

**ENERGY GUEST BLOG -- JIM SAMUEL**

## **All of the above or none of the above: Who gets to decide our energy future?**

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If you have kids then you know this is the time of year for standardized tests; PSATs, NMSQTs, Terra Novas and all the rest. I'm likely in the minority, but as a kid I enjoyed standardized multiple-choice tests. There was something fun about the quick elimination of two obviously wrong answers leaving me to apply some knowledge and logic toward a 50-50 proposition. But, when presented with the option, I was always drawn to the choice of "all of the above" or "none of the above."

In the energy realm, most elected officials, policy makers and regulators say they are for an all-of-the-above energy policy. But are they really?

In my consulting practice I'm privileged to work with clients that give me the ability to advance an all-of-the-above approach; from the booming shale gas and oil fields, to clean and distributed power from renewables and fuel cells, and also coal, the bedrock of the power grid.

But if the people at the U.S. Environmental Protection Agency have their way we might end up with a none-of-the-above energy policy.

The day before the government shutdown, the EPA announced its plan to hold "listening sessions" to "solicit ideas and input" from the public concerning the forthcoming regulations for reducing carbon emissions from existing power plants. According to the EPA, this feedback "will play an important role in helping EPA develop smart, cost-effective guidelines..."

Thinking back fondly on our fourth-grade civics lesson, we like to think that the legislative branch writes the laws, the judicial branch interprets the laws and the executive branch enforces them. In reality, most of the rules and regulations businesses and families confront on a daily basis are written by executive agencies. In exchange, for the voices of our elected representatives they utilize public hearings to "check the box" that says they have consulted with the American people before releasing these rules.

So where are these hearings on existing power plants being held? Boston, New York City, Philadelphia, Atlanta, Chicago, Seattle, San Francisco and Washington, D.C. — major population centers in regions of the country that are less than friendly to the fossil fuel industry. More importantly, the 11 states where these hearings will be held get an average of 26% of their electricity from coal, compared with a national average of 42%.

If you are going to listen to citizens about existing power plants, shouldn't you hold hearings in the states where those plants exist? Where the impacts, both positive and negative occur? In fact, of the top 15 states for coal-produced power, only two will host hearings (Colorado and Kansas). What about key electoral states like Ohio, Indiana and Wisconsin? Or states like Kentucky or West Virginia that derive more than 92% of their electricity from coal? Why won't their voices be heard?

President Barack Obama appoints the administrators overseeing the hearings. I wonder what the president would say if his campaign team said they were only going to conduct polling in 11 states that favor their agenda for the next election. They would probably be fired. I am no statistician, but even I know the outcome of the data would be skewed.

This set of hearings on existing power plants is just the latest example. The EPA will soon be holding a separate set of public hearings to get comments on proposed rules for carbon emission standards for new power plants.

Life, business, and governing is all about choices and risk management. Leadership is about ensuring access to as many choices as possible and then appropriately managing the risks associated with those choices.

Coal and coal mining certainly have their risks, but so, too, does every other power generation source. Fracking, shadow flicker, waste disposal, migratory bird kills, intermittency, carbon dioxide, transmission distance, spawning fish, ice shear, pipeline failures, battery storage, spills — no source of power generation or fuel extraction is perfect.

Over the past 15 years, I have dealt with environmental regulatory issues in the wind, natural gas, oil and coal industries. While the issues facing coal are more broad-based and pressing, the others face issues that, if left unchecked to overzealous regulation, could be just as devastating to those industries.

Some players in the energy sector will see a short-term benefit in the pain inflicted on others. Some may even encourage the effort by siding with regulators and public comments. But in reality they might just be bribing the cannibal to eat them last.

It's time the American energy sector united and demanded a true national energy policy. One that values an American electron more highly than one imported. A policy that includes all of our generation capabilities, rationally protects our environment and grows our economy.

Perhaps Benjamin Franklin's famous 1776 adage could be repurposed for all those who make their living in the energy industry, "You must all hang together, or assuredly you shall all hang separately."



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