



ARIZONA CORPORATION COMMISSION

FOR IMMEDIATE RELEASE: 10/23/2015

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AG Brnovich and the Arizona Corporation Commission Join Suit Challenging EPA's Clean Power Plan

Attorney General Mark Brnovich today announced that the Arizona Corporation Commission ("Commission") joined with 23 other states in filing suit against the Environmental Protection Agency challenging the Obama Administration's Section 111(d) Rule. The Attorney General's Office and the Commission together are challenging the unlawful plan to radically restructure the way electricity is produced and consumed throughout the country. The Rule, as promulgated by the Environmental Protection Agency (EPA), would result in dramatically higher electricity bills and significantly less reliable service for families, businesses, hospitals, and schools across America.

"I pledged to fight back against federal overreach and our office has kept that promise," said Attorney General Mark Brnovich. "I'm pleased to work with the Commission to defend hardworking taxpayers from the devastating utility rate hikes that will result from these rules."

The Rule purports to require States to reorganize their energy grids, in order to reduce carbon emissions from electric-generating plants by 32 percent below 2005 levels by 2030. The Rule could cost over \$25 billion annually and these costs will ultimately be paid by consumers who could see their electric bills go up by 10% or more.

"We need to ensure that this kind of Federal overreach does not impact our rate payers," said Arizona Corporation Commission Chairman Susan Bitter Smith. "This litigation is one important tool the state has to guarantee Arizona's energy resources will continue to be affordable and reliable."

In the documents filed with the U.S. Court of Appeals for the District of Columbia Circuit, The States make clear that EPA has no legal authority to promulgate or enforce the 111(d) Rule.

Challengers to the Rule include the Arizona Corporation Commission on behalf of Arizona, West Virginia, Texas, Alabama, Arkansas, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nebraska, New Jersey, Ohio, South Carolina, South Dakota, Utah, Wisconsin, Wyoming, and the North Carolina Department of Environmental Quality.