



RAILROAD COMMISSION OF TEXAS

Governor Greg Abbott
Office of the Governor
1100 San Jacinto Blvd.
Austin, Texas 78701

August 5, 2015

Governor Abbott,

President Barack Obama's illegal "Clean Power Plan" will be used by the Environmental Protection Agency (EPA) to endanger the Texas economy, and severely stress the financial well being of every individual, family, and business in Texas. Despite lack of support, no debate, and even the failure to garner Congressional approval – including a Democrat controlled Congress in 2010 – the President is imposing his plan on states to dictate our national energy policy for generations to come.

As you are well aware, Texas and most other states have always regulated their own power systems. However, through this illegal appropriation of authority, President Obama has given the EPA jurisdiction to regulate power systems across the country. Just last year the Supreme Court wrote about EPA's greenhouse gas rule: "When an agency claims to discover in a long-extant statute an unheralded power to regulate a significant portion of the American economy, we typically greet its announcement with a measure of skepticism. We expect Congress to speak clearly if it wishes to assign to an agency decisions of vast economic and political significance." Ignoring the Supreme Court by adopting the Clean Power Plan, President Obama is effectively ruling by fiat.

This is the culmination of what has been a long war on fossil fuels and Texas' lifeblood during the President's tenure. My concerns are justified when you realize the President's actions to eliminate fossil fuels at the expense of the United States citizenry has always been part of his plan. In 2008, the President told the San Francisco Chronicle, "Under my plan, electricity rates would necessarily skyrocket." The Clean Power Plan will help the President finally realize his goal. The National Economic Research Associates confirms the President's prediction, stating that most states will see a double-digit price hike as a result of this rule – hurting the pocket books of every hard working Texan that can ill afford to pay more. As if this wasn't bad enough, this plan also severely threatens Texas' ability to meet its power needs and destabilizes our electricity grid's reliability.

It is for this reason that I urge you as Governor of Texas to refuse participation in the President's unlawful edict, and to coordinate with other states to ignore the rule. It is our duty to combat a dangerous and radical agenda that places the priority of a vocal minority over the well being of the hard working citizens of Texas, and the United States.

Thank you for your leadership of our great state and for your serious consideration of this most urgent matter.

Sincerely,

A handwritten signature in black ink that reads "David Porter".

David Porter
Railroad Commission of Texas, Chairman