Suing and Spewing

The Massive Pollution Behind the Fight to Overturn the Clean Power Plan

By Erin Auel June 24, 2016

The Clean Power Plan, or CPP, was finalized by the U.S. Environmental Protection Agency, or EPA, on August 5, 2015, and establishes the first-ever standards for carbon emissions from power plants. The CPP will help the United States reduce the pollution that causes increased global temperatures, rising sea levels, and other effects of climate change. According to the Energy Information Administration—a federal agency that collects and analyzes data on energy production and usage—the CPP will reduce the power sector’s carbon pollution by 35 percent below 2005 levels by 2030. This puts annual pollution levels more than 400 million metric tons lower than their projected totals without the CPP in place. The power producers who would be responsible for achieving these emissions reductions have had a mixed response to the plan. Some power producers have supported the CPP, recognizing business opportunities in a growing clean energy sector. Some have remained neutral pending judicial review of the rule while other power producers are opposing the CPP altogether, because they are heavily invested in higher-polluting electricity generation.

On October 23, 2015, electric power producers, trade associations, coal companies, and 24 state attorneys general filed suit against the EPA to block implementation of—and ultimately undo—the CPP. Subsequently, the U.S. Supreme Court ordered a stay of the CPP and halted implementation requirements of states’ emissions reductions plans until the D.C. Circuit Court of Appeals reviews the rule on its merits. The court will hear oral arguments on this case—*State of West Virginia, et al. v. United States Environmental Protection Agency, et al.*—on September 27, 2016. Much of the opposition to the CPP comes from power producers and the trade associations that represent them—both of these groups have a vested interest in continuing to pollute at current levels. This issue brief details the amount of carbon pollution emitted by the largest power producers that are affiliated with the lawsuit against the CPP in order to demonstrate the significant effect these entities have on domestic and international efforts to curtail climate change.
Power sector petitioners

Some of the electric power producers that will be affected by implementation of the CPP—including the Southern Company, a large integrated electric utility; NRG Energy Inc.; and Energy Future Holdings Corp.—are litigating as petitioners. More information on these companies and their reasons for suing the EPA are listed below.

Other companies are affiliated with the litigation through their membership in trade associations that are suing the EPA in this case. As noted in West Virginia v. EPA, “Trade association Petitioners have standing on behalf of their members.” These trade associations do not always make their membership rosters publicly available—a practice that can conceal the identity of individual power producers that might intentionally be supporting litigation anonymously. Conversely, even in cases where a trade association’s membership is made public, the member companies may have had other reasons for joining the trade association and may be, in fact, neutral or even supportive of the EPA’s actions. For example, Dominion Resources Inc. and the Los Angeles Department of Water and Power filed amicus briefs in support of the CPP while also remaining members of a litigating trade association.

Below are some of the key identified litigants in West Virginia v. EPA.

American Coalition for Clean Coal Electricity, or ACCCE

ACCCE advocates for the continued use of coal in the U.S. power sector, albeit through so-called cleaner technologies. On behalf of their members, ACCCE has fought against the EPA and its efforts to set stronger standards against urban smog. In addition to its lawsuit, ACCCE has also launched a messaging campaign against the CPP, claiming it poses a “major threat to electric reliability” and pointing to emissions from other countries to suggest that the United States should not act to reduce domestic emissions. ACCCE identified itself as a member of the Utility Air Regulatory Group, or UARG, in 2014.

American Public Power Association, or APPA

The APPA represents public power producers that supply power to 14 percent of electricity consumers nationwide. They have a long history of fighting the EPA’s emissions standards, including standards to ensure clean, breathable air, claiming that such measures would be burdensome for public utilities. The APPA often points to a downward trajectory for emissions levels, asserting that power producers are already taking the needed steps without regulations. They have filed a joint suit with UARG against the CPP, claiming it “tries to do too much too fast for public power utilities and their customers in many states.”
National Rural Electric Cooperative Association, or NRECA

The NRECA represents more than 900 rural electric cooperatives that account for 12 percent of domestic electricity sales. These cooperatives are owned by rural ratepayers and produce about 70 percent of their power from coal, as compared to the average for all utility power of 37 percent. The NRECA has sued the EPA over the CPP and has opposed the EPA’s regulations in the past, including its updates in standards for urban smog and the Mercury and Air Toxic Standards, or MATS, which reduces toxic pollution from power plants. It claims that such standards would cause stranded assets and force consumers to pay the bill.

Utility Air Regulatory Group, or UARG

UARG is a group of individual generating companies and it exists to litigate environmental standards. A current list of its member companies is not publicly maintained. While UARG has no website and last released a list of its members in 2006, its team of lawyers has pursued multiple lawsuits against the EPA, including the EPA’s standards for toxic air pollution and urban smog, and regulation of carbon pollution. UARG claims the CPP sets targets that are too ambitious for the mandated time frame. An addendum to the docketing statement for West Virginia v. EPA from UARG and the APPA states that, “Although UARG and APPA members could participate in this litigation individually, they have chosen to participate as a group, and given the nature of the claims asserted and the relief requested, no reason exists to require participation by members individually.”

Southern Company

Southern and its many subsidiaries compose the third-largest generating company in the United States. On behalf of the Alabama Power, Georgia Power, Gulf Power, and Mississippi Power companies, Southern is suing the EPA over the CPP, claiming the compliance timeline is too short and too costly. Additionally, Southern and its subsidiaries are members of ACCCE and UARG.

NRG Energy Inc.

NRG Energy Inc. is a publicly traded, integrated power company that owns generation assets across the country. On behalf of 10 of its subsidiaries, NRG Energy Inc. filed suit against the EPA as well, on the grounds that the rule is “arbitrary and capricious, contrary to the United States Constitution and the Clean Air Act … and is otherwise contrary to law.”
Energy Future Holdings Corp.

Energy Future Holdings is a privately held energy company—the largest power producer in Texas—and the parent company of Luminant and TXU Energy. On behalf of these and other subsidiaries, it joined the suit against the CPP. In addition to this lawsuit, Energy Future Holdings sued the EPA over air-quality standards and limits on toxic air pollution. Through Luminant, Energy Future Holdings is also a member of UARG—as disclosed in Luminant’s 2014 comments to the EPA.

Emissions from power producers affiliated with the lawsuit

The Center for American Progress identified the 100 electric power producers with the most power generation in 2013—as detailed in the Methodology section of this issue brief—and compared them with the corporate and association petitioners in the suit against the EPA. CAP then tallied the carbon dioxide emissions from the power producers that are affiliated with the lawsuit directly or indirectly.

Again, although membership in a trade association does not in itself mean that a company opposes the CPP, it is fair to include these emissions in calculations about the emissions of the litigants, because the trade associations have standing to sue on the basis of their members. Additionally, if the member companies disagree with the trade association’s position on the CPP lawsuit, they can withdraw their membership. This is not without precedent. For example, in 2009, Exelon withdrew from the U.S. Chamber of Commerce over their position on climate change policy.

CAP found that 43 of the top-100 electric power producers are directly or indirectly affiliated with the lawsuit. Some key findings include:

- In 2013 alone, these power producers emitted nearly 1.2 billion tons of carbon dioxide, or 21 percent of the United States’ total carbon pollution that year.
- In one year, the power producers affiliated with the lawsuit polluted as much carbon dioxide as 129 countries combined. This means that if the power producers were their own country, they would be the 6th biggest CO2 emitter in the world.
- The carbon pollution from these power producers was greater than that of 6 of the 10 top economies in the world.
- It would take more than 30 billion new trees growing for 10 years to offset the carbon pollution that the power producers emit in one year.
## TABLE 1
### Power producers’ CO2 emissions and litigating status

The following entities are affiliated with the lawsuit to undo the Clean Power Plan

<table>
<thead>
<tr>
<th>Power producers</th>
<th>2013 CO2 emissions, by tons</th>
<th>Suing the EPA</th>
<th>Member of a group suing the EPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duke Energy</td>
<td>136,952,436</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>American Electric Power</td>
<td>134,102,045</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Southern Company</td>
<td>107,556,354</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>NRG Energy Inc.</td>
<td>83,761,255</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Tennessee Valley Authority</td>
<td>68,724,445</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>FirstEnergy</td>
<td>67,046,238</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Energy Future Holdings Corp.</td>
<td>61,210,925</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>DTE Energy</td>
<td>38,691,141</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Entergy Services Inc.</td>
<td>38,429,818</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Dominion Resources Inc.*</td>
<td>36,564,733</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Ameren Corp.</td>
<td>33,045,776</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Edison Mission Energy**</td>
<td>28,402,318</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Westar Energy Group</td>
<td>25,406,531</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Wisconsin Energy Corp.</td>
<td>22,808,245</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Basin Electric Power Cooperative</td>
<td>21,482,582</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>CMS Energy</td>
<td>20,444,753</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt River Project</td>
<td>19,529,071</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>General Electric</td>
<td>16,353,326</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Santee Cooper</td>
<td>16,190,930</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pinnacle West Capital Corp.</td>
<td>14,958,001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NiSource Inc.</td>
<td>14,659,277</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associated Electric Cooperative Inc.</td>
<td>14,585,467</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tri-State Generation and Transmission Association Inc.</td>
<td>14,047,696</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>JEA</td>
<td>12,032,668</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Nebraska Public Power District</td>
<td>11,974,610</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Allite</td>
<td>11,704,892</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Great River Energy</td>
<td>11,558,080</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Big Rivers Electric Corp.</td>
<td>11,145,261</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Arkansas Electric Cooperative Corp.</td>
<td>11,066,112</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>East Kentucky Power Cooperative</td>
<td>10,396,648</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Lower Colorado River Authority</td>
<td>9,839,665</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Buckeye Power</td>
<td>9,803,808</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Oglethorpe Power Corp.</td>
<td>9,490,762</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Seminole Electric Cooperative Inc.</td>
<td>9,349,811</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Hoosier Energy Rural Electric Cooperative</td>
<td>7,150,556</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Los Angeles City*</td>
<td>6,831,361</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
### Power Producers Suing the EPA and Their 2013 CO2 Emissions

<table>
<thead>
<tr>
<th>Power Producers</th>
<th>2013 CO2 emissions, by tons</th>
<th>Suing the EPA</th>
<th>Member of a group suing the EPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occidental Chemical Corp.</td>
<td>6,491,309</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Grand River Dam Authority</td>
<td>6,273,301</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Dow Chemical</td>
<td>5,746,793</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Exxon Mobil Corp.</td>
<td>4,740,664</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Brazos Electric Power Cooperative</td>
<td>3,615,188</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>BP</td>
<td>2,411,030</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>International Paper</td>
<td>794,803</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td><strong>Total emissions from power producers affiliated with lawsuit</strong></td>
<td><strong>1,197,340,685</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Indicates entity that filed an amicus brief in support of the EPA and the Clean Power Plan. See Brief of Amicus Curiae Dominion Resources Inc. in support of respondents, State of West Virginia et al., Petitioners, v. United States Environmental Protection Agency, Regina McCarthy, Administrator, United States Environmental Protection Agency, Respondents, United States Court of Appeals for the District of Columbia Circuit (April 1, 2016) (Case No. 15-1363), available at https://www.edf.org/sites/default/files/content/dominion_resources_inc.pdf.


Source: For CO2 emissions data, see Christopher E. Van Atten and others, “Benchmarking Air Emissions of the 100 Largest Electric Power Producers in the United States” (2015), available at https://www.nrdc.org/sites/default/files/benchmarking-2015.pdf. Full citations for each power producer’s affiliation with the lawsuit are listed in the appendix to the issue brief.

### Methodology

To identify the top-100 power producers in terms of power generation and carbon emissions, CAP referred to M.J. Bradley & Associates LLC and Natural Resources Defense Council’s 2015 joint report, “Benchmarking Air Emissions of the 100 Largest Electric Power Producers in the United States.” From this list, CAP identified companies that are litigants in *West Virginia v. EPA* and the consolidated cases.

CAP then identified companies that hold membership in at least one of the nine trade associations that have filed suit against the EPA. As noted above, several of the trade associations do not list members publicly. In these cases, the author used one of three sources to determine each power producers’ membership: self-identification of membership in 2015 or 2016; power producers’ membership as disclosed in 2014 comments on the proposed CPP; and phone calls to power producers to request confirmation of current membership based on sources other than the aforementioned categories.

ACCCE, the American Coke and Coal Chemicals Institute, the American Chemistry Council, the NRECA, and the National Mining Association all have public membership lists—all of which are cited in the appendix of this issue brief. The National Association of Manufacturers releases a quarterly list of affiliated organizations. The APPA’s members are not publicly disclosed, and that association also did not respond to CAP’s request for a member list. The U.S. Chamber of Commerce also officially states that they “will not confirm the membership status of organizations.”

Determining whether power producers were members of UARG posed a unique challenge, because UARG’s only public activities are its comments to and lawsuits against the EPA. UARG does not have a website or provide information on their leadership. CAP aimed to identify which power producers were members of UARG through open source information and power producers’ self-identification by following the methods above. CAP also contacted UARG’s legal representative to request a list of current members, but received no response.

The Appendix to this issue brief lists each of the power producers, their affiliations, and the sources that confirmed these affiliations.
Conclusion

The power producers currently affiliated with the lawsuit to block the EPA’s Clean Power Plan are responsible for 1.2 billion tons of carbon pollution each year. The undoing of the CPP would not only set the United States back from meeting its greenhouse gas emissions goals, but it would also allow these power producers to avoid curbing their pollution.

*Erin Auel is a Research Assistant at the Center for American Progress.*

*The author thanks Greg Dotson, Alison Cassady, and Praveen Madhiraju with the Center for their contributions. She also thanks Lauren Vicary, Emily Haynes, Victoria Ford, and Erin Whalen with CAP’s Art and Editorial team.*
Appendix

This appendix lists each of the power producers in the figure of the issue brief. It indicates if each producer is a petitioner in *State of West Virginia, et al. v. United States Environmental Protection Agency, et al.* and cites its memberships in petitioning groups. A list of each of the petitioning groups is printed below, followed by the list of power producers, which are ranked in order of 2013 CO2 emissions from highest to lowest.

Petitioning groups

*Petitioning groups with publicly available membership lists*

American Coalition for Clean Coal Electricity, or ACCCE:
http://www.americaspower.org/about-accce/bios/members/

American Coke and Coal Chemicals Institute, or ACCCI:
http://www.accsi.org/members.html

American Chemistry Council, or ACC:
https://www.americanchemistry.com/Membership/MemberCompanies#Regular

National Rural Electric Cooperative Association, or NRECA:
http://www.nreca.coop/about-electric-cooperatives/member-directory/

National Association of Manufacturers, or NAM:

National Mining Association, or NMA:
http://www.nma.org/index.php/member-list

*Petitioning groups without publicly available membership lists*

American Public Power Association, or APPA

U.S. Chamber of Commerce

Utility Air Regulatory Group, or UARG

Power producers

**Duke Energy**

*Utility Air Regulatory Group*

Duke Energy has been a UARG member since 2006.

American Electric Power, or AEP

American Coalition for Clean Coal Electricity
ACCCE lists AEP as a member.


National Association of Manufacturers
AEP self-identifies as a NAM member.


Utility Air Regulatory Group
AEP self-identifies as a UARG member.


Southern Company

Southern Company filed suit against the EPA on behalf of subsidiaries.


American Public Power Association
APPA identified Georgia Power—the largest subsidiary of the Southern Company—as a member in 2014 comments on the proposed Clean Power Plan.


American Coalition for Clean Coal Electricity
ACCCE lists Southern Company as a member.

National Association of Manufacturers
Christopher C. Womack, executive vice president and president of external affairs for Southern Company, is a NAM executive committee member. Southern Company disclosed 2015 contributions to National Association of Manufacturers. NAM also lists Southern Company as an affiliated organization.


U.S. Chamber of Commerce
Christopher C. Womack, executive vice president and president of external affairs for Southern Company, is a U.S. Chamber of Commerce board member. Southern Company disclosed 2015 contributions to the U.S. Chamber of Commerce.


Utility Air Regulatory Group
Southern Company self-identifies as a UARG member.


NRG Energy
NRG Energy filed suit against EPA on behalf of subsidiaries.


Tennessee Valley Authority, or TVA

American Public Power Association
APPA identified TVA as a member in 2014 comments on the proposed Clean Power Plan.

National Rural Electric Cooperative Association
TVA is listed as a NRECA member.


FirstEnergy

Utility Air Regulatory Group
FirstEnergy self-identified as a UARG member in 2014 comments on proposed Clean Power Plan.


Energy Future Holdings

Energy Future Holdings filed suit against the EPA.


Utility Air Regulatory Group
Luminant Generation Company LLC—a subsidiary of Energy Future Holdings—self-identified as a UARG member in 2014 comments on the proposed Clean Power Plan.


National Association of Manufacturers
NAM lists Luminant Generation Company LLC—a subsidiary of Energy Future Holdings—as a 2016 affiliated organization.


DTE Energy

American Coke and Coal Chemicals Institute
DTE Energy is listed as a ACCCI member.

National Association of Manufacturers

NAM lists DTE Energy as a 2016 affiliated organization.


Utility Air Regulatory Group

DTE Energy self-identified as a UARG member in 2014 comments on the proposed Clean Power Plan.


Entergy Services Inc.

Entergy Services Inc. filed suit against the EPA.


Dominion Resources Inc.

National Association of Manufacturers

Dominion Resources Inc. is listed as a 2016 affiliated organization.


Ameren Corp.

National Association of Manufacturers

Ameren disclosed 2015 contributions to NAM.


Edison Mission Energy

Edison Mission Energy is a subsidiary of NRG, which filed suit against the EPA.

Westar Energy Group

Westar Energy Group filed suit against the EPA.


Wisconsin Energy Corp.

Utility Air Regulatory Group
Wisconsin Energy Corp. self-identified as a UARG member in 2014; Officials did not respond to request for confirmation of current membership.


Basin Electric Power Cooperative

Basin Electric Power Cooperative filed suit against the EPA.


National Rural Electric Cooperative Association
Basin Electric Power Cooperative is listed as a NRECA member.


CMS Energy

Utility Air Regulatory Group
Consumers Energy—the main subsidiary of CMS Energy—self-identified as a UARG member in 2014 comments on the proposed Clean Power Plan.


Salt River Project

American Public Power Association
APPA lists the Salt River Project as a member in its annual directory; SRP self-identified as a member in 2014 comments on the proposed Clean Power Plan.
Utility Air Regulatory Group
Salt River Project self-identified as a UARG member in 2014 comments on the proposed Clean Power Plan; Officials did not respond to request for confirmation of current membership.


General Electric, or GE

National Association of Manufacturers
NAM identifies GE as a member.


National Mining Association
NMA lists GE Mining—a subsidiary of General Electric—as a member.


Santee Cooper

American Public Power Association
APPA identified Santee Cooper as a member in 2014 comments on the proposed Clean Power Plan.


National Rural Electric Cooperative Association
Santee Cooper is a NRECA member through Santee Electric Cooperative Inc.

Pinnacle West Capital Corp.

**Utility Air Regulatory Group**
Pinnacle West Capital Corp. self-identified as a UARG member in 2012; Officials did not respond to request for confirmation of current membership.


NiSource Inc.

**Utility Air Regulatory Group**
NiSource Inc. self-identified as a UARG member in 2014; Officials did not respond to request for confirmation of current membership.


Associated Electric Cooperative Inc.

Associated Electric Cooperative Inc. filed suit against the EPA.


**American Coalition for Clean Coal Electricity**
ACCC lists Associated Electric Cooperative Inc. as a member.


Tri-State Generation and Transmission Association Inc.

Tri-State Generation and Transmission Association Inc. filed suit against the EPA.


**American Coalition for Clean Coal Electricity**
ACCE lists Tri-State Generation and Transmission Association Inc. as a member.

National Rural Electric Cooperative Association
NRECA lists Tri-State Generation and Transmission Association Inc. as a member.


JEA

American Public Power Association
JEA self-identified as an APPA member in 2014 comments on the proposed Clean Power Plan.


Nebraska Public Power District

American Public Power Association
Nebraska Public Power District self-identifies as a leader of the APPA peer group.


National Rural Electric Cooperative Association
NRECA lists Nebraska Public Power District as a member.


Allete

Allete filed suit against the EPA on behalf of Minnesota Power, an Allete subsidiary.


Utility Air Regulatory Group
Allete self-identified as a UARG member in 2014 comments on proposed Clean Power Plan.

Great River Energy

*National Rural Electric Cooperative Association*
NRECA lists Great River Energy as a member.


Big Rivers Electric Corp.

Big Rivers Electric Corp. filed suit against the EPA.


*National Rural Electric Cooperative Association*
NRECA lists Big Rivers Electric Corp. as a member.


Arkansas Electric Cooperative Corp.

*National Rural Electric Cooperative Association*
NRECA lists Arkansas Electric Cooperative Corp. as a member.


East Kentucky Power Cooperative

East Kentucky Power Cooperative filed suit against the EPA.


*National Rural Electric Cooperative Association*
NRECA lists East Kentucky Power Cooperative as a member.

Lower Colorado River Authority

*National Rural Electric Cooperative Association*
NRECA lists Lower Colorado River Authority as a member.


Buckeye Power

Buckeye Power filed suit against the EPA.


*American Coalition for Clean Coal Electricity*
ACCE lists Buckeye Power as a member.


*National Rural Electric Cooperative Association*
NRECA lists Buckeye Power as a member.


Oglethorpe Power Corp.

Oglethorpe Power Corp. filed suit against the EPA.


*American Coalition for Clean Coal Electricity*
ACCE lists Oglethorpe Power Corp. as a member.


*American Public Power Association*
APPA identified Oglethorpe Power Corp. as a member in 2014 comments on the proposed Clean Power Plan.

**National Rural Electric Cooperative Association**

NRECA lists Oglethorpe Power Corp. as a member.


**Utility Air Regulatory Group**

Oglethorpe Power Corp. self-identified as a UARG member in 2014 comments on the proposed Clean Power Plan.


**Seminole Electric Cooperative Inc.**

Seminole Electric Cooperative Inc. filed suit against the EPA.


**National Rural Electric Cooperative Association**

NRECA lists Seminole Electric Cooperative Inc. as a member.


**Hoosier Energy Rural Electric Cooperative**

Hoosier Energy Rural Electric Cooperative filed suit against the EPA.


**National Rural Electric Cooperative Association**

NRECA lists Hoosier Energy Rural Electric Cooperative as a member.

Los Angeles City

*American Public Power Association*
APPA lists the Los Angeles Department of Water and Power as a member in its 2014–2015 directory.


*Utility Air Regulatory Group*
Los Angeles City paid membership dues to UARG in 2014; Officials did not respond to request for confirmation of current membership.


Occidental Chemical Corp.

*American Chemistry Council*
ACC lists Occidental Chemical Corp. as a member.

American Chemistry Council, “Member Companies,” available at https://www.americanchemistry.com/Membership/MemberCompanies#Regular (last accessed May 2016).

Grand River Dam Authority

*American Public Power Association*
Grand River Dam Authority self-identified as an APPA member in a 2015–2016 performance report.


Dow Chemical

*American Chemistry Council*
ACC lists Dow Chemical as a member.

American Chemistry Council, “Member Companies,” available at https://www.americanchemistry.com/Membership/MemberCompanies#Regular (last accessed May 2016).
Charles J. Kalil, the executive vice president and general counsel for Dow Chemical, is a member of the Chamber’s board; Dow Chemical disclosed 2015 contributions to U.S. Chamber of Commerce.


Neil A. Chapman, the president of Exxon Mobil Chemical Corp. and vice president of Exxon Mobil Corp., is the NAM Southwest Regional Vice Chair for NAM; NAM lists Exxon Mobil Corp. as an affiliated organization.


Brazos Electric Power Cooperative filed suit against the EPA.


National Rural Electric Cooperative Association lists Brazos Electric Power Cooperative as a member.


ACC lists BP Lubricants Inc., a subsidiary of BP, as a member.

American Chemistry Council, “Member Companies,” available at https://www.americanchemistry.com/Membership/MemberCompanies#Regular (last accessed May 2016).
National Association of Manufacturers
NAM lists BP as a 2016 affiliated organization.


International Paper

National Association of Manufacturers
International Paper self-identified as a NAM member in 2015.


4 Ibid.


