

EPA's Latest Grid-Impacting Power Plant Regulations

by

Mike Nasi, Partner, Jackson Walker LLP

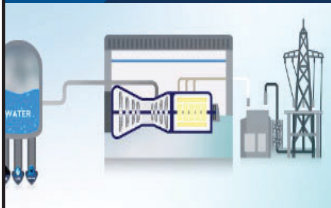
2023 Gas & Power Institute

Houston, Texas

October 27, 2023



PRESENTATION OUTLINE



PART I

State of the Grid



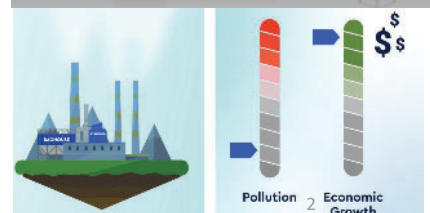
PART II

EPA Power Plant Regulations



PART III

Litigation Update





Houston, we *still* have a problem.



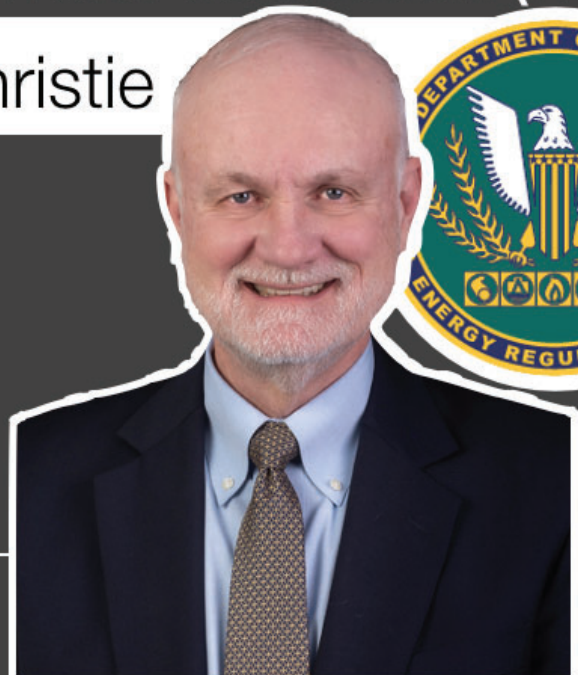
3

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Commissioner Mark Christie

"The United States is heading for a reliability crisis. I do not use the term "crisis" for melodrama, but because it is an accurate description of what we are facing. I think anyone would regard an increasing threat of system-wide, extensive power outages as a crisis."

Senate Committee Energy & Natural Resources
Oversight Hearing on FERC | May 4, 2023



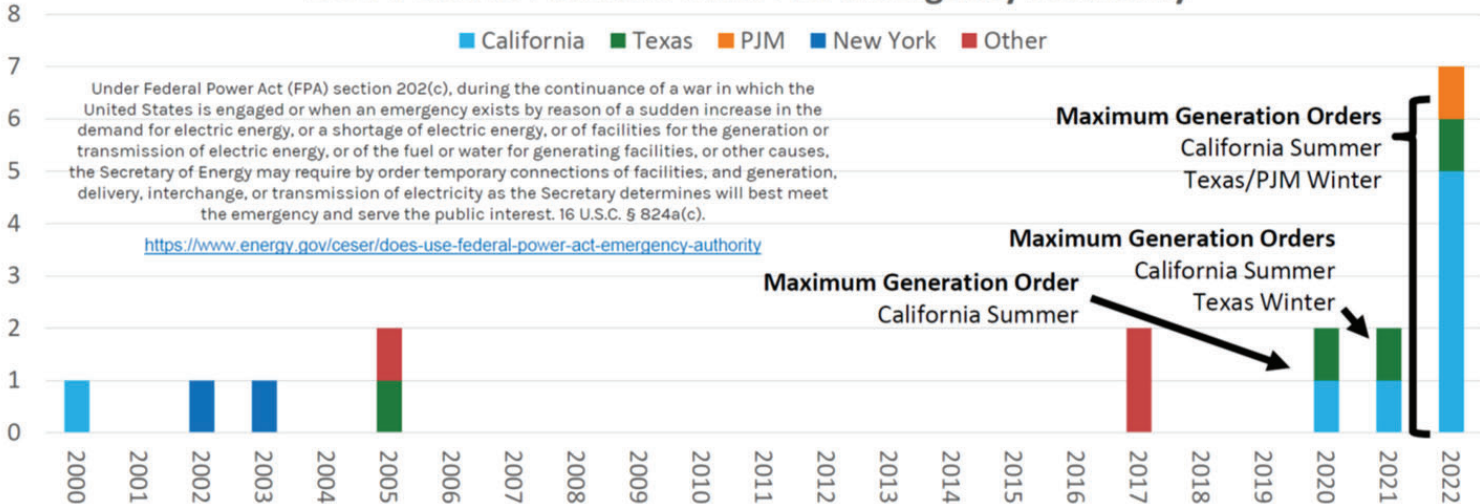
4

DOE RELIEF VALVE USE IS SKYROCKETING

Use of Federal Power Act Emergency

On Marginal Days System is Stretched to Limits

DOE's Use of Federal Power Act Emergency Authority



5

SPP Projection: Premature Coal Retirements Will Eliminate Reserve Margins

Retirement Margins (URI WWE Removed) (Load Increase 3%)



6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: EPA's Latest Grid-Impacting Regulations

Also available as part of the eCourse

[2023 Gas and Power eConference](#)

First appeared as part of the conference materials for the

2023 Gas and Power Institute session

"EPA's Latest Grid-Impacting Regulations"