Message

From: Morning Consult [energy@morningconsult.com]
Sent: 11/4/2015 12:38:17 PM
To: Stavnes, Sandra [Stavnes.Sandra@epa.gov]
Subject: Morning Consult Energy, Presented by America's Natural Gas Alliance: Clean Power Plan Legal Authority Threatened by Legislative Discrepancy; Royal Dutch Shell to Sell Off $30 Billion in Assets from 2016-2018

By Dmitry Filipoff

Today's Washington Brief

- The little known Office of the Law Revision Counsel has drawn attention due to a legislative glitch in amendn to the Clean Air Act of 1990 passed by House and Senate. The differing versions of Section 111(d) are central whether the administration has proper legal authority to regulate pollutants under the Clean Power Plan. (E&E

- The federal ethanol standard is set to be finalized by the end of the month, spurring lawmakers and groups to t action and influence the decision. On Monday, 16 members of the Congressional Black Caucus sent a letter to Environmental Protection Agency administrator in favor of a higher threshold, while the American Petroleum Institute launched an ad campaign blaming the standard for raising fuel prices. (The Hill)

- Lawmakers will attempt to repeal the crude oil ban this week by adding a provision to a surface transportation Some lawmakers are optimistic that the additional revenue that may be gained through lifting the ban would m the repeal more attractive with the cash strapped highway bill. (Morning Consult)

Today's Business Brief

- Royal Dutch Shell has announced it will focus on expanding liquefied natural gas operations as it nears compl of its $70 billion acquisition of BG Group. Shell said it would shed $30 billion in assets from 2016-2018 as ap its new focus. (The New York Times)

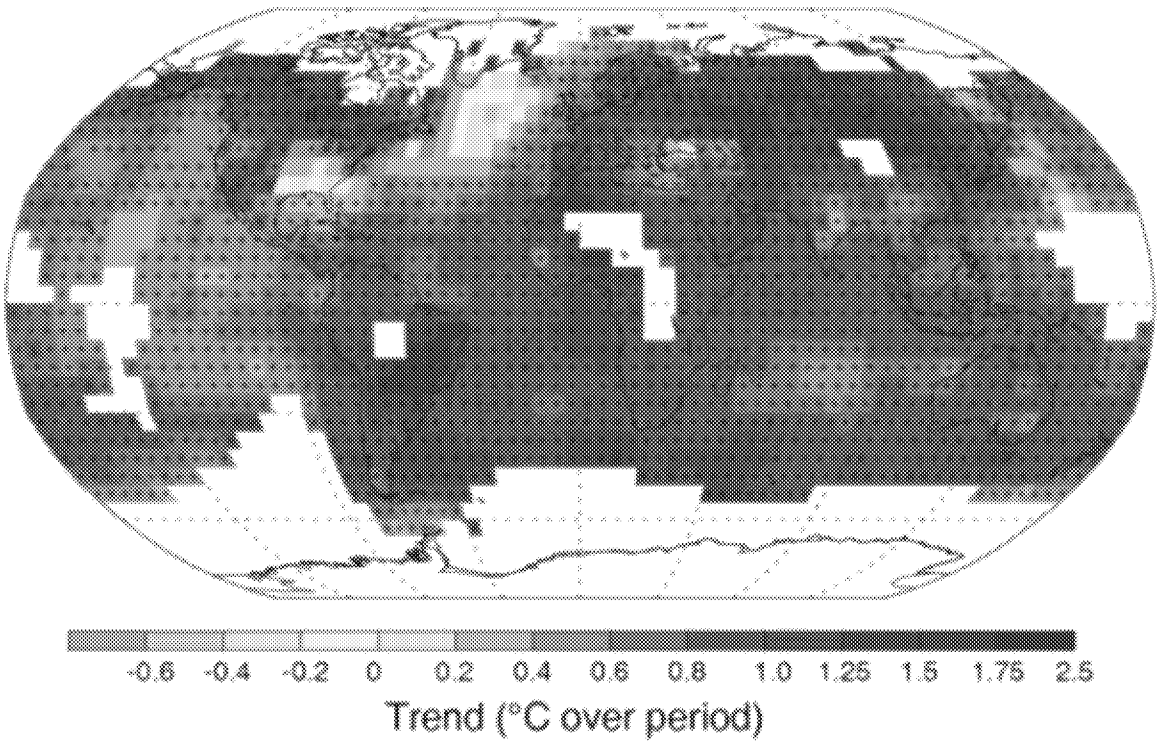
- The Sierra Club is threatening to sue four major oil companies in Oklahoma, accusing them of causing numerc earthquakes as a result of wastewater disposal operations. The environmental group hopes to win moratoriums limits placed on the volume of waste water that can be injected into deep wells. (E&E)

- The attorney general of Utah has received two petitions claiming that the state's $53 million investment in a California coal export terminal is a violation of state and federal law. Those against the project argue it has bee drawn from taxpayer funds intended to be used for the Utah public and not out of state businesses. (Salt Lake Tribune)

Today's Chart Review

Climate change could have a significant impact on our economy
Ars Technica

Observed change in average surface temperature 1901–2012

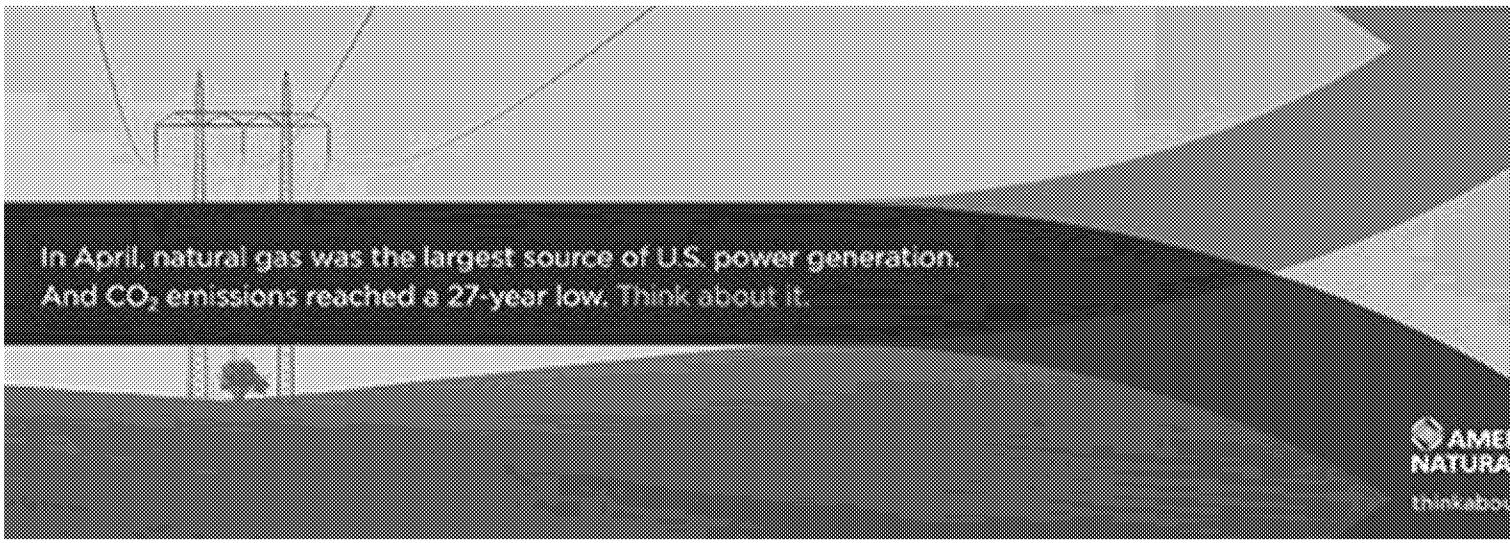


Mark Your Calendars (All Times Eastern)

Wednesday
ICF International holds Rising Seas Summit @ 8:30 a.m.
American Wind Energy Association holds Wind Energy Symposium @ 9:30 a.m.
MnSEIA Midwest Gateway To Solar Conference @ 10 a.m.
House Committee on Natural Resources holds legislative hearing on H.R. 3844 "Energy and Minerals Reclamation Foundation Establishment Act of 2015" @ 10:30 a.m.
US Solar Market Insights Conference @ 11 a.m.
Heritage Foundation holds discussion on Paris Climate Talks @ 2:30 p.m.

Thursday
ICF International holds Rising Seas Summit @ 8:30 a.m.
House Committee on Science, Space, and Technology holds hearing to discuss EPA Pebble Mine block @ a.m.
Clean Energy States Alliance (CESA), the Energy Foundation, and U.S. Department of Energy hold Nation Summit on RPS @ 9 a.m.
Subcommittee on Regulatory Affairs and Federal Management holds hearing on reviewing regulations @ 9 a.m.
American Wind Energy Association holds Wind Energy Symposium @ 9:30 a.m.
House Energy and Commerce Subcommittee holds Energy Security Roundtable @ 10 a.m.
Atlantic Council holds discussion on economic and security impact of climate change @ 12 p.m.
Renewable Energy Finance Forum @ 12 p.m
Columbia University holds Annual Student Energy Symposium @ 3 p.m.

Friday
Clean Energy States Alliance (CESA), the Energy Foundation, and U.S. Department of Energy hold Nation
Summit on RPS @ 9 a.m.
Renewable Energy Finance Forum @ 11:45 a.m
Cato institute holds a Capitol Hill briefing on Paris Climate Talks @ 12 p.m.
Columbia University holds Annual Student Energy Symposium @ 3 p.m.



General

Dems, greens decry 'backdoor' bid to 'tilt' litigation
Robin Bravender, E&E

The House Judiciary Committee last week approved H.R. 2834, a bill prepared by the Office of the Law Re
Counsel as part of the office's ongoing effort to compile and revise U.S. laws. House Republicans painted t
as an innocuous effort to streamline existing law without changing its meaning, while Democrats and green
groups are assailing the effort as a hurried backdoor attempt to hamper U.S. EPA's legal defense of a land
climate change rule.

Oil Exports' Best Shot Could Be on Highway Bill
Fawn Johnson, Morning Consult

Republicans and some Democrats are concerned that the new Iran nuclear deal, which would allow Iran to
its oil to an already glutted global supply, will put the United States at a global trade disadvantage if domes
producers have to continue seeking waivers to export their oil. The Iran deal has given new urgency to the
of lifting the export ban. But the administration says there is enough oil in circulation now, and the export ba
should remain in place.

California Gov. Jerry Brown: Time is Running Out For Cleaner Energy
Katie Fehrenbacher, Fortune

Climate change is adding urgency to the normally slow process of updating the world's energy infrastructur That was the sentiment from two high-profile leaders—California Gov. Jerry Brown and former BP CEO Jol Browne—who have spent decades pushing the energy industry to reduce greenhouse gas emissions.

House Panel Advances Resolutions to Block Clean Power Plan Rules
Dmitry Filipoff, Morning Consult

The panel voted 15-12 to advance H.J. Res. 71, with the same tally for H.J. Res. 72. The rules targeted by resolutions set emissions performance rates and standards for fossil fuel-fired electric generating units. H.J 71 targets the rule for existing plants, while H.J. Res. 72 targets the rule regulating future and modified plar

Ex-Im Bank expected to rise in importance after climate talks
John Siciliano, Washington Examiner

Future U.S. climate change plans likely will hinge on the embattled Export-Import Bank and other programs have faced increased congressional scrutiny in recent years, say environmental consultants. A report issue Monday by consulting firm Climate Advisers, discusses the role of the bank in any future climate change st for Obama or his successor.

4 arrested after protesters rappel from BofA Stadium during Panthers game
Joe Marusak et. al, The Charlotte Observer

The activists said they were protesting Bank of America's financing of a liquefied natural gas facility in Mary They suspended themselves from the upper deck of the stadium before dropping a banner reading: "BoA: I Dominion" and a link to the protest's website.

White House Opposes Senate's Water Quality Bill
Dmitry Filipoff, Morning Consult

The White House issued a statement of administration purpose regarding S. 1140, the Federal Water Qual Protection Act, saying it "strongly opposes" the measure sponsored by Sen. John Barrasso (R-Wyo.). The Obama administration said the legislation would increase costs for permit seekers, threaten water quality a increase flood risk.

European Stock Rally Continues as Draghi Reiterates Ready to Act
Alan Soughley and Camila Russo, Bloomberg

Mario Draghi's reiteration that the European Central Bank is ready to act to support the euro-area economy helped European stocks extend a rally that has recouped about half the losses from a summer rout, while commodity producers continued their rebound. Glencore Plc led miners to the best performance of the 19 industry groups on the Stoxx Europe 600 Index, adding 6.8 percent after selling a share of its future silver c while also maintaining its full-year profit forecast.

Oil & Natural Gas

Shell to Focus on Liquefied Natural Gas in Deal for BG Group
Stanley Reed, The New York Times

Royal Dutch Shell said Tuesday that it plans to step up its efforts in the expanding field of liquefied natural as it prepares to complete its $70 billion acquisition of the British oil and gas producer BG Group. As part o focus, Shell said that it plans to sell $30 billion in assets from 2016 to 2018, as it sheds the less competitive properties at both companies.

Sierra Club threatens to sue drillers to stop Okla. shaking
Mike Soraghan, E&E

The Sierra Club is threatening to sue four oil companies, alleging their wastewater disposal operations hav caused hundreds of earthquakes in Oklahoma. The group's call for the drillers to curtail operations is the fir major move by a national environmental group in response to Oklahoma's earthquake swarms.

U.S. oil refiners look abroad for crude supplies as North Dakota boom fades
Jarrett Renshaw and Catherine Ngai, Reuters

PBF Energy Inc, one of the largest independent oil refiners in the U.S., spent heavily in recent years to buil rail terminals at its Delaware City complex that it needed to take delivery of large loads of crude coming fro North Dakota's Bakken oil fields. But now it is considering eliminating those deliveries altogether, and repla them with foreign crude imports, according to two sources familiar with the situation.

OPEC Moves to Rein in Costs Amid Oil Price Slump
Benoit Faucon and Summer Said, The Wall Street Journal

The Organization of the Petroleum Exporting Countries is moving to rein in costs as its members struggle t their dues amid a protracted period of low oil prices, OPEC officials said. The Vienna-based producers' gro has delayed new hires, reduced training sessions for staff and scaled back travel.

Utilities & Infrastructure

New Research Shows Why Grid Defection Would Be a Bad Idea for the Average American
Stephen Lacey, Green Tech Media

Multiple analyses have shown that tens of millions of people around the country could soon be presented w economic option to self-consume their own electricity with lithium-ion batteries and PV, or potentially discon from the grid altogether. But just because the option is available doesn't mean people will want it, or that it actually makes sense from a reliability or lifestyle perspective.

California Regulators Take Bold Steps Toward a New Energy Efficiency Paradigm
Matt Golden, Green Tech Media

By turning changes in load shape into tradable demand capacity (efficiency + time + location), the new para for energy efficiency will allow the system to shift from programs to markets where businesses compete to products and services while delivering the most valuable services to the grid. This transformation will be dri by a new and valuable cash flow created when utilities procure the results of efficiency as demand capacity a new crop of innovative market actors step up to invest and scale to meet this opportunity.

Renewables

Battle lines form on ethanol regs
Devin Henry, The Hill

Lawmakers and industry groups are gearing up for a month-long battle over the future of the federal ethanc mandate. The Obama administration is set to finalize federal requirements for ethanol levels in gasoline by end of the month, a deadline that has kicked off a flurry of public and behind-the-scenes lobbying over the Renewable Fuel Standard (RFS).

How 5 Global Brands Use Renewable Energy
Jeff Desjardins, Visual Capitalist

While many governments are undertaking initiatives to keep the percentage share of renewable energy sou increasing, there are also some large global brands that are helping lead the charge to a greener economy Today's infographic covers these brands and the business moves they have made to ensure a smaller foot

Power from human waste could light millions of homes-UN University
Magdalena Mis, Reuters

Biogas from human waste has the potential to generate electricity for millions of homes while improving hea and protecting the environment, a United Nations University institute said on Tuesday. The biogas potentia available from all the human waste in the world would be the equivalent of up to $9.5 billion worth of natura a year and could produce electricity for as many as 138 million homes, the United Nations Institute for Wat Environment and Health said in a study.

Coal

California coal terminal not a legitimate use of Utah millions, groups say
Brian Maffly, Salt Lake Tribune

Utah's proposed $53 million investment in an Oakland, Calif., export terminal is a flagrant abuse of commu impact funds that not only violates federal and state law, but will also subsidize private coal mining corpora and out-of-state developers at the expense of Utah taxpayers and local governments. That's according to t separate petitions submitted to Attorney General Sean Reyes, asking him to invalidate a loan to four coal-producing counties to invest in a bulk-freight-loading seaport under development at the former Oakland Arr Base.

Greenpeace Wants to Buy One Of Europe's Largest Coal Mines—And Shut It Down
Jessica Leber, Co Exist

The environmental group Greenpeace is famous for direct actions that disrupt fossil fuel activities—it has confronted big ships on kayaks, scaled offshore drill rigs, and climbed up smokestacks in its quest. But in Europe, Greenpeace wants to take a very different type of direct action: buying one of the continent's large mines and gradually shutting it down.

Big Coal faces oblivion with strong 2°C climate deal in Paris
Giles Parkinson, Renew Economy

The marketing campaign for the thermal coal industry is in full swing ahead of the Paris climate conference even governments such as Australia's conservative Coalition picking up some lines from the chorus, on the

"moral case" for mining coal to save the world's poor. The Paris climate talks, beginning in less than four w will seek to create a Universal Climate Agreement which will, for the first time, include targets and actions f most of the world's economies, both developed and developing.

Nuclear

EIA Does The Math And Says U.S. Nuclear Is Gaining Capacity
Nuclear Street News

The U.S. Energy Information Administration said Tuesday that the scheduled closure of more than 2,000 megawatts of nuclear generating capacity by 2019 would be offset by additions to capacity that are expecte between 2016 and 2020. More than 5,000 MW of nuclear generating capacity is expected to be added to th nation's energy pool by 2020, which "could result in a net increase," the EIA said.

Climate

Dems enlist business leaders in climate push
Devin Henry, The Hill

Senate Democrats said Tuesday that there is a "critical mass of support" for climate change policies in Con and encouraged business leaders to push for more action among lawmakers. "All of the president's work is critical, but Congress can play a key role in achieving our climate changes," 10 Democrats, led by Sen. She Whitehouse (D-R.I.), wrote in a letter to business leaders.

US 'playing catch-up to China' in clean energy efforts, UN climate chief says
Suzanne Goldenberg, The Guardian

China is now leading the world when it comes to fighting climate change — handily beating the U.S.'s effor under Barack Obama to move to a clean energy economy, the United Nations climate chief said on Tuesda a swipe at the U.S. president, who has embraced the fight against climate change as his legacy, Christiana Figueres, the UN's leading climate official, said that when it came to getting off fossil fuels America was stil relegated to an also-ran.

Climate change fuels cod collapse
Derrick Z. Jackson, The Boston Globe

A team of scientists, including those from the Gulf of Maine Research Institute, the University of Maine, and Bigelow Laboratory for Ocean Sciences in Maine, found that average surface water temperature in the Gul Maine rose four degrees between 2004 and 2013. Temperatures in the gulf have risen faster than in 99 per of all sea waters, with record warmth recorded in 2012.

A Message from America's Natural Gas Alliance:

Natural gas puts America in charge of its energy future. Clean, affordable electricity from natural gas mear we're cooling our homes and turning on our lights while also reducing emissions. In fact, in April — for the time ever — natural gas was the leading source of electricity in the United States. It's no coincidence that emissions from US power plants were also at their lowest in 27 years. America's Natural Gas. Think About

Opinions, Editorials & Perspectives

The day after: How solar can thrive in the post-net metering era
Herman K. Trabish, Utility Dive

If solar customers take advantage of smart, affordable technologies available in the marketplace, all electri users could be moved "towards a more integrated grid that reduces costs and enhances reliability for both customers and the utility," said Rocky Mountain Institute (RMI) Senior Associate Mark Dyson. And solar ow "can contribute to grid functions, lowering their neighbors' costs as well as their own."

Does California have the most ambitious clean energy goals on the planet?
Chris Nichols, Politifact

That's what state Senate leader Kevin de León claimed in a speech in October after Gov. Jerry Brown sign 350, a landmark climate change package authored by the senator. The current legislation requires 50 perc California's electricity come from renewable energy sources by 2030.

The danger of mothballing the MOX
Richard Lugar, Politico

At one of our nation's Cold War sites near the South Carolina-Georgia border, an $8 billion plant is under construction that will destroy dangerous weapons-grade plutonium by converting it to fuel for clean nuclear energy. This is the Mixed Oxide (MOX) Fuel Fabrication Facility, and it represents America's side of a cruci bargain signed 15 years ago with Russia.

The Francis effect on the Greenhouse Effect
Sarah Mills et. al, Brookings Institution

Our sampling of public opinion during the weeks leading up to Pope Francis' visit and the first days after his arrival in Washington, D.C. suggest that Americans generally resonate with the pope on climate change latest results of the National Surveys on Energy and Environment (NSEE) from the University of Michigan a Muhlenberg College indicate that majorities of Americans support Pope Francis' call to action on climate ch

That Time I Tried to Buy an Actual Barrel of Crude Oil
Tracy Alloway, Bloomberg News

A fortuitous meeting between a gas trader and his broker at a bar in downtown New York was not going the I had hoped. After revealing a long-held plan to try to buy a barrel of crude, I was now receiving a disappoi stern lecture on the dangers of hydrogen sulfides.

Wind energy is being unfairly held back in California
Michael B. Gerrard and Nancy Rader, Sacramento Bee

Gov. Jerry Brown signed into law California's new 50-percent-by-2030 renewable energy standard amid deserved fanfare. But far less attention has been paid to a brewing contradiction: Wind energy projects are banned or severely restricted in several California counties and, more significantly, across vast federal land the state.

Where the Government Is Wrong on Offshore Wind
Jigar Shah, Green Tech Media

Since 2006, the Department of Energy's Wind and Water Power Technologies Office has invested over $3(million in research focused on overcoming the technical, market and technological barriers to offshore winc development in the United States. But the endeavors funded by this program are not providing the kinds o information that developers need to get offshore wind off the ground.

A Message from America's Natural Gas Alliance:

Natural gas is the fastest and most affordable way for America to curb green house gas emissions. It's als cleanest and most reliable way for America to meet its energy needs. It's no coincidence that natural gas produced the largest share of America's power for the first time ever in April — also the cleanest month for power plant emissions in 27 years. America's Natural Gas. Clean is Powerful.

Research Reports, Issue Briefs & Case Studies

Acceptance of Global Warming Rising for Americans of all Religious Beliefs
Sarah B. Mills et. al, Gerald D. Ford School of Public Policy and Institute of Public Opinion

This report, pulling from eight years of survey data from the National Surveys on Energy and Environment, the relationship between religious affiliation and belief in global warming, and the role that religion and mor play in shaping environmental attitudes. It also draws upon Fall 2015 survey data specifically about Pope F to better understand the impact of the Papal call-to-action on acceptance of global warming among Americ Catholics and non-Catholics alike.

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