



December 28, 2009

Environmental Protection Agency
EPA Docket Center
EPA West (Air Docket)
Attention Docket ID No. EPA-HQ-OAR-2009-0517
1200 Pennsylvania Ave. NW
Washington, DC 20460

Submitted via e-mail to: a-and-r-docket@EPA.gov

**Comments of PNGC Power on the Environmental Protection Agency Proposed
Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule
Air Act: Docket No. EPA-HQ-OAR-2009-0517**

Dear Administrator Jackson:

Thank you for providing PNGC Power with the opportunity to comment on the Environmental Protection Agency's (EPA's) Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas Tailoring Rule under the Clean Air Act (CAA).

PNGC Power is a cooperative utility owned by its 16 member utilities. PNGC Power is responsible for procuring and scheduling power and transmission on both a preschedule and a real-time basis to our members' loads. Our members are located in mostly rural communities throughout Oregon, Idaho, Washington and Montana. They serve customers in seven western states.

PNGC Power supports consideration of diverse, reliable and efficient electric generation sources that are economically and environmentally sustainable as options to meet current and future load requirements. For a variety of reasons based on our extensive experience in the electricity industry, our cooperative does not support regulation of greenhouse gases under the CAA.

Our cooperative respects the EPA's need to respond to the Supreme Court's ruling in *Massachusetts v. EPA*, which effectively required the agency to move forward with regulation under the CAA. In addition, our cooperative understands that when the EPA finalizes its rule regulating greenhouse gas emissions for light-duty motor vehicles, the greenhouse gases subject to regulation under the rule would become immediately subject to regulation under the PSD program and the Title V program. We also understand that the agency is promulgating this

tailoring rule to raise the threshold of regulation in an attempt to limit the applicability of the rule to small sources that would otherwise be overwhelmed with regulatory requirements.

It remains, however, that the CAA is not a workable means to address climate change. The statute imposes a command-and-control regulatory framework that would likely be used to impose nonsensical requirements, unnecessary burdens, and extreme expenses on industry and our economy if used in an attempt to control greenhouse gas emissions. Further, it is not clear that the CAA could be effective or efficient in actually reducing emissions of greenhouse gases.

Although PNGC Power has not endorsed specific legislation, if the Federal government is to address climate change, the Congress should enact a new comprehensive statute that completely and permanently preempts the CAA as the mechanism for regulating greenhouse gases. This new statute should recognize the importance of low cost, reliable electricity to our economy and our way of life, reflect the realities of energy markets, and avoid the command-and-control regulatory framework of the CAA.

We look forward to continuing to work with Members of Congress from our region, the EPA, and others as the climate change debate moves forward.

Again, thank you for this opportunity to comment.

Sincerely,

A handwritten signature in blue ink that reads "Dan James". The signature is written in a cursive, flowing style.

Dan James
Vice President, Public Affairs and Marketing