



**American
Public Power
Association**

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The Honorable Fred Upton
Chairman
House Energy & Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Ed Whitfield
Chairman
House Energy & Power Subcommittee
2125 Rayburn House Office Building
Washington, D.C. 20515

March 9, 2011

Dear Chairman Upton and Chairman Whitfield:

On behalf of the American Public Power Association, I am writing to express our support for the Energy Tax Prevention Act. APPA is the national service organization representing the interests of over 2,000 community-owned, non-for-profit electric utilities. These utilities include state public power agencies, municipal electric utilities, and special utility districts that provide electricity and other services to over 46 million Americans.

APPA believes that the Clean Air Act (CAA) is not appropriately designed to address greenhouse gas (GHG) emissions and that the Environmental Protection Agency's (EPA) efforts to regulate such gases under the statute are causing undue uncertainty for the electric utility sector and are likely to result in unnecessarily high costs. In particular, APPA members are concerned with the application of Best Available Control Technologies (BACT) for GHG emissions under New Source Review (NSR) and the planned establishment of Section 111 New Source Performance Standards for GHGs for new, modified, and existing electric power plants. No commercially available technologies currently exist to reduce GHG emissions. APPA also believes that many states will find that they need additional time in order to implement any final EPA regulatory action given state budget cuts, staff reductions, and other administrative issues. For these reasons, APPA supports congressional action to preempt EPA's authority to regulate GHG emissions under the CAA.

Instead, APPA believes Congress should address the issue of climate change through new legislation and supports efforts to do so on an economy-wide basis that properly balances environmental goals with impacts on consumers and the economy. Such legislation should create a new regime for reducing GHG emissions that is separate and apart from the CAA, which was created to address criteria pollutants for human health protection.

Thank you for your leadership on this important issue affecting electric utilities. I hope you will feel free to contact me or the APPA government relations staff with any questions.

Sincerely,

A handwritten signature in black ink that reads 'Mark Crisson'.

Mark Crisson
President & CEO

cc: The Honorable Henry Waxman
The Honorable Bobby Rush