



Attorney General Jon Bruning

NEWS RELEASE

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AG Bruning Applauds Win for Nebraska Corn Growers and Ethanol Producers

LINCOLN – Attorney General Jon Bruning released the following statement on the U.S. District Court for the Eastern District of California’s decision to strike down California’s Low Carbon Fuel Standard (LCFS) as applied to ethanol.

“We applaud the District Court for recognizing that California’s standard wrongfully discriminates against Nebraska corn growers and ethanol producers under the dormant commerce clause,” said Bruning. “We will continue to fight for a level playing field for all of Nebraska’s agricultural producers.”

The LCFS assigns a higher carbon intensity score to ethanol produced in Nebraska. This results in Nebraska-produced ethanol being more expensive for fuel providers to sell. This will close the California market to ethanol produced in Nebraska in favor of chemically-identical ethanol produced within California, without any legitimate justification.

In March, Attorney General Jon Bruning drafted an amicus brief and led a coalition of 6 states arguing the unconstitutionality of California’s Low Carbon Fuel Standard. Nebraska was joined by Kansas, Michigan, Missouri, North Dakota and South Dakota.

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