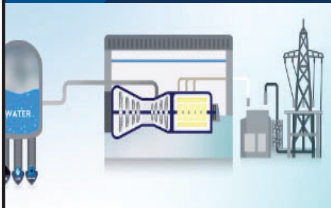


# EPA's Latest Grid-Impacting Power Plant Regulations

by  
Mike Nasi, Partner, Jackson Walker LLP  
2023 Gas & Power Institute  
Houston, Texas  
October 27, 2023



## PRESENTATION OUTLINE



### PART I

State of the Grid



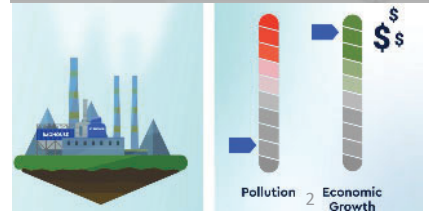
### PART II

EPA Power Plant Regulations



### PART III

Litigation Update





Houston, we *still* have a problem.



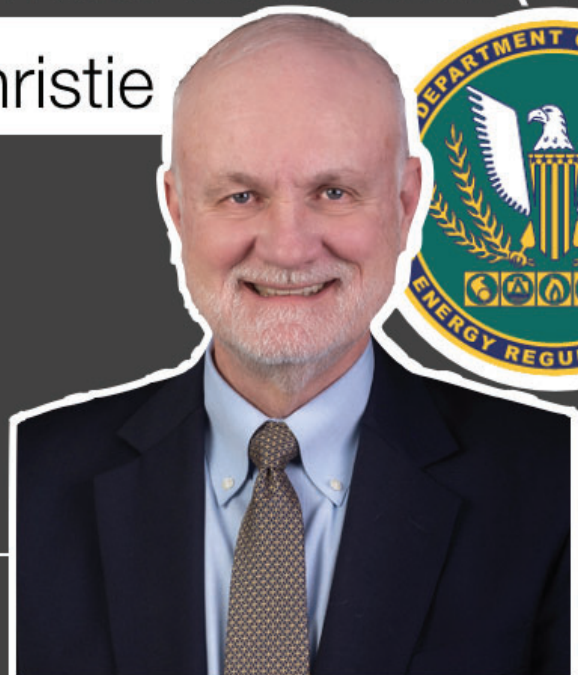
3

## 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



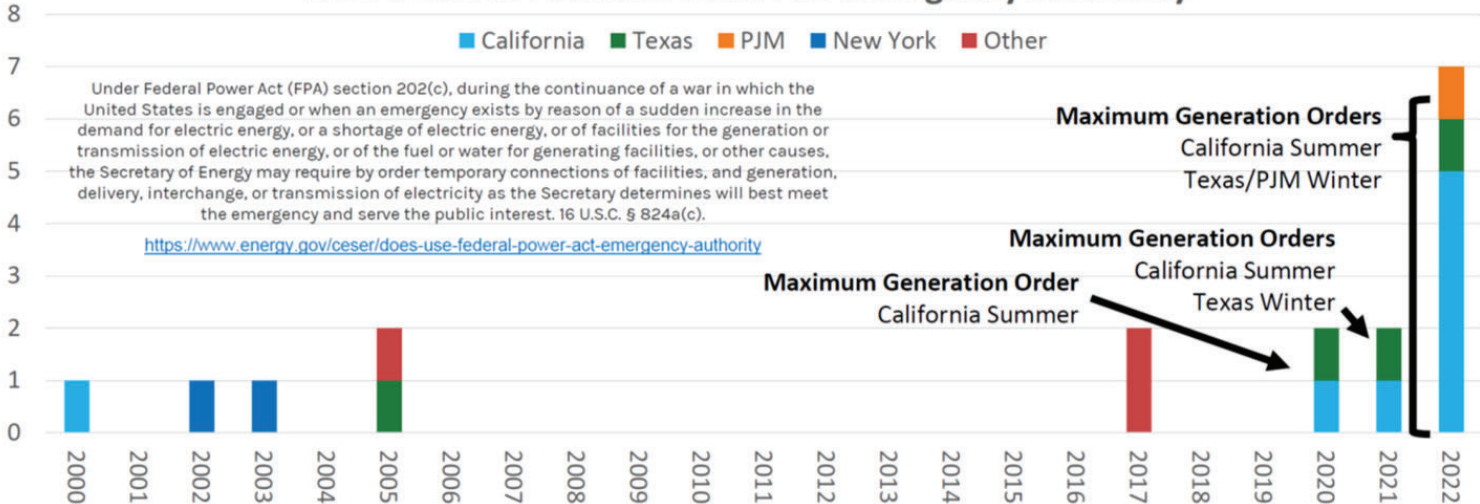
4

# 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



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## SPP Projection: Premature Coal Retirements Will Eliminate Reserve Margins

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



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2023 Gas and Power Institute session

"EPA's Latest Grid-Impacting Regulations"