



**December 1, 2014**

**Via Electronic Submission at Regulations.gov**

EPA Docket Center

Attn: Docket ID No. EPA-HQ-OAR-2013-0602

U.S. Environmental Protection Agency

Mail Code 2822T

1200 Pennsylvania Ave., NW

Washington, DC 20460

**Re: Seminole Electric Cooperative Comments on  
EPA's CO<sub>2</sub> Proposal for Existing Electric Generating Units  
Docket ID: EPA-HQ-OAR-2013-0602**

Dear Administrator:

Seminole Electric Cooperative, Inc. ("Seminole") submits the following comments on the U.S. Environmental Protection Agency's ("EPA") proposed existing-source emission guidelines ("Existing-Source Proposal") for greenhouse gases ("GHGs") establishing interim and final state goals for carbon dioxide ("CO<sub>2</sub>") emission rates from existing fossil fuel-fired electric generating units ("EGUs"). Seminole is very concerned about the substantial harm that would result from EPA's Existing-Source Proposal, and thus strongly opposes its promulgation. In sum, there are fundamental legal, technical, economic, and policy-based flaws in the proposal, and EPA should withdraw it in its entirety.

Seminole is not alone in Florida, and around the country, in expressing serious concerns over EPA's Existing-Source Proposal, and joins in and supports the concerns expressed by numerous governmental and regulated interests, including the Florida Public Service Commission ("FPSC"), the Florida Department of Environmental Protection ("FDEP"), the

Florida Electric Power Coordinating Group Environmental Committee (“FCG-EC”), the Florida Electric Cooperative Association (“FECA”), the Florida Municipal Electric Association, the Utility Air Regulatory Group (“UARG”), the Fossil-Fired Cooperative Clean Power Plan Coordinating Group (“FFCCCG”), and the National Rural Electric Cooperative Association (“NRECA”).

## **TABLE OF CONTENTS**

1.	Executive Summary .....	4
2.	Seminole’s Cooperative System .....	6
a.	Introduction.....	6
b.	Seminole Generating Station .....	8
i.	Control Investments .....	10
ii.	Outstanding Loans .....	12
iii.	Remaining Useful Life.....	12
c.	Midulla Generating Station.....	13
d.	Power Purchase Agreements.....	13
e.	Seminole’s Transmission System .....	14
3.	Florida’s History of Substantial CO <sub>2</sub> Reductions .....	16
4.	EPA’s Approach Contains Numerous Fundamental Legal Flaws .....	17
a.	Overview of Legal Flaws.....	17
b.	EPA has Not Followed Proper Rulemaking Procedures .....	19
5.	EPA Must Correct Numerous Errors in its Goal Setting for Florida.....	22
a.	Errors Related to NGCC Facilities in Building Block 2.....	22
i.	EPA Should Use Net Generating Capacity Instead of Nameplate .....	22
ii.	EPA Should Use Actual Emission Rates Instead of the Average.....	23
iii.	EPA Must Exclude CHP Units .....	23
iv.	EPA Must Exclude Units that Would Not Qualify as a New Source .....	24
b.	EPA Must Correct its Errors, and Recalculate Florida’s Goals.....	26
6.	EPA Must Reassess and Correct Flaws in its Proposed Building Blocks .....	26

a.	Building Block 1 – Heat Rate Improvements .....	27
b.	Building Block 2 – Dispatch Gas to 70 Percent .....	28
c.	Building Blocks 3 and 4 – Nuclear, Renewables, and Energy Efficiency.....	29
i.	Seminole’s Longstanding Commitment to Renewables .....	29
ii.	DSM Measures Already Undertaken .....	31
7.	EPA Must Account for the Severe Economic Impact on Seminole .....	33
a.	EPA’s IPM Results .....	33
b.	Seminole is Entitled to Recover SGS’ Lost Remaining Value.....	34
c.	EPA Must Consider the Cumulative Impact of its Proposal.....	36
8.	State Implementation Issues .....	37
a.	EPA Failed to Consider Florida’s Existing Statutory Framework.....	37
i.	Building Block 1 – 6 Percent Heat Rate Reduction.....	38
ii.	Building Block 2 – Re-Dispatching Gas.....	38
iii.	Building Block 3 – Renewable Generation .....	39
iv.	Building Block 4 – Demand-Side Energy Efficiency.....	39
b.	EPA’s Proposal Only Provides States with Faux Flexibility.....	40
c.	EPA Must Properly Consider Florida’s Transmission and Natural Gas Supply Issues .....	40
i.	Importance of Fuel Diversity in Florida .....	43
d.	States Need More time to Develop State Implementation Plans (“SIPs”).....	44
e.	Sources Need More Time to Comply .....	46
9.	EPA Should Use a Multi-Year Baseline Period for Setting State Goals .....	48
10.	EPA Should Clarify How States Should Perform Rate-to-Mass Translations .....	49
11.	EPA Should Utilize Gross Generation Rather than Net .....	50
12.	Conclusion .....	50

**1. Executive Summary**

Seminole is a not-for-profit generation and transmission cooperative, serving approximately 1.4 million people and businesses in Florida via nine Member distribution-cooperatives. Seminole and its Members provide essential electric service in primarily rural areas of Florida, through a combination of coal- and gas-fired generation assets and power purchase agreements. Seminole has significant concerns about the legal and technical validity of EPA's Existing-Source Proposal, and the proposal's substantial impacts on Seminole, its Members and their consumers, Florida's electric system, and the citizens of Florida.

EPA's own modeling projects that more than 90 percent of Florida's coal-fired generation would be forced to prematurely retire in order to achieve Florida's goals, including Seminole's 1,300 megawatt ("MW") coal-fired facility. Serious fuel diversity, reliability, and cost concerns would result if, as EPA projects, natural gas-fired combined-cycle ("NGCC") units are required to produce over 85 percent of Florida's electricity in 2025, and coal-fired units less than 2 percent. The truth is that Florida cannot comply with EPA's proposal using its existing utility investments, and the overall utility cost impacts would likely total in the billions - and perhaps tens of billions - of dollars. Moreover, Florida is disproportionately impacted - its goal is less than half that of several other states, 25 percent less than the national average, and it is penalized by its already-significant percentage of gas-fired generation.

Seminole, in particular, would suffer substantial harm as a result of EPA's proposal, a reality that EPA has failed to, but must, address. EPA projects that Seminole would lose at least 20 years of remaining useful life of its coal-fired units, and operate its gas-fired facility at a substantially reduced capacity; the cost of these losses, in addition to the cost of replacement

generation would be borne by its Members and their consumers. EPA also does not recognize Florida's unique characteristics, such as its peninsular geography and accompanying transmission constraints, reliability concerns from over-reliance on a single fuel, limited options for renewable power, and its existing statutory and regulatory framework. EPA must take these important factors into account, and correct the numerous legal and technical flaws in its proposal.

Regarding legal flaws, there is serious doubt whether EPA has the authority to issue ANY proposal regulating GHGs from existing EGUs. Even assuming such authority, EPA's proposal contains numerous other legal flaws, such as EPA's lack of authority to set national energy policy, its usurpation of state authority, its regulation of entities outside-the-fence, its arbitrary deadlines, and its failure to provide states with a meaningful opportunity to consider a unit's remaining useful life.

EPA's proposal also contains numerous technical flaws, such as the reliance on inaccurate data and false assumptions in its building blocks, goal calculations, and compliance modeling. For example, in Building Block 1, EPA's 6 percent heat-rate improvement assumption is clearly erroneous, especially for units like Seminole's, which have already maximized heat rate. In Building Block 2, EPA failed to address the feasibility of increasing NGCC capacity to 70 percent, including whether sufficient natural gas is available on a national, regional, state or local level, whether there is adequate gas-pipeline infrastructure, whether there is adequate transmission infrastructure, and what impacts such a shift will have on fuel diversity and reliability. In Building Block 3, EPA misinterpreted and inappropriately applied the renewable portfolio standard of a single state to the entire southeast region, including Florida.

And in Building Block 4, EPA failed to recognize that consumer behavior determines how demand-side energy efficiency programs will be implemented.

Accordingly, Seminole requests that EPA withdraw its proposal, revise its building blocks as legally and technically required, and correct its inaccurate data and false assumptions before it takes any further steps to promulgate this rule.

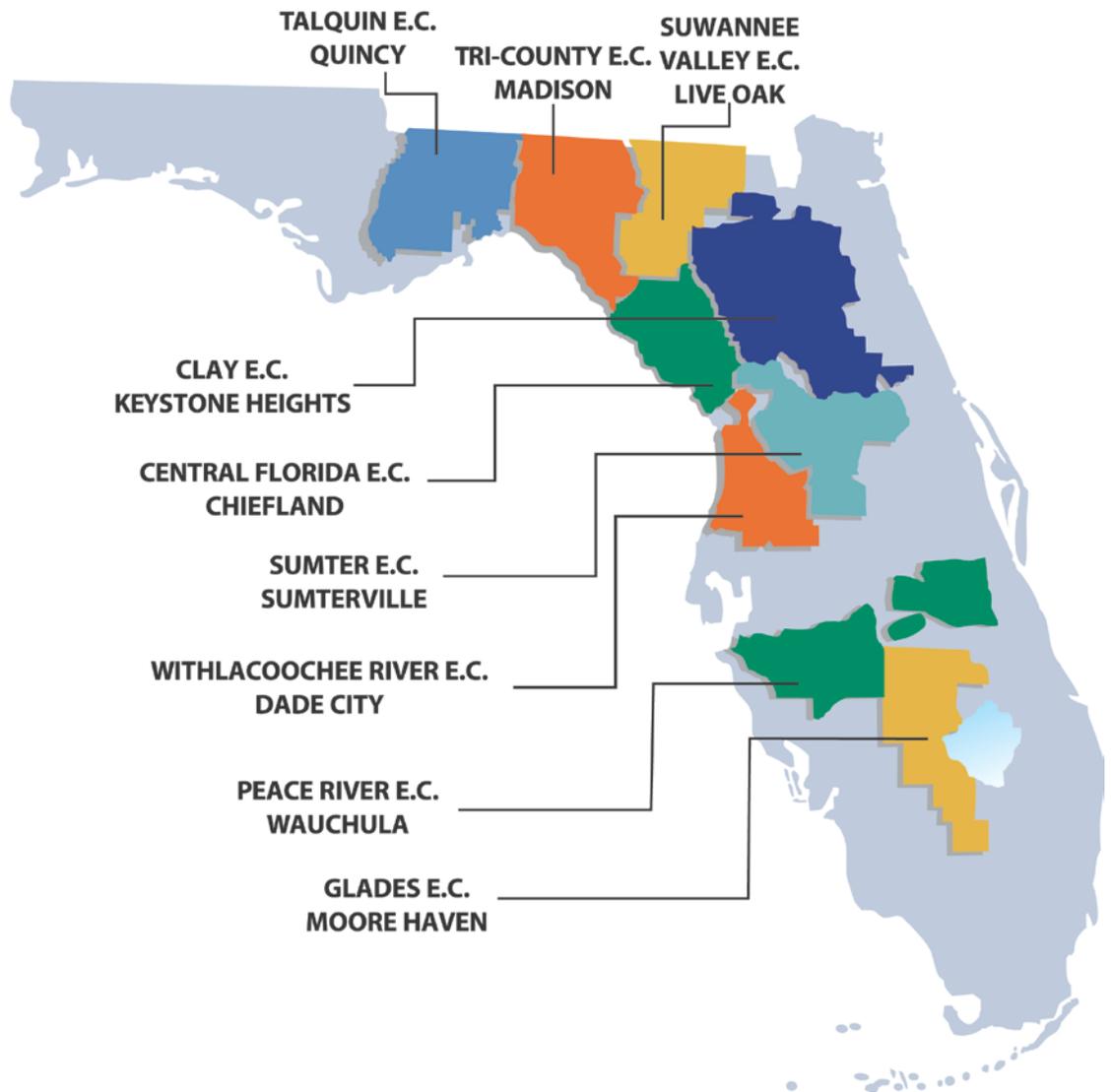
## **2. Seminole's Cooperative System**

### **a. Introduction**

Seminole is one of the largest, not-for-profit, generation and transmission cooperatives in the country. Seminole was founded in 1948, under the Rural Electric Administration's Electric Cooperative Corporation Act. Seminole strives to provide reliable, competitively priced, wholesale electric power to its nine Member distribution electric cooperatives ("Members"). In 2014, approximately 1.4 million people and businesses in parts of 42 Florida counties will rely on Seminole's Members for electricity. Seminole's Members include:

- Central Florida Electric Cooperative
- Clay Electric Cooperative
- Glades Electric Cooperative
- Peace River Electric Cooperative
- Sumter Electric Cooperative
- Suwannee Valley Electric Cooperative
- Talquin Electric Cooperative
- Tri-County Electric Cooperative
- Withlacoochee River Electric Cooperative

# Seminole's Members



Collectively, Seminole's Members serve an average of 14 consumers per mile of line – although this number varies considerably across the state depending on growth and location. For comparison purposes, in Florida, investor-owned utilities typically serve an average of 57 consumers per mile. Nationally, the average is 34 consumers per mile for investor-owned utilities and 48 for municipalities. This is significant, as electric cooperatives must maintain the same utility infrastructure as investor-owned utilities and municipals with fewer consumers to share the associated costs, and in areas where for-profit utilities were unwilling or unable to extend service.

Seminole is also greatly concerned about the economic impact this rule will have on its Members' consumers, a factor that EPA must take into consideration. Based on a 2011 survey, the residential customers Seminole's Members serve are predominantly rural, approximately one-third of which have household incomes below the poverty level. More than 75 percent have household incomes less than \$75,000. Lower-income households spend a substantially higher percentage of their income on electricity usage. Accordingly, any change in rates as a result of EPA's CO<sub>2</sub> rule will impact them disproportionately.

Seminole's primary generation resources include the Seminole Generating Station ("SGS") in northeast Florida, and the Richard J. Midulla Generating Station ("MGS") in south central Florida. Seminole also maintains a suite of purchase power agreements to meet demand.

**b. Seminole Generating Station**

In 1978, Congress enacted the Powerplant and Industrial Fuel Use Act, which restricted new power plants from using oil or natural gas for power generation and encouraged the use of coal. This was the same time that Seminole was developing plans to build a generating facility to

meet its Members' demand. Seminole decided to build a coal-fired plant because it did not have another viable option. EPA issued Seminole a prevention of significant deterioration ("PSD") permit in 1979 to construct and operate SGS in Putnam County, near the St. John's River, south of Jacksonville, and it began commercial operation in 1984.

SGS consists of two, 650 MW coal-fired generating units. In 2014, Seminole will generate more than 50 percent of the energy its Members need from these coal-fired units. In past years, the portion of energy provided to the Members from SGS has been even higher. Throughout the past 17 years, SGS has had an average capacity factor of 80 percent. In short, this efficient, clean coal power plant has been and continues to be the primary work-horse in Seminole's system, and it is capable of continuing to serve in this capacity for many years to come.

SGS employs approximately 300 hard-working Floridians in rural Putnam County. By comparison, MGS employs approximately 30. Should the EPA's Existing-Source Proposal be finalized, Seminole's coal-fired power plant will be forced to close – leaving those 300 skilled employees without a job. Additionally, SGS relies on hundreds of skilled contractors to assist during maintenance outages and capital project implementation. For example, in 2012 SGS had more than 650 contractor personnel onsite at one time to assist during a maintenance outage. For 2013, contractor personnel exceeded 550, and during the 2014 spring outage, SGS had more than 400 contractor personnel onsite. All of these contractor personnel jobs will no longer be needed should the plant close early. SGS also has a long-standing working relationship with an adjacent wallboard facility, Continental Building Products ("Continental"), which converts the byproduct from an SGS environmental control system into wallboard. Continental employs approximately

100 employees and depends on the coal-based byproduct for wallboard production. Without coal and access to this byproduct, jobs at Continental will also be lost in this rural community.

Putnam County has been designated as both a State Rural Enterprise Zone and a Rural Area of Critical Economic Concern. Portions of Putnam County are within a Federal Historically Underutilized Business Zone. As such, this is not an area in rural Florida that can afford to lose nearly 400 jobs directly, and hundreds more indirectly, as a result of EPA's regulation. To place even greater emphasis on this issue, Seminole is also the largest taxpayer in Putnam County. Seminole paid more than \$5 million in property taxes in both 2013 and 2014. Putnam County cannot afford to lose Seminole's coal-fired power plant or any of the jobs associated with the facility.

**i. Control Investments**

When constructed and brought online in 1984, Seminole was outfitted with state-of-the-art environmental controls -- electrostatic precipitators and wet limestone flue gas desulfurization ("FGD"). Since that time, Seminole has invested more than \$530 million in state of the art environmental control technology at SGS. In 2005, as a result of EPA's Clean Air Interstate Rule ("CAIR"), Seminole began evaluating additional strategies to reduce emissions of sulfur dioxide ("SO<sub>2</sub>") and nitrogen oxide ("NO<sub>x</sub>") to the levels required under the new rule by 2009. Various system modifications and allowance purchasing strategies were evaluated for compliance. Beginning in 2006, Seminole spent \$177.2 million to install Selective Catalytic Reduction ("SCR") systems on both Units 1 and 2 at SGS. These additions included new structural steel, ductwork, catalyst reactors, new induced draft fans and motors, new auxiliary transformers, and the installation of steam coil air heaters. In 2011, Seminole spent an additional

\$4.6 million to install the third layer of its SCR catalyst. In 2014, Seminole continued to invest in the excellent performance of the SCR system by replacing the middle layer of catalyst in Unit 2 at a cost of \$2 million. A similar project with similar cost is planned for Unit 1 in the Spring of 2015.

In order to control a secondary reaction of the SCR system, Seminole also installed a \$9.9 million sulfur trioxide (“SO<sub>3</sub>”) removal system. This system injects hydrated lime into the flue gas in order to prevent the formation of sulfuric acid. Seminole has plans to further invest in upgrading this system in 2015.

In order to further reduce SO<sub>2</sub> emissions, Seminole upgraded its FGD system at a cost of \$68.7 million. Seminole has also installed low-NO<sub>x</sub> burners to minimize excess air firing. In total, Seminole has invested more than \$262.4 million since 2006 installing emissions control equipment to comply with EPA requirements (primarily CAIR), and more than \$530 million on emissions control equipment since SGS was placed in-service. In summary, Seminole has invested and continues to invest in maintaining excellent air quality control systems at SGS.

These investments, while necessary to comply with regulations, have caused electricity rates to rise. As stated above, Seminole is a not-for-profit cooperative, and its costs are directly reflected in its rates. Further, additional chemicals, interest on debt, greater maintenance expenses, and parasitic loads all contribute to higher costs to the Members’ consumers. If SGS were to be decommissioned prior to the end of its useful life, the net book value will have to be retired, written off, and collected from our Members, along with the interest expense on debt that was borrowed to match the expected useful life.

**ii. Outstanding Loans**

Seminole, as a rural generation and transmission cooperative, has primarily relied on capital borrowed from the Federal Financing Bank and loan guarantees from the Rural Utilities Service (“RUS”) for the construction of its generation fleet and capital improvements to its facilities, primarily involving environmental controls. Currently, loans related to SGS account for more than 75 percent of Seminole’s total outstanding debt. These loans are secured by Seminole’s Trust Indenture. If SGS were to be retired prior to the end of its useful life in order to comply with EPA’s Existing-Source Proposal, the debt service related to these loans would continue to impact the electricity rates paid by our Members. Most of Seminole’s loans also contain significant prepayment interest penalties, so a strategy to prepay the debt would only further increase the cost paid by our Members.

**iii. Remaining Useful Life**

EPA declares that states are free to consider the remaining useful life of a unit in establishing the state standards. Of course, the Clean Air Act (“CAA”) expressly allows for such consideration. But EPA’s approach of imposing very strict state goals negates a state’s ability to meaningfully consider the remaining useful life of a particular unit; EPA provides only faux flexibility. As noted below, EPA’s Integrated Planning Model (“IPM”) projects that 91 percent of Florida’s coal-fired capacity will retire by 2025, including SGS Units 1 and 2. This is far short of SGS’ remaining useful life. In 2004 and 2005, Seminole commissioned Burns and McDonnell to prepare life appraisal reports for SGS Unit 1, SGS Unit 2, and common facilities. In the reports, Burns and McDonnell indicated that based on their review and Seminole’s continued positive operational and maintenance practices, SGS should realize a remaining useful

life of 40 years, through 2045. This date corresponds to the end of the Seminole's Wholesale Power Contracts with its Members, and also covers the last loan related to emission control equipment at SGS, which matures in 2042.

If SGS were retired prior to the end of its useful life, the remaining net book value (stranded asset) would be required to be written off and the expense would be paid by our Members. The Members would continue to pay the fixed costs related to SGS without receiving any energy or capacity from its operation. Seminole will still have to serve the full requirements of our Members, and the replacement capacity related to the early retirement of SGS will either have to be constructed or purchased. This will cause our Members to pay for both the stranded asset and the replacement capacity at the same time.

**c. Midulla Generating Station**

MGS is an 810-MW facility located in Hardee County that uses natural gas as its primary fuel. The facility consists of a 500-MW combined-cycle unit, which began commercial operation in 2002, and 310 MW of peaking capacity, which Seminole added in 2006. The combined-cycle unit has historically operated at a capacity factor between 50-70 percent. The peaking units consist of five, Pratt & Whitney aeroderivative FT-8 Twin-Pacs, and have historically been utilized at a capacity factor of less than 11 percent. Each Twin-Pac, in fact, is limited to 2,500 hours of operation per year – 2,000 hours on natural gas and 500 on oil – by express condition of its Title V permit. Accordingly, these peaking units are not subject to EPA's proposal.

**d. Power Purchase Agreements**

Seminole works to maintain a balanced and diversified generation portfolio that includes SGS and MGS, as well as capacity and energy provided through short-, medium-, and long-term

purchased power agreements (“PPAs”) with other utilities, independent power producers, and government entities. These resources reflect a mix of technologies and fuel types, including one of the state’s largest renewable energy portfolios, although Seminole sells a portion of the renewable energy credits (“RECs”) associated with its renewable generation to third parties, which can use the RECs to meet mandatory or voluntary renewable requirements. The specific amount of generation Seminole purchases from PPAs varies year to year, but on average, PPAs account for around 40 percent of our total demand. The balance and diversity in Seminole’s generation and PPA mix reduces exposure to changing market conditions, helping keep rates competitive. Fuel diversity is also of paramount importance for Seminole and Florida due to its unique geographic location and already-heavy reliance on out-of-state natural gas supplies, as discussed in section 7 below.

Seminole has had a specific policy in place for years to acquire additional renewable resources, either through ownership or PPAs. Specifically, Seminole’s Board Policy No. 308 expresses its commitment to develop and utilize renewable energy resources, particularly where cost-effective. This has resulted in Seminole entering into numerous PPAs for renewable generation. Accordingly, the reasonably available and cost-effective renewable options in Florida are already being utilized, and EPA’s assumption that Florida can do substantially more is erroneous.

**e. Seminole’s Transmission System**

Seminole owns more than 350 circuit miles of transmission that interconnect Seminole’s electric generating plants with Florida’s transmission grid. Seminole also relies on third party transmission providers to reliably deliver electricity to our Members. Grid reliability, as a result

of re-dispatching existing NGCC facilities to maintain an average 70 percent capacity factor, as anticipated in EPA's Building Block 2, is of great concern to Seminole. Currently, 55 percent of Seminole's energy requirement is served via our owned coal-fired facilities and generator tie lines to the Florida grid. Seminole does not have sufficient owned or contracted NGCC facilities or transmission facilities to adequately serve load without our coal-fired units. Florida's transmission grid is congested, as described further below, and it is unlikely that Seminole would be able to obtain PPAs or construct new NGCC facilities without creating additional transmission constraints.

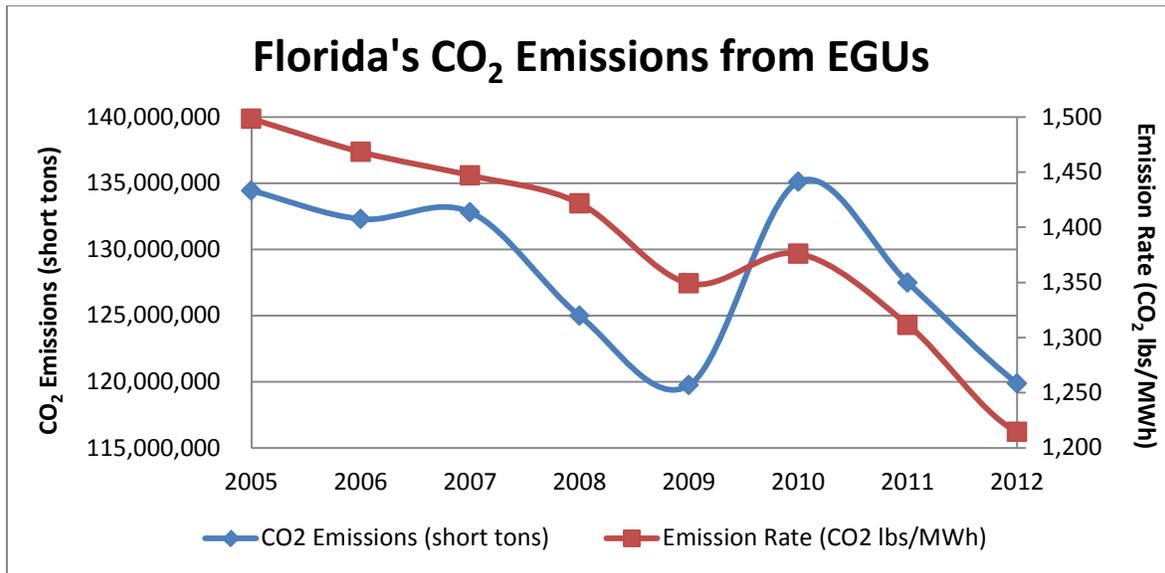
Regional studies performed to evaluate the dispatch of natural gas-fired plants versus coal in an uneconomic fashion resulted in severe transmission congestion throughout the Florida Region. The bulk transmission system was designed around baseload coal generation. Dispatching out of economics (such as making today's intermediate-class units run at baseload) would cause power swings to flow across transmission lines/corridors that were not designed to transport base-load generation. In addition, Seminole's experience in trying to contract with third parties via purchase power transactions from existing generating facilities has shown on multiple occasions that the existing transmission system interconnected to these respective facilities is congested and it is not economically feasible.

If the proposed rule were to take effect prior to sufficient generation or transmission infrastructure being constructed, significant reactive deficiencies may also occur throughout the state resulting in the possibility of depressed system voltages and voltage stability concerns during normal (steady-state) conditions and contingency events.

EPA has failed to assess transmission reliability impacts in Florida, including the total reactive power deficiency. Florida must have sufficient time to evaluate and model the reliability impacts due to the loss of generating capacity, which includes a review of the impact on complying with North American Electric Reliability Corporation (“NERC”) Reliability Standards.

### **3. Florida’s History of Substantial CO<sub>2</sub> Reductions**

Florida utilities have made substantial progress over the last decade in reducing CO<sub>2</sub> emissions while increasing generation. Florida utilities increased electric generation by 10 percent between 2005 and 2012, growing from 179 million megawatt hours (“MWh”) to 197 million MWh. During that time, Florida utilities reduced their statewide CO<sub>2</sub> emission rate by 19 percent, from 1,498 lbs/MWh to 1,214 lbs/MWh, and their total CO<sub>2</sub> emissions by almost 11 percent, from 134 million tons to 120 million tons. These data are illustrated in the table below. Florida has also achieved similar reductions in CO<sub>2</sub> emissions from the transportation, industrial, residential, and commercial sectors. Given that EPA’s proposal seeks to cut CO<sub>2</sub> emissions by 30 percent of 2005 levels, the great progress Florida’s utilities have already made to reduce CO<sub>2</sub> emissions from 2005 levels should have been taken into account in calculating Florida’s interim and final goals.



#### 4. EPA's Approach Contains Numerous Fundamental Legal Flaws

##### a. Overview of Legal Flaws

EPA's proposal contains fundamental legal problems. In sum, there is serious doubt whether EPA has the authority to issue ANY proposal regulating GHGs from existing EGUs. For example, briefing is already underway in the D.C. Circuit Court regarding the plain language of CAA Section 111(d), which precludes EPA from promulgating rules for existing EGUs under Section 111(d) when EPA has already issued a regulation covering EGUs under Section 112. Therefore, because EPA has already promulgated its Mercury and Air Toxics Standards ("MATS") under Section 112, it cannot issue its CO<sub>2</sub> rule under 111(d). If this is not a sufficient prohibition, the CAA further precludes EPA from issuing a rule for existing sources under 111(d) until it has issued a valid rule for new sources. As explained in detailed comments on EPA's new-source and modified/reconstructed-source proposals, there are serious legal questions regarding the validity of such rules, if EPA finalizes the rule in its current form. Furthermore, EPA itself has stated that 111(d) rules are only appropriate for specialized types of units that emit

discrete types of pollutants; they are NOT appropriate for pollutant emissions from diverse and numerous sources, such as GHGs, and CO<sub>2</sub> specifically. *See* 40 Fed. Reg. 53340 (Nov. 17, 1975).

Even assuming EPA has the authority to issue an existing-source rule, the specific proposal EPA issued contains numerous material legal flaws. For example, EPA does not have the authority to set national energy policy, its proposal violates the Federal Power Act, and the Atomic Energy Act, and usurps state authority in violation of the 10<sup>th</sup> Amendment. EPA's proposed Emission Guidelines, including its determination regarding what constitutes the Best System of Emission Reduction, is unlawful for many reasons. Specifically, they,

- (1) Cannot be used to set an enforceable standard on sources or states;
- (2) Are so stringent that they fail to provide states with needed flexibility to set source-specific standards;
- (3) Fail to allow states a meaningful opportunity to consider the remaining useful life of a particular unit;
- (4) Are based on and would require reductions from entities "outside-the-fence";
- (5) Cannot be used to regulate a fuel out of existence;
- (6) Impose obligations on state agencies that are beyond their current jurisdiction;
- (7) Would impose substantially more stringent standards on an existing source than a new source, which is contradictory to the philosophy of the CAA;
- (8) Rely on technologies and measures that have not been adequately demonstrated as achievable;

(9) Set arbitrary and capricious deadlines for EPA's finalization of its rule, state implementation plan ("SIP") development, and source compliance;

(10) Improperly consider the cost and reliability impacts of the proposal;

(11) Overstate the benefits of the rule;

(12) Contain material flaws in the state goal calculations; and

(13) Are inconsistent with prior 111(d) rules.

**b. EPA has Not Followed Proper Rulemaking Procedures**

EPA's rulemaking schedule is insufficient and contravenes the CAA's public comment requirements. Therefore, EPA must withdraw its current proposal, and if it intends to proceed with this effort, issue a new and complete proposal.

First, EPA has failed to provide significant supporting materials in the public docket. CAA section 307(d)(3) requires EPA to include in its rulemaking docket *on the date of publication* of a proposed rule "[a]ll data, information, and documents . . . on which the proposed rule relies." EPA's docket as of the date of the publication of the proposed rule in the *Federal Register* on June 18, 2014, and to this day, fails to include significant documents EPA acknowledges it has relied upon. For example, EPA conducted 25 primary modeling runs using the IPM, yet only four of those 25 runs were placed in the docket for public review. In preparing its proposed rule, EPA evaluated numerous compliance options and compliance years; however, it only made available in the docket the parsed files from IPM runs that evaluate the 2025 base case, 2025 State Option 1, 2025 Regional Option 2 and the 2020 Regional Option 1. EPA provided none of its modeling runs evaluating the states' ability to comply in 2030 and only one of five scenarios modeled for the initial 2020-compliance year. The one scenario provided for

2020 is a regional scenario, not a state-specific scenario. EPA's other building blocks were also developed based in part on IPM runs. The public thus needs EPA's additional parsed files to complete a meaningful analysis of EPA's proposal.

Also missing from the docket are data EPA relied on to support the heat rate improvement assumptions underlying EPA's first building block. According to EPA, 16 facilities have achieved heat rate improvements of three to eight percent on a year-to-year basis, allegedly supporting its assertion that a four to six percent heat rate improvement is reasonable and achievable across all coal-fired units in every state. However, despite requests for this information from states and affected entities, EPA has not made that year-to-year heat rate improvement data available in the public docket.

In September 2014, EPA posted additional materials to its rulemaking docket, but did not include the information referenced above. Regardless, EPA is still violating procedural requirements because these materials were not included in the rulemaking docket on the date of publication. Despite notice of the deficiencies, the passage of significant time, and EPA's publication of other materials to the docket in the middle of the public comment period, EPA has not remedied the deficiencies in the docket. EPA must correct these deficiencies and allow additional time for public review and comment based on the complete record that it has relied upon in developing its proposal.

Second, EPA only provided a 165-day period for the public to evaluate and submit comments and data on the proposed rules, which are the most complex and far-reaching environmental rules ever proposed by EPA. These rules significantly affect almost every electrical generating facility in all 50 states and contemplate significant changes to state

regulatory structures for the electric utilities that operate those facilities. Given the breadth, complexity, and impact of these rules, 165 days is insufficient to evaluate and understand the proposal and the regulatory and technical data and analyses that have been provided in support, much less to develop and submit meaningful comments and data in response.

EPA's proposal for existing sources covers more than 130 pages in the *Federal Register*, with references to numerous Technical Support Documents ("TSDs"), a Regulatory Impact Analysis, and complex modeling analysis. The material posted in the online rulemaking docket for existing sources, EPA-HQ-OAR-2013-0602, comprises over 1,300 voluminous documents that cover an untold number of pages. The 165-day period provided to review and comment on this sweeping rule and the voluminous supporting information is unreasonable and arbitrary. For this reason alone, EPA's 165-day deadline for comments is arbitrary and capricious. The agency should allow a longer public comment period to ensure meaningful public participation and a fully-developed record in support of the proposed rule.

Third, EPA's rulemaking schedule does not provide the agency sufficient time to consider and respond adequately to public comments. Section 307(d)(6)(C) of the CAA requires that when promulgating a final rule, EPA is to provide "a response to each of the significant comments, criticisms, and new data submitted in written or oral presentations during the comment period." EPA has proposed that it will adopt a final rule in this proceeding by June 1, 2015. This self-imposed deadline is arbitrary and capricious in light of the tremendous volume of comments currently being developed on this proposed rule. Accordingly, EPA should withdraw its June 18, 2014, proposal.

**5. EPA Must Correct Numerous Errors in its Goal Setting for Florida**

Seminole has reviewed the baseline data, methodology, and calculations that EPA used to determine the state-level interim and final CO<sub>2</sub> emission rate goals. In sum, EPA must correct numerous errors in its goal calculations, and recalculate Florida's interim and final goals.

Following is an overview of these issues, which are explained in further detail in later Seminole comments.

**a. Errors Related to NGCC Facilities in Building Block 2**

**i. EPA Should Use Net Generating Capacity Instead of Nameplate**

In the eGRID baseline data for 2012, EPA used the EIA860 nameplate capacity rating (in MW) by generator as the basis for any capacity factor or energy production computations. Nameplate capacity represents the design gross capacity of the generator before any internal plant usage (auxiliary power) is deducted, and may not correctly reflect a unit's true capacity due to various operational restrictions, whereas the net capacity represents the value after auxiliary power is deducted. There is also a seasonal component to net capacity, with summer net capacity being lower than winter net capacity.

In its calculation, EPA consistently mixes the nameplate capacity rating with the net generation capacity rating when calculating the baseline capacity factors for NGCC units. This capacity factor calculation is the basis for the Building Block 2 NGCC re-dispatch, and EPA's error results in an overstatement of potential net MWh generation that could be added to the electrical grid to achieve a 70 percent NGCC capacity factor (or 15 percent capacity factor for units under construction). Instead of using nameplate generator capacity, EPA should use the net Summer capacity rating of each generator, which will produce more realistic estimates of

generation NGCC units can supply to the electrical grid, and the differential amount of net generation to be deducted from coal-fired units.

**ii. EPA Should Use Actual Emission Rates Instead of the Average**

When computing the NGCC emissions for the Building Block 2 NGCC re-dispatch, EPA calculates the additional CO<sub>2</sub> emissions from baseline NGCC units using the increase in generation from baseline to 70 percent NGCC capacity factor, multiplied by the original baseline-year state average NGCC CO<sub>2</sub> emission rate. This again is inaccurate, inappropriate, and underestimates the additional NGCC CO<sub>2</sub> emissions due to the re-dispatch. Instead of erroneously using the state average baseline-year NGCC CO<sub>2</sub> emission rate, EPA should use the *incremental* NGCC CO<sub>2</sub> emission rate, on a state-average basis. That is because the most efficient, lowest-emitting units are already generating at or near the baseline 70 percent capacity factor, whereas the units that would actually be re-dispatched and contribute the greatest increase in net generation are the less efficient, higher-emitting units.

EPA can readily calculate the state average incremental NGCC CO<sub>2</sub> emission rates using the generator-level data that is included in eGRID. After appropriately determining the generator net capacity ratings as described above, EPA must calculate and review generator by generator the baseline capacity factor, CO<sub>2</sub> emission rate, and potential contribution of each to the re-dispatch. For Florida, the average incremental NGCC CO<sub>2</sub> emission rate is 996 lbs/net MWh, whereas the value EPA used is 864 lbs/net MWh.

**iii. EPA Must Exclude CHP Units**

EPA improperly included combined heat and power (“CHP”) units in its Building Block 2 goal calculation, mistakenly assuming that CHP units can redispatch to higher capacity factors

in the same manner that non-CHP NGCC units can. This is in error, as CHP dispatch largely depends on the needs of adjacent facilities, not the needs of the grid. EPA's assumption that CHP units can redispatch to 70 percent is unreasonable, and CHP units should not be included in Florida's goal calculation. Accordingly, EPA must recalculate Florida's goal excluding all CHP units from the calculation. If, however, EPA chooses to include CHP units in Florida's goal calculation, it must do so according to the same applicability criteria that EPA establishes under the new source rule. As is discussed below, EPA's new- and existing-source proposals provide different applicability criteria for CHP units.

**iv. EPA Must Exclude Units that Would Not Qualify as a New Source**

CAA § 111(d)(1)(A)(ii) requires EPA to promulgate regulations under which states must submit state plans regulating existing sources "to which a standard of performance under this section would apply if such existing source were a new source." EPA clearly acknowledged the connection between § 111(b) and § 111(d) of the CAA by stating in the preamble that "EPA recognizes that CAA section 111(d) applies to sources that, if they were new sources, would be covered under a CAA section 111(b) rule." 79 Fed. Reg. 34852. In violation of the CAA's plain language, however, EPA has proposed different applicability criteria in the existing-source guidelines than it proposed in the new source performance standards. Specifically, for boilers, the new-source standard defines an affected unit as one that *actually supplies* more than 1/3 of its power to the grid on an annual basis, whereas the existing-unit guideline defines an affected unit as one that is *constructed to supply* more than 1/3 of its power to the grid, whether it actually does so or not.

These differences in applicability criteria result in the inclusion of units in Florida’s goal calculation that, if new, would not be subject to the proposed new source performance standards, and thus cannot be regulated under section 111(d). EPA also included several units in Florida’s goal calculation that have federally enforceable operating limits restricting their operation to levels below the proposed applicability thresholds. Including such units in Florida’s goal calculation is clearly in error. Based on the 2010, 2011, and 2012 eGRID data EPA used to determine each state’s goals, the following Florida units were improperly included; EPA should remove them and re-calculate Florida’s goals:

<b>Units Improperly Included in Florida’s Goal Calculations<sup>1</sup></b>	
<b>Facility Name</b>	<b>Units</b>
Anclote	1, 2
Arvah B Hopkins	1, 2, CT2A
C D McIntosh Jr	ST1, ST2
Cane Island	2, 2A, 3, 3A, 4, 4A
Cape Canaveral	3A - 3C, 3ST
Cedar Bay Generating Company LP	GEN1
Central Energy Plant	GTG, STG
Crist	4, 6, 7
Crystal River	1, 2
Cutler	5, 6
Deerhaven Generating Station	1
Florida Power Development	GEN1
Hansel	21 - 23
Hardee Power Station	GEN1 – GEN3
Indian River	1 - 3
Indiantown Cogeneration LP	GEN1
John R Kelly	CT04, 7, 8
Lansing Smith	2
Larsen Memorial	5, 8
Manatee	1, 2
Martin	1, 2

<sup>1</sup> This determination is based on each unit’s capacity, “Electric Generation (MWh),” and capacity factor, as reported in or calculated from EPA’s 2010, 2011, and 2012 unit-level data included in the docket. See EPA-HQ-OAR-2013-0602-0254; EPA-HQ-OAR-2013-0602-21131; EPA-HQ-OAR-2013-0602-21132.

Northside Generating Station	ST3, 1, 2
Orange Cogeneration Facility	APC1 - APC3
Pasco Cogen Ltd	GT1, GT2, ST1
Port Everglades	ST1 - ST4
Putnam	1GT1, 1GT2, 1ST, 2GT1, 2GT2, 2ST
S O Purdom	7
Sanford	3
Santa Rosa Energy Center	CT01, ST01
Scholz	1, 2
Stanton Energy Center	1
Suwannee River	1, 2
Tom G Smith	S3
Turkey Point	ST1, ST2
Vero Beach Municipal Power Plant	2 - 5

**b. EPA Must Correct its Errors, and Recalculate Florida’s Goals**

As detailed above, EPA made numerous factual and technical errors in its calculation of Florida’s goals. When just correcting for the first two errors (changing the nameplate MW to net, and the average emission rate to the actual rate), Florida’s proposed goal in 2030 is well over 900 lb/MWh. EPA’s other mistakes are equally erroneous, and must be addressed as well. Accordingly, EPA must correct all of the errors related to Florida’s goals, recalculate the goals, and provide an opportunity for public review and comment.

**6. EPA Must Reassess and Correct Flaws in its Proposed Building Blocks**

No state has demonstrated an ability to achieve all four of EPA’s proposed Building Blocks. No state has achieved a 6 percent heat rate improvement. No state has achieved a 70 percent capacity factor for NGCC units. While very few states achieved either EPA’s renewable energy or energy efficiency targets in 2012, no states achieved this year after year. Accordingly, EPA’s approach of using its four proposed Building Blocks is deeply flawed, and far from adequately demonstrated. Flaws regarding the individual Building Blocks are discussed below.

**a. Building Block 1 – Heat Rate Improvements**

EPA erroneously assumes that all coal-fired units, including those at SGS, can implement efficiency projects that will yield a 6 percent improvement in the unit's heat rate. EPA fails to consider the substantial efforts that Seminole and other companies have undertaken to maximize heat rate; the most cost-effective projects have long-since been accomplished because every marginal improvement in the heat rate lowers fuel costs, which lowers rates.

Seminole has implemented more than 20 heat rate improvement activities over the last 20 years that have each contributed incremental heat rate improvements. EPA's reliance on the 2009 Sargent & Lundy report for this 6 percent reduction in heat rate potential is misguided and inappropriate. In fact, in October 2014, Sargent and Lundy issued a letter indicating that "most of the utilities are employing best operational and maintenance practices. In light of this observation, it appears that significant further reduction in heat rate, such as that assumed by the EPA, may not be feasible." Seminole has already performed the most beneficial heat rate improvement projects that the S&L report references, including low pressure turbine upgrades, fan improvements, and reducing air heater leakage. Given these past improvements, it is not technically feasible for Seminole to improve SGS's heat rate anywhere near an additional 6 percent. NERC has also concluded that improving heat rate by 6 percent may not be achievable.<sup>2</sup>

EPA also ignores the effect of implementing the other Building Blocks, as well as the degradation of heat rate over time. Regarding implementation of Building Blocks 2, 3 and 4,

---

<sup>2</sup> See North American Electric Reliability Corporation, Potential Reliability Impacts of EPA's Proposed Clean Power Plan 8 (November 2014).

EPA fails to account for the fact that these efforts would cause coal units such as those at SGS to be operated at lower capacity factors; heat rate increases (i.e., gets worse) when a unit operates at a lower capacity. Accordingly, this worsening of the heat rate negates any improvements resulting from heat rate improvement projects. Moreover, EPA projects that both SGS units will be retired as a result of the rule, and thus any heat rate improvement projects are moot. Moreover, many projects implemented to improve heat rate depend on clean and tight tolerance parts, which are subject to wear and corrosion. This equipment must be periodically taken out of service for maintenance to clean and restore tolerances. Even when this maintenance is performed, the “as-new” efficiencies or heat rate improvements cannot be maintained. Normal wear, fouling, and other efficiency degrading processes are effectively irreversible. EPA ignores this reality, and therefore its assumption that heat rate gains accumulate and last indefinitely is simply incorrect.

Furthermore, EPA fails to consider that some of the projects it envisions could involve New Source Review (“NSR”) issues. While Seminole agrees with EPA that most projects will not trigger NSR, EPA and third parties have brought numerous complaints against companies alleging NSR violations for the very projects that EPA envisions. If EPA wants to incentivize such projects at sources that have not yet undertaken them, it should cease its aggressive enforcement initiatives, and clarify that these projects do not trigger NSR.

**b. Building Block 2 – Dispatch Gas to 70 Percent**

As discussed previously, EPA must consider reliability impacts to Florida’s transmission grid caused by dispatching NGCC units across the state at a 70 percent capacity factor, the availability and reliability of gas and gas transmission infrastructure within the state, and the

effect on Florida's CO<sub>2</sub> goals caused by the use of nameplate vs. net summer capacity ratings for individual generators. While Seminole's NGCC plant at MGS has averaged a capacity factor of approximately 57 percent over the last five years, this facility is technically capable of running with a capacity factor of 70 percent. However, dispatching these units and others on the basis of CO<sub>2</sub> intensity and/or other factors not associated with the most economically advantageous dispatch will result in increased transmission congestion and higher energy costs across the state. These issues must be addressed by EPA, and the Building Block calculations for Florida must be adjusted accordingly.

**c. Building Blocks 3 and 4 – Nuclear, Renewables, and Energy Efficiency**

**i. Seminole's Longstanding Commitment to Renewables**

As stated earlier, Seminole has had a specific policy in place for years to acquire additional renewable resources, either through ownership or PPAs, and has several "must-take" 24x7 renewable PPAs from generating assets that utilize biomass. Seminole's Board Policy No. 308 expressly commits it to develop and utilize renewable energy resources, where cost-effective. This has resulted in Seminole issuing numerous requests for proposals for renewable PPAs, and entering into those that are cost effective. Accordingly, the reasonably available and cost-effective renewable options in Florida are already being utilized, and EPA's assumption that Florida can do substantially more is concerning.

In the Existing-Source Proposal, EPA references data from the U.S. Energy Information Administration ("EIA") in a footnote on 79 Fed. Reg. 34843 concerning new "renewable" power generation that has come online in recent years. The EIA includes biomass in the data for renewable power generation, yet the carbon neutrality of biomass has been called into question

and the Existing-Source Proposal does not address whether biomass may be treated as a zero-emission renewable resource. On November 19, 2014, EPA issued the second draft of its Framework for Assessing Biogenic Carbon Dioxide from Stationary Sources; however, the framework does not clearly define biomass as a zero-emission renewable resource. Accordingly, EPA should definitively determine that biomass fuels are carbon neutral and the use of such fuels for electricity generation is a zero-emission renewable resource.

Additionally, according to the EIA, Florida has generated zero (0) MWh from wind, geothermal, and hydroelectric generation over the past 12 months, and has only generated 153,000 MWh from solar power.<sup>3</sup> EPA has not considered nor accounted for Florida's limited access to renewable resources in its Building Block proposal. EPA must account for this reality, and provide an opportunity for the public to comment on its analysis.

The Existing-Source Proposal also relies heavily on the North Carolina Renewable Energy and Energy Efficiency Portfolio Standard ("REPS") for setting Florida's renewable energy goals under Building Block 3, which is flawed for numerous reasons. Pursuant to § 62-133.8,<sup>4</sup> North Carolina's REPS requirements can be met with hydroelectric, biomass, and renewable power imported from other states. Additionally, up to 40 percent of the North Carolina renewable requirement can be achieved from energy efficiency. It is inappropriate for EPA to base Florida's renewable goal on North Carolina's goal for combined renewables and energy efficiency and to have another goal for Florida based on energy efficiency. To the extent the Existing-Source Proposal's renewable goal for Florida is based on North Carolina's law, the

---

<sup>3</sup> EIA (2014, September 25). *Electric Power Monthly*. Retrieved from: <http://www.eia.gov/electricity/monthly/>

<sup>4</sup> [http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_62/GS\\_62-133.8.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_62/GS_62-133.8.html)

EPA must account for these discrepancies and must adjust Florida's goals accordingly. NERC has also expressed concern with EPA's flawed assumptions regarding renewable energy potential in the Southeast region.<sup>5</sup>

Lastly, EPA modeled compliance with its proposal on the projection that "at-risk" nuclear facilities will not shut down. Yet EPA does not say whether it considered the Department of Energy's permit for the Yucca Mountain nuclear Waste Repository facility as approved or denied. EPA must provide more information on the effect the Yucca Mountain permit may have on EPA's model. *See* 79 Fed. Reg. at 34871.

**ii. DSM Measures Already Undertaken**

Seminole and its Members are jointly committed to the active promotion of cost-effective conservation and energy efficiency by Member consumers. As reflected in a March 2014 filing to the FPSC, Seminole's Members have implemented a range of energy efficiency and energy conservation programs that have reduced Seminole's total demand for electric energy and capacity. However, EPA's assumption that Florida, and Seminole, can increase its energy efficiency measures to 1.5 percent per year, and achieve this increase year after year, is erroneous, arbitrary and capricious.

Seminole provides firm wholesale electric service under a single wholesale rate structure. Seminole also provides non-firm service options to its Members under interruptible rate schedules. The rate signals contained in Seminole's rate schedules provide a cost-basis for our Members to gauge the cost effectiveness of demand-side management and energy efficiency programs. Seminole's Members assess the viability of these programs in their respective service

---

<sup>5</sup> *See* Potential Reliability Impacts of EPA's Proposed Clean Power Plan at 12.

areas and Seminole's load forecast of power supply needs reflects the effect of its Members' demand-side management and energy efficiency programs.

Seminole promotes demand-side management through two programs made available to our nine Member systems. Under the Coordinated Load Management Program, Seminole's Members may install and operate direct control load management systems for the purpose of reducing coincident peak demand. The resulting reductions in Seminole's coincident peak demand lowers Seminole's requirements for system generating capacity (and associated reserves) and provides demand cost reductions to the participating Member systems. Under the Load Management Generator Program, Seminole's Member systems may install (or partner with their retail customers to install) distributed peaking generation. These generators serve a dual need: (1) to enhance reliability by providing back-up generation during transmission and/or distribution system outages, and (2) to offset and avoid a portion of Seminole's system generation requirements.

Seminole's Members have implemented a range of energy efficiency and energy conservation programs that have reduced Seminole's total requirements for electric energy and capacity. These reductions have not been specifically quantified or estimated but are included in Seminole's load history. As such, Seminole's load forecast effectively extrapolates the growth of past programs into the future.

Seminole works jointly with its Members to ensure that cost effective demand-side management and energy conservation/efficiency alternatives are considered as an alternative resource. Similarly, Seminole and its Members are expanding Member staff training, consumer education, energy efficiency, and conservation programs to mitigate growth in kWh usage per

consumer. The focus of Seminole's joint program with its Members is to facilitate information sharing, evaluate demand-side management/conservation programs, and expand consumer education programs and information related to energy efficiency and energy conservation.

**7. EPA Must Account for the Severe Economic Impact on Seminole**

**a. EPA's IPM Results**

EPA's IPM projects that EPA's proposal will retire or significantly reduce the operation of Seminole's facilities (both SGS and MGS), resulting in severe economic impacts on Seminole. The most dramatic impact is on SGS units 1 and 2, which IPM projects will both retire by 2025 in order for Florida to comply with its interim and final goals. For comparison, in 2012 SGS generated 7,593 gigawatt-hours ("GWh") of electricity at a capacity factor of 59 percent. Seminole has no plans to retire these units, and a forced retirement prior to the end of their useful life will result in substantial stranded debt, as well as additional costs associated with generation to replace these units. EPA's IPM *Base Case* further illustrates this point, which projects SGS's generation increasing in 2025 to 8,343 GWh, at a capacity factor of 65 percent. Going from 8,343 GWh to 0 as a result of this rule is indeed a severe impact to Seminole, which as stated above, provides approximately 50 percent of its energy supply with SGS. EPA has not considered, and must account for, these severe economic impacts.

EPA's IPM also projects that the proposal would have dramatic impacts on the NGCC and peaking units at MGS. In 2012, the MGS NGCC units generated 2,492 GWh at a capacity factor of 48 percent. To comply with the rule, EPA's IPM Policy Case projects that these units will only generate 831 GWh in 2025 at a capacity factor of just 16.1 percent, representing a two-thirds reduction in generation from 2012 to 2025. In 2012, the MGS peaking units generated 303

GWh at a capacity factor of 11percent. EPA's IPM Policy Case projects these units to only generate 58 GWh in 2025 at a capacity factor of just 2.1 percent, representing an 81 percent reduction in generation from 2012 to 2025. EPA's IPM projections are inconsistent with how Seminole anticipates utilizing the NGCC and peaking units at MGS in the future, and are also inconsistent with EPA's own anticipated 70 percent NGCC capacity utilization. EPA has not considered, and must account for, the severe economic impacts Seminole would face if the NGCC and peaking units at MGS are forced to reduce generation.

**b. Seminole is Entitled to Recover SGS' Lost Remaining Value**

EPA's IPM compliance model predicts that Seminole's coal-fired power plant, SGS, would be forced to shut down under EPA's proposal. These two coal units were constructed in the early 1980's in response to federal laws that prohibited the use of natural gas to generate electricity. The units were also constructed to fulfill the state-law obligation of Seminole and its Members to provide electricity to their Member consumers in Florida. Seminole has invested over \$530 million in SGS' associated environmental controls, equipment that was installed to meet requirements under the federal CAA. Electricity from that plant is used by Seminole's Members to fulfill their legal obligation to serve Member consumers within the distribution cooperative's established service territories. SGS is a significant asset that is relied upon by Seminole and its Members to fulfill that obligation, and SGS has significant economic value remaining. If, as predicted, EPA's proposal forces SGS to completely shut down before its useful life has run, Seminole's enormous, undepreciated investment in SGS will be rendered worthless. That result will leave Seminole and its Members with a "stranded asset", with significant remaining economic value and debt. Seminole and its Members arguably will be

legally entitled to recover the costs incurred under this proposed government regulation. Further, EPA's IPM modeling and its economic impact analysis fail to account for the real costs of "stranded assets" such as SGS that will directly result from EPA's proposal or to consider the impact of those "stranded assets" on the electricity generating industry in general, electrical transmission reliability, and on the future cost of electricity.

In addition to reliability issues, EPA's proposal would have a devastating economic impact on Seminole. Forcing SGS to completely shut down, as EPA predicts will happen under its analysis of its proposal, would eliminate all economically viable use of Seminole's assets at SGS. While the land upon which SGS was built may retain a nominal value, the hundreds of millions of dollars Seminole invested into SGS, and has not yet recovered, would be completely lost; a result that undoubtedly constitutes a severe economic impact to Seminole and its Members unless the remaining value of SGS can be recovered pursuant to a taking claim.

In addition to stripping Seminole of all economically-viable use of its SGS property, the proposal also appears to completely eliminate Seminole's distinct investment-backed expectations in SGS. Seminole built SGS in 1984, pursuant to the requirements of the federal Powerplant and Industrial Fuel Use Act of 1978, which restricted new power plants from using oil or natural gas and encouraged the use of coal. SGS was built as a coal-fired power plant because the federal regulatory environment of 1984 left Seminole with no other viable fuel options to meet its legal obligation to serve its customers. At a time when the government encouraged the use of coal, and prohibited the use of oil and natural gas, Seminole reasonably expected that its coal-fired power generation at SGS would not be regulated out of the market (by the very government that required it to build a coal-fired plant) during its useful life. Based

on the regulatory environment of 1984, EPA's 2014 Existing-Unit Proposal was completely unforeseeable. Seminole relied on the federal government's directive to construct coal units, and spent hundreds of millions of dollars since then complying with subsequent environmental rules.

In sum, if EPA finalizes the existing proposal as currently written, it effectively amounts to a regulatory taking, entitling Seminole to recover the hundreds of millions of dollars of remaining value of SGS from the total loss of the remaining economic value of these units. Yet, EPA's economic impact analysis fails to consider the real costs associated with the forced closure of existing, useful power plants resulting directly from its proposal and how these costs must be recovered following the adoption of any final rule. Pursuant to the regulatory takings provision in Article V of the United States Constitution, Seminole arguably will be entitled to recover the value of its investment-backed expectations. EPA should carefully consider this issue as it finalizes the proposal and its effects on the future cost and reliability to generate and transmit electricity.

**c. EPA Must Consider the Cumulative Impact of its Proposal**

EPA has failed to consider the cumulative impact of its proposal along with the other numerous and extremely costly rules that directly impact the utility industry. Despite numerous and repeated requests by Congress and industry representatives, EPA has not considered the cumulative impacts of all of its rules. Each of EPA's initiatives individually will have a significant impact on the cost of electricity and transmission; combined, EPA's initiatives could have a crippling and irreparable impact. EPA has also not assessed these rules' combined impact on our national economy, or the disproportionate impact on the elderly, minorities and low income citizens. Following is a list of the more prominent rules at issue:

- (a) 2010 National Ambient Air Quality Standard for NO<sub>2</sub>;
- (b) 2010 National Ambient Air Quality Standard for SO<sub>2</sub>;
- (c) 2014 National Ambient Air Quality Standard for ozone;
- (d) 2011 National Ambient Air Quality Standard for PM<sub>2.5</sub>;
- (e) 2011 Cross State Air Pollution Rule;
- (f) 2012 and 2013 Revisions to the Cross State Air Pollution Rule;
- (g) 2011 Industrial Boiler MACT;
- (h) Regional Haze Rule;
- (i) Greenhouse Gas PSD and Title V permitting;
- (j) Greenhouse Gas NSPS;
- (k) 2010 revisions to 40 CFR 63, Subpart ZZZZ;
- (l) 316(b) Cooling Water Intake structures;
- (m) Steam Electric Effluent Guidelines;
- (n) Numeric Nutrient Criteria;
- (o) Total Maximum Daily Load rules; and
- (p) Coal Combustion Residuals.

EPA's failure to consider the cumulative impacts of these rules is in direct contradiction to Executive Order 13563: "each agency must ... (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs, . . . (2) tailor its regulations to impose the least burden on society, . . . taking into account . . . the costs of cumulative regulations."

Congress has also asked EPA specific questions in the past regarding its efforts (or lack thereof) to coordinate with the Department of Energy, the Federal Energy Regulatory Commission, the National Electric Reliability Council, Public Utility Commissions, and Regional Transmission Organizations. EPA must conduct this cumulative impact analysis, and provide the public with an opportunity for review and comment.

## **8. State Implementation Issues**

### **a. EPA Failed to Consider Florida's Existing Statutory Framework**

Historically, no agency in Florida has exercised the type of authority required to implement EPA's Building Blocks. In order to promulgate rules to develop and implement the

state plan, therefore, a Florida agency must either claim heretofore-unasserted authority under existing statutes, or seek specific legislative authority. Regardless, the agency must also obtain legislative ratification of any rules that have an adverse impact in excess of \$1,000,000, and the Environmental Regulation Commission must adopt any standards proposed by the FDEP.

**i. Building Block 1 – 6 Percent Heat Rate Reduction**

FDEP arguably has authority to establish standards to implement this building block. However, any such standard would have to be adopted as a rule and, as discussed above, EPA's assumed 6 percent heat rate reduction is not technically feasible. For that reason, any FDEP rule based upon that assumption likely would not survive an arbitrary and capricious challenge under the Florida APA. *See* §120.52(8)(e), Fla. Stat. (defining "invalid exercise of delegated legislative authority to include "arbitrary and capricious" rules). Moreover, any such rule would unquestionably cost more than \$1,000,000 to implement and, therefore, would require ratification by the Florida Legislature.

**ii. Building Block 2 – Re-Dispatching Gas**

Neither FDEP nor the FPSC have authority over the dispatch of EGUs in Florida. The FPSC only indirectly oversees the dispatch of investor owned (not municipal or cooperative) generating units through the "fuel and purchased power cost recovery clause" proceedings by which investor owned utilities obtain pass-through recovery of their fuel and purchased power costs. Thus, legislative action would be required before this building block could be implemented on a state-wide basis under Florida law.

**iii. Building Block 3 – Renewable Generation**

No Florida agency has authority to establish renewable portfolio standards (“RPS”). Unlike some state utility commissions, the FPSC does not directly oversee integrated utility resource planning, although it annually reviews “ten year site plans” submitted by all electric utilities, *see id.* § 186.801, and it reviews resource-planning decisions on an *ad hoc* basis when electric utilities petition for need determinations for new steam electric generating capacity. *See id.* § 403.519. Although the FPSC briefly had authority to propose RPS, the Legislature repealed that authority in 2012. *See* Ch. 2012-117, Laws of Fla. (repealing portions of § 366.92, F.S., relating to RPS). Thus, legislative action would be required before this building block could be implemented under Florida law.

**iv. Building Block 4 – Demand-Side Energy Efficiency**

Under the Florida Energy Efficiency and Conservation Act (“FEECA”), the FPSC periodically adopts DSM goals for electric utilities with annual sales over a certain threshold *See* §§ 366.80-366.85, F.S. Currently, this includes Florida’s five investor-owned utilities and two large municipal utilities, but no other municipal utilities and not Seminole. Thus, legislative action would be required before DSM goals can be established for all electric utilities in Florida.

Given this lack of existing authority under state law, the Florida Legislature would need to act before EPA’s building blocks could be enforced in Florida. In that regard, Florida’s Legislature meets for two months every year in March and April, and most bills have to be filed many months in advance. Assuming, optimistically, that EPA’s final guidelines have an effective date of June 30, 2015, Florida will have approximately six months to determine what legislative actions may be needed in the 2016 and 2017 Sessions. This can only occur after it

undertakes the enormous task of understanding what the final guidelines require, deciding which measures could achieve the state goal, determining the costs of each of these measures on the affected parties and Florida's economy, so as to minimize the economic impacts, and coordinating with the FPSC to ensure that there are no adverse impacts on the reliability of Florida's electric grid. EPA wholly failed to assess whether this can be done in time to develop a complete SIP by June 30, 2016.

Accordingly, EPA did not properly consider the status of existing Florida law in calculating Florida's goal, or the legislative and agency actions that would be required. If EPA's final guidelines require the Florida Legislature to enact or ratify laws, it is in violation of the 10th Amendment of the U.S. Constitution.

**b. EPA's Proposal Only Provides States with Faux Flexibility**

Regarding state implementation of the guidelines, the "flexibility" EPA touts is an illusion: EPA set each state's goal assuming that each state completely adopts all four building blocks. For Florida, we are concerned that each Building Block is unachievable, meaning that there is no margin to make-up under one Building Block the amount to which we fall short on another. Absent this ability, Florida cannot meet EPA's proposed goal. In addition, if EPA issues a federal plan to a state, since it lacks the legal authority to implement at least Building Blocks 2-4, EPA's proposed state goal would be unachievable under this scenario as well.

**c. EPA Must Properly Consider Florida's Transmission and Natural Gas Supply Issues**

EPA's existing-source proposal creates greater fuel supply challenges by eliminating over 90 percent of the existing coal facilities in Florida. Although EPA's proposal *assumes* adequate natural gas supply is available to all utilities in order to support the contemplated increase in gas-

fired electric generation, this assumption, specifically, does not account for fuel supply risks associated with the production, processing, storage and transportation of natural gas supply to power plants in peninsular Florida.

Unlike solid fuel (coal) and liquid fuel (oil), natural gas is not easily stored due to its physical characteristics that require significantly more volume per unit of energy stored. Natural gas storage facilities must also possess specific characteristics to safely and economically store a material amount of fuel for use during periods of supply disruption.

All of the natural gas consumed by EGUs in Florida is produced outside the state and imported via one of the interstate gas pipelines. Historically, the vast majority of the gas supply transported into Florida was produced along the gulf coast (Alabama, Mississippi, Louisiana, Texas) from shallow and deep-water offshore platforms. Offshore natural gas production has declined in recent years and onshore, unconventional gas production is making up an increasingly large percentage of the supply transported into Florida. This supply originates from production regions even further away from the state (Oklahoma, Arkansas, north Louisiana, and south Texas) and is dependent on multiple interstate pipelines in order to reach Florida. Florida's increased reliance on the 'upstream' pipeline network creates a new form of risk for the state that is not addressed by EPA's proposal and one that would be exacerbated with the removal of coal and oil-fired generation and the associated storable nature of their respective fuels within the state.

Currently, Seminole holds enough firm gas transportation capacity to dispatch its existing owned and tolled (purchased power) NGCC facilities at a 70 percent capacity factor but this will reduce Seminole's available gas transportation capacity for use in simple cycle gas facilities

during periods of peak demand. However, should Seminole be responsible for constructing NGCC generation capacity to replace its coal-fired facilities and operate those at a 70 percent capacity factor, Seminole will need a minimum of 150,000 decatherms per day (“Dths/day”) of incremental firm gas transportation capacity to meet this need.

To put that into perspective, the Gulfstream Natural Gas System pipeline is fully subscribed and the Florida Gas Transmission (“FGT”) pipeline has varying volumes of unsubscribed capacity posted on its website as of July 22, 2014. These range from 88,500 Dths/day in summer 2014 to 184,000 Dths/day during the 2017-2021 period. Beginning November 1, 2021, and beyond, FGT has 214,000 Dths/day of unsubscribed capacity. If other utilities are forced to take similar actions, there will be insufficient gas transportation capacity available into the state of Florida to support the required NGCC generation. If a third pipeline is constructed, which Seminole understands is required to meet Florida’s gas needs regardless of EPA’s existing-source proposal, that third pipeline will need to be expanded beyond its currently contemplated size to support this incremental gas demand from NGCC facilities. NERC has also expressed concern with EPA’s proposal and its lack of consideration of pipeline capacity restraints.<sup>6</sup>

EPA must provide ample time for EGUs to negotiate contracts for the requisite gas supply and transportation capacity and for the permitting and construction of the necessary pipeline infrastructure. Contracting decisions made with the urgency to comply with EPA’s proposed timelines may not be the optimal decisions for consumers in the long-term. Gas

---

<sup>6</sup> See Potential Reliability Impacts of EPA’s Proposed Clean Power Plan at 9-10.

transportation commitments will likely have a 20-year minimum time horizon meaning that the next generation will continue to pay for the cost of hasty decisions.

**i. Importance of Fuel Diversity in Florida**

Fuel diversity in Florida and nationally cannot be stressed enough, and its importance is great enough to warrant prior regulation at the federal level (see discussion above regarding the Fuel Use Act). Fuel diversity has served the United States well through frequent periods of fuel supply limitations, many of them related to natural gas disruptions (e.g., hurricanes Katrina and Rita) resulting in little impact to electric grid reliability. The extreme cold of January and February 2014, particularly in the Mid-Atlantic and Northeast states provided a peek into the potential consequences of reducing fuel diversity and over-concentrating EGU demand into natural gas. With many EGUs eliminating their ability to utilize fuel oil in order to comply with environmental regulations, these units instead relied solely on natural gas whose spot prices reached record levels exceeding \$100/mmBtu. As EPA's proposal results in additional migration from coal to gas as a fuel choice, cost will become a secondary problem when EGUs are faced with gas supply shortages and reliability is jeopardized.

This fuel diversity need is especially critical for Florida given its geographic location, lack of native energy production capacity and limited electric transmission import capability. With the exception of a limited amount of electricity that can be transported into the state, Florida is essentially an island that relies on generating units within the state and the necessary fuel supply for those units. Florida's current electric reliability is dependent on EGUs' ability to import fuel supply for either immediate consumption, or to store it for consumption later. Coal is a storable fuel source in Florida while natural gas is not. Florida does not have the geological

formations to economically store a material amount of natural gas underground. EPA's proposal must allow for a substantial amount of coal-fired electric generation to remain in Florida to ensure some level of fuel diversity and the resulting reliability benefits. To remove more than 90 percent of coal capacity from Florida as proposed by EPA would obligate Florida to rely solely on 'just in time' inventory for nearly all of its fuel supply, with reliability consequences for any disruptions in the supply chain.

**d. States Need More time to Develop State Implementation Plans ("SIPs")**

EPA proposes to finalize the rule by June 1, 2015, and require states to submit implementation plans by June 30, 2016. While EPA has acknowledged that the complexity of the proposal warrants greater time for SIP development than the nine months typically provided under the section 111(d) rules (79 Fed. Reg. at 34915), SIP development will take significantly longer than an additional four months EPA proposes to provide. EPA's proposed goals would require most states to fundamentally reconfigure their electric generation industries and power supply markets. Doing so will likely require passing state legislation, developing and modifying agency implementing regulations, and agency planning and modeling of necessary infrastructure improvements, such as new natural gas pipelines, transmission lines, and EGUs. *See* State Plan TSD at 28-31 (discussing considerable efforts that must be undertaken to develop a state plan, such as utility-scale capacity expansion and dispatch planning models). States cannot accomplish all of this in 13 months, and it is patently unreasonable, arbitrary, and capricious for EPA to require states to do so.

The Florida Legislature will almost certainly have to take some action in relation to Florida's state plan, either in passing specific statutory directives or authority, or ratifying rules

promulgated by FDEP. As stated previously, Florida's Legislature meets for two months every year in March and April, and most bills have to be filed many months in advance. Assuming, optimistically, that EPA's final guidelines have an effective date of June 30, 2015, Florida will have approximately 6 months to determine what legislative actions may be needed in the 2016 and 2017 Sessions. This can only occur after it undertakes the enormous task of understanding what the final guidelines require, interacting with stakeholders, identifying measures that it can implement without legislative action, deciding which measures could achieve the state goal, determining the costs of each of these measures on the affected parties and Florida's economy, so as to minimize the impacts, and coordinating with the FPSC on measures that it may be able to implement or must oversee (while ensuring that there are no adverse impacts on reliability). The promulgation of any new rules to implement these measures, which will almost certainly require legislative ratification pursuant to Florida law, must also be timed to fit the Legislature's schedule. Any legal gaps in existing state agency authority to implement the final rule will require the Florida Legislature to enact new laws, a process that may not be completed, if at all, by EPA's compliance deadlines. Accordingly, Florida would not have time to develop a complete state plan by June 30, 2016.

Additional coordination and time will also be required if a multi-state plan is to be considered. For example, in 2003, nine northeastern states began to develop a regional cap-and-trade program for CO<sub>2</sub> emissions from power plants. In December 2005, seven of those states agreed to implement the Regional Greenhouse Gas Initiative ("RGGI"), and by August 2006, published a model rule. It was not until the end of 2008, however, that each of the states completed their individual rulemaking processes and began participating in RGGI, nearly six

years after the process began. The history of RGGI illustrates the time required for states to negotiate and develop a multi-state plan. EPA proposes to provide states only two years, which is clearly insufficient.

EPA proposes allowing states to seek an additional year for state plan development for single-state plans, or an additional two years for multi-state plans. Even if granted by EPA, these extensions provide minimal relief due to their burdensome requirements and the conflicts they create with regard to EPA's proposed compliance timeframe. An extension request by a state must be submitted by June 30, 2016, and must contain very detailed information, such as a description of the intended approach and progress made on each element of the plan, as well as "a comprehensive roadmap for completing the plan." 79 Fed. Reg. at 34916. Essentially, even if seeking an extension, each state still must decide by June 30, 2016, what its state plan will be. Even if an extension is granted, each state's interim compliance period would still begin in 2020, so any extension would leave a state with less time to actually implement its plan.

Accordingly, the SIP-development schedule in EPA's proposal is arbitrary and capricious, and EPA must provide states more time to develop SIPs for such a complex and impactful rule.

**e. Sources Need More Time to Comply**

EPA has grossly overestimated the ability of new units to come online quickly. EPA proposes creating final state-specific goals, which must be met by 2030, and interim goals that must be met on a 10-year average from 2020 to 2029. *Id.* at 34904. As EPA has acknowledged, that leaves states with only 1.5 to 3.5 years between the state plan submittal deadline and the start of the interim compliance period. *Id.* at 34905. That compliance timeframe is further

reduced, as states must begin taking action to reduce emissions before 2020 in order to achieve their interim emission rate goals. Such actions include implementing end-use energy efficiency programs as early as 2017, and increasing utilization of NGCC units prior to 2020. *See id.* at 34867; Research Adequacy and Reliability TSD at 3. EPA rationalizes such a short compliance timeframe by pointing out that affected sources “will have knowledge of state requirements as they are adopted” and thus will have more time to act. 79 Fed. Reg. 34905. It is unreasonable, however, for EPA to expect affected sources to undertake expensive compliance measures before states finalize their plans and before EPA has approved the plans; and, given the amount of time it takes to site, permit and construct new pipelines, transmission lines, and EGUs, it is impossible for states to begin implementing their plans as early as would be necessary to comply with EPA’s proposed goals. For example, once EPA approves a state’s plan, it will take about two years for generation and transmission entities to analyze the potential requirements of their systems. Plans for additional electric generation and transmission must then be developed and analyzed in an open regional planning process, which usually takes at least another two years. Additional time is required to permit and construct new units and transmission lines. The result is a six- to seven-year timeframe before necessary new facilities and transmission lines can be built. This timeframe is optimistic as it does not account for any significant delays in permitting, design, or construction, and yet would be inadequate for a state to meet EPA’s proposed goals. NERC has also expressed concern with the timing constraints EPA’s proposal ignores; pointing out that siting, permitting, and governmental approvals for new transmission lines “often take

much longer than five years,” in addition to the time required to design, engineer, and construct them.<sup>7</sup> EPA’s timeframe for compliance is thus arbitrary and unworkable.

**9. EPA Should Use a Multi-Year Baseline Period for Setting State Goals**

In its Goal Computation TSD,<sup>8</sup> EPA states that it “carefully considered using a historic year data set, a projected year data set, or a hybrid of the two as a starting point...for calculating the state’s emission rate goals” but “chose the year 2012 as it represented the most recent year for which complete data were available at the time of the analysis.” EPA goes on to state that it “also considered the possibility of using average fossil generation and emission rate values over a baseline period (e.g., 2009 – 2012), but determined that there would be little variation in results compared to a 2012 base year data set due to the rate-based nature of the goal.” EPA also issued a Notice of Data Availability on October 30, 2014, requesting comment on EPA’s approach to a specific baseline.

Seminole agrees with EPA that a historic baseline is preferable to a projected year or a combination of historic and projected, but we do not agree with EPA’s decision to use a single year (2012) as the starting point for calculating the state’s emission rate goals. EPA has offered no data or analysis to support its finding that there would be little variation in results using a 2009 – 2012 baseline period compared to a 2012 base year. Sources and amounts of electricity generation can and do vary from year to year, due to many factors, including economic conditions, weather variability, fluctuations in fuel prices, and significant unplanned and planned unit outages. With regard to fuel prices, natural gas prices in 2012 were at their lowest level since before 2000 (the 2012 annual average Henry Hub price was \$2.75 per mmBtu), which is

---

<sup>7</sup> See Potential Reliability Impacts of EPA’s Proposed Clean Power Plan at 20.

<sup>8</sup> EPA-HQ-OAR-2013-0602-0460

lower than today's price and lower than any natural gas price the EIA projects into the future.

This fact alone disqualifies 2012 as a representative single baseline year applicable to the electric power sector.

Seminole requests that EPA use a multi-year baseline, which is far more representative than a single year.

#### **10. EPA Should Clarify How States Should Perform Rate-to-Mass Translations**

EPA has proposed that each state may convert its rate-based CO<sub>2</sub> emission performance goal to a mass-based emission performance goal.<sup>9</sup> EPA should preserve this option in the final rule, and should also allow states to switch between rate-based and mass-based emission performance goals as desired. EPA provides two TSDs<sup>10</sup> regarding how such translations could be made. While the TSDs are less than clear, in one TSD EPA appears to be contemplating that states wishing to make a rate-to-mass translation would employ IPM or a similar type of model to project a state's compliance with its rate-based limits and pull from the model output for each year from 2020 to 2029 the total projected CO<sub>2</sub> emissions for the universe of affected sources. These projected CO<sub>2</sub> emissions would be the state's equivalent mass-based cap. In the other TSD, EPA simply appears to use historic generation for existing sources and also offers an alternate method that includes a single average annual growth rate if new fossil fuel-fired sources are included. That generation is multiplied by the state's rate-based goal to determine the equivalent mass-based goal.

The conversion from a rate-based emission performance goal to a mass-based emission performance goal is a desirable option that should be retained for the states, and each state

---

<sup>9</sup> 79 Fed. Reg. at 34953.

<sup>10</sup> EPA-HQ-OAR-2013-0602-0462; EPA-HQ-OAR-2013-0602-22187.

should be permitted to determine exactly how such a conversion is made. However, EPA should also provide clearer guidance on the criteria for acceptable conversion options. A helpful step would be for EPA to provide examples of the necessary modeling analysis for each state and provide detailed guidance for public review and comment.

**11. EPA Should Utilize Gross Generation Rather than Net**

Seminole is concerned with EPA's use of net rather than gross electricity generation as a basis for the emission rate goals in the proposal. Use of net generation penalizes utilities for the electricity that is used to power emission control systems that are, in fact, mandated by other federal environmental regulations. In addition, EPA's proposed new source CO<sub>2</sub> standards under section 111(b) are based on gross generation. For consistency, gross generation should also be used for the section 111(d) standards.

**12. Conclusion**

Seminole has serious concerns regarding EPA's Existing-Unit Proposal for numerous legal, technical, economic, and policy reasons. Accordingly, Seminole requests that EPA withdraw this proposal, and meaningfully address the issues raised in this comment letter.

Seminole appreciates the opportunity to comment on this important matter. If you have any questions or wish to discuss these comments, please do not hesitate to contact me at (813) 963-0994.

Sincerely,



James R. Frauen  
Vice President of Technical Services and Development

Cc: Honorable Bill Nelson	Honorable Lois Frankel
Honorable Marco Rubio	Honorable Debbie Wasserman Schultz
Honorable Jeff Miller	Honorable Frederica Wilson
Honorable Steve Southerland	Honorable Mario Diaz-Balart
Honorable Ted Yoho	Honorable Joe Garcia
Honorable Ander Crenshaw	Honorable Ilena Ros-Lehtinen
Honorable Corrine Brown	Honorable Rick Scott, Florida Governor
Honorable Ron DeSantis	Honorable Pam Bondi, Florida Attorney General
Honorable John Mica	Honorable Jeff Atwater, Florida Chief Financial Officer
Honorable Bill Posey	Honorable Adam Putnam, Commissioner, Florida Department of Agriculture and Consumer Services
Honorable Alan Grayson	Patrick Sheehan, Florida Office of Energy
Honorable Daniel Webster	Interim Secretary Clifford Wilson III, Florida DEP
Honorable Richard Nugent	Chairman Art Graham, Florida PSC
Honorable Gus M. Bilirakis	Mark Wilson, Florida Chamber of Commerce
Honorable David Jolly	National Rural Electric Cooperative Association
Honorable Kathy Castor	Florida Electric Cooperative Association
Honorable Dennis Ross	Lisa Johnson, Seminole Electric Cooperative
Honorable Vern Buchanan	
Honorable Tom Rooney	
Honorable Patrick Murphy	
Honorable Curt Clawson	
Honorable Alcee L. Hastings	
Honorable Ted Deutch	

Mike Campbell, Central Florida Electric  
Cooperative

Ricky Davis, Clay Electric Cooperative

Jeff Brewington, Glades Electric  
Cooperative

Randy Shaw, Peace River Electric  
Cooperative

Jim Duncan, Sumter Electric Cooperative

Mike McWaters, Suwannee Valley Electric  
Cooperative

Tracy Bensley, Talquin Electric Cooperative

Julius Hackett, Tri-County Electric  
Cooperative

Billy Brown, Withlacoochee River Electric  
Cooperative

FCG Environmental Committee

Robert Manning, Hopping Green & Sams

390030