

NEWS RELEASE

# Luther Strange

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## ATTORNEY GENERAL STRANGE ANNOUNCES ALABAMA AND COALITION OF STATES ASK DC FEDERAL COURT TO PERMANENTLY VACATE EPA CARBON RULE

(MONTGOMERY) – Now that the U.S. Supreme Court has stayed the Obama administration’s carbon rule, Alabama Attorney General Luther Strange and a coalition of 30 other states and state agencies are asking the lower court to go ahead and rule against the plan.

The litigation is pending in the U.S. Court of Appeals for the District of Columbia Circuit, which will make a decision on the merits of the case. The coalition filed their brief Friday evening and oral arguments are expected in early June.

“Ten days after winning a stay in the United States Supreme Court of President Obama’s so-called Clean Power Plan, Alabama and a majority of U.S. states are asking the U.S. Circuit Court in Washington, D.C. to permanently vacate the Obama administration’s illegal carbon rule, once and for all,” said Attorney General Strange.

“The EPA not only goes too far in seeking to impose arbitrary and overly restrictive limitations on carbon dioxide emissions, but it does so with the goal of changing America’s energy sources. The EPA’s costly carbon rule is little more than a power grab and just the latest in a long list of Obama administration attempts to end-run Congress,” added Attorney General Strange.

The multi-state filing noted:

“Relying on an obscure provision of the Clean Air Act, EPA’s Rule seeks to effect an ‘aggressive transformation’ of the mix of electricity generation in nearly every State by systematically ‘decarbonizing’ power generation and ushering in a new ‘clean energy’ economy. Although Congress has debated a number of bills designed to achieve that very result, it has not yet adopted any such legislation. Frustrated with Congress, EPA now purports to have discovered sweeping authority in Clean Air Act section 111(d) – a provision that has been used only five times in 45 years – to issue a ‘Power Plan’ that forces States to fundamentally reorganize electricity generation throughout the country.”

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