

# Congress of the United States

Washington, DC 20515

April 20, 2024

The Honorable Joseph R. Biden, Jr.  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20502-0001

Dear Mr. President:

Under your leadership the United States has taken on the challenge of elevating the rights of those most vulnerable in every aspect of the policy decisions of this country. In particular, we appreciate your commitment to addressing economic, health, and environmental challenges in rural, underserved, and disadvantaged communities. The communities that we represent want nothing more than to have the same clean air and water that all Americans deserve. While we all share these aspirations and support policies that will bring these realities to our communities, we must do so by pursuing a path that keeps energy affordable for our families, farms, and small businesses.

With this shared goal in mind, we write to express our concerns about the impact that the Environmental Protection Agency (EPA) proposed rules targeting emissions in the power sector will have on the communities that we represent. Unfortunately, EPA's proposed rules have the potential to raise electricity rates, impact good-paying jobs, and increase reliability risks for some of the most vulnerable members of our communities. Simply put, rural and low-income households and households of color are disproportionately impacted by higher energy costs.

To that end, we urge you to ensure that any final rule released by your Administration does not inadvertently exacerbate existing problems related to the unaffordability of electricity in our communities. We also urge the White House and the EPA to ensure that the regulatory impact analysis for the rule accurately accounts for *all* costs, including the cost of supporting infrastructure for carbon capture, transport, and storage.<sup>1</sup>

We are also concerned about the challenges our communities will face from increased risks to electric reliability if the rule is finalized as proposed.<sup>2</sup> Projections for significant gaps in electricity demand and supply have only grown since EPA proposed these regulations. Multiple news outlets have recently reported on massive, previously unforecasted increases in electric load now projected in the coming years.<sup>3</sup> According to a December 2023 North American Electric Reliability Corporation report, electricity demand by 2030 is projected to be nearly 10% higher than what EPA projected less than a year ago.<sup>4</sup> At the same time, grid operators—including the PJM Interconnection and its Independent Market Monitor—are raising alarms about massive and

---

<sup>1</sup> We note that pipeline costs, in particular, were not included in the proposed rule.

<sup>2</sup> Kim, J. (2023, July 26). Increasing Power Outages Don't Hit Everyone Equally. *Scientific American*. Retrieved April 11, 2024, <https://www.scientificamerican.com/article/increasing-power-outages-dont-hit-everyone-equally1/>

<sup>3</sup> Halper, E. (2024, March 7). Amid explosive demand, America is running out of power. *Washington Post*. Retrieved April 11, 2024, <https://www.washingtonpost.com/business/2024/03/07/ai-data-centers-power/>; DiSavino, S (2024, March 12). US power use to reach record highs in 2024 and 2025 -EIA. *Reuters*. Retrieved April 11, 2024, <https://www.reuters.com/business/energy/us-power-use-reach-record-highs-2024-2025-eia-2024-03-12/>.

<sup>4</sup> North American Electric Reliability Corporation. (2023, December). 2023 Long-Term Reliability Assessment. (p. 33). [https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC\\_LTRA\\_2023.pdf](https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_LTRA_2023.pdf). Last May, EPA, in their proposed rule, projected that in 2030, the US. would have a peak summer electric load of 827 gigawatts. The North American Electric Reliability Corporation is now projecting 2030 peak summer load will be around 920 gigawatts.

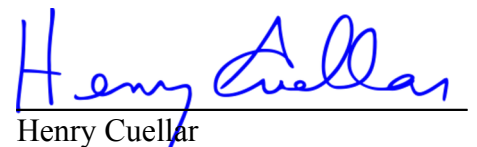
unprojected drops in electric capacity.<sup>5</sup> With these significant changes in demand and supply projections, we urge the White House and EPA to defer finalizing the proposed rules until an updated reliability assessment of the proposal is complete and made public.

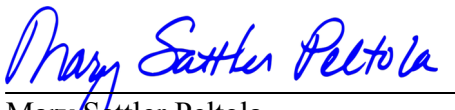
Together we must work to ensure that EPA's rules for power plants preserve affordable and reliable electricity for communities that are the most vulnerable to increased electric bills and loss of power from blackouts. We greatly appreciate your commitment to assisting our communities and look forward to working with you to ensure that any policies adequately balance the needs of combating climate change and providing access to clean air while also protecting energy affordability and reliability.


We appreciate your attention to this important matter and look forward to working with you to develop environmental regulations that strike this important balance for our communities.

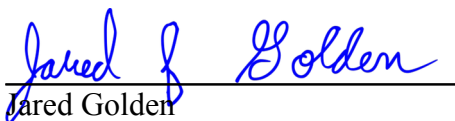
Sincerely,

  
\_\_\_\_\_  
Marcy Kaptur  
Member of Congress

  
\_\_\_\_\_  
Henry Cuellar  
Member of Congress

  
\_\_\_\_\_  
Mary Sattler Peltola  
Member of Congress

  
\_\_\_\_\_  
Vicente Gonzalez  
Member of Congress

  
\_\_\_\_\_  
Jared Golden  
Member of Congress

cc:

The Honorable Michael Regan, Administrator, U.S. Environmental Protection Agency  
Mr. John Podesta, Senior Advisor to the President for Clean Energy Innovation and Implementation and United States Special Presidential Envoy for Climate

<sup>5</sup> Morehouse, C. (2024, March 14). PJM watchdog warns 58,000 megawatts of power generation may shut by 2030. Retrieved April 11, 2024, <https://subscriber.politicopro.com/article/2024/03/pjm-watchdog-warns-grid-at-risk-of-losing-58-000-megawatts-by-2030-00147072>.

Mr. Richard Revesz, Administrator, Office of Information and Regulatory Affairs  
Mrs. Lael Brainard, Director, National Economic Council