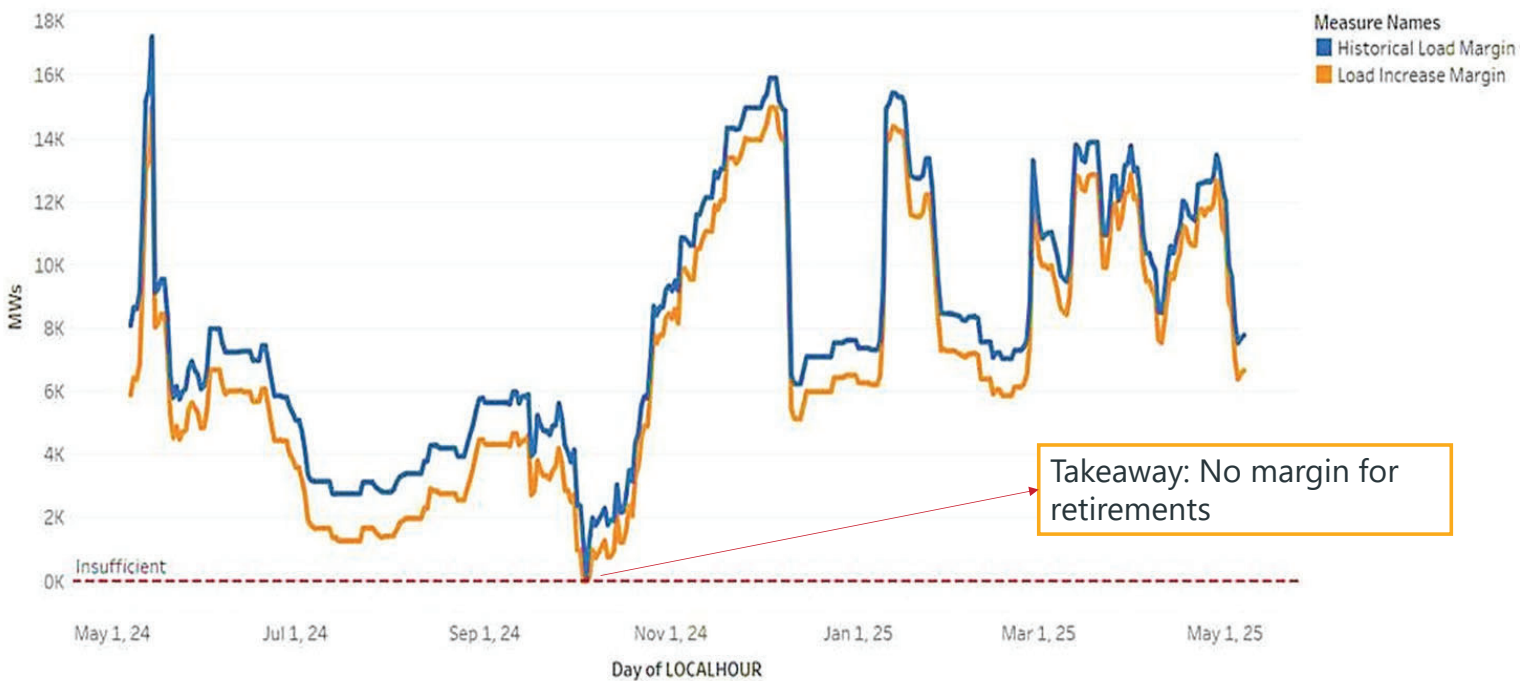
DOE's Use of Federal Power Act Emergency Authority



5

SPP Projection: Premature Coal Retirements Will Eliminate Reserve Margins

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



6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: EPA's Latest Grid-Impacting Regulations

Also available as part of the eCourse

[2023 Gas and Power eConference](#)

First appeared as part of the conference materials for the
2023 Gas and Power Institute session

"EPA's Latest Grid-Impacting Regulations"