



Attorney General Doug Peterson

News Release

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Contact: Suzanne Gage
402.471.2656
Suzanne.gage@nebraska.gov

U.S. Supreme Court Halts EPA's Unlawful Power Plan

Lincoln, Nebraska--Attorney General Doug Peterson today announced that a bipartisan coalition of 29 states and state agencies, led by West Virginia Attorney General Patrick Morrisey and Texas Attorney General Ken Paxton, has won a major victory as the U.S. Supreme Court put an immediate halt to the Federal government's power plan as litigation continues in the D.C. Circuit Court.

AG Peterson praised the Supreme Court's decision, saying it provides immediate relief for many people. It also reinforces confidence in the broader challenge, as the Supreme Court found the states' arguments strong enough to stop EPA until the lawsuit concludes, protecting jobs and saving taxpayers from paying to implement a rule that likely will be struck down as illegal.

"In the state of Nebraska, our public power entities have been proactive in recent years in developing ways to reduce carbon emissions, including developing several alternative, renewable energy sources. The EPA's Rule change would disregard these efforts and exceeds reasonable standards," stated Peterson.

The D.C. Circuit Court will hear oral arguments on the merits of the states' case on June 2. A final ruling from that court might not come for months and without the stay the administration's plan could have caused the destruction of untold numbers of jobs, skyrocketing electricity bills and the weakening of the nation's electric grid.

The coalition challenged the EPA's power plan on Oct. 23, 2015, the day it was published. The states argue the EPA exceeded its authority by double-regulating coal-fired power plants and forcing states to fundamentally shift their energy portfolios away from coal-fired generation.

Those urging the U.S. Supreme Court to immediately halt the EPA's unlawful power plan are Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, West Virginia, Wisconsin and Wyoming, along with the Mississippi Department of Environmental Quality, Mississippi Public Service Commission, North Carolina Department of Environmental Quality and Oklahoma Department of Environmental Quality.

The coalition requested the Supreme Court halt the Power Plan on Jan. 26.

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