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June 1, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

Dear Administrator Regan:

Herein, the Electric Power Supply Association (“EPSEA”) ¹ requests a brief 60-day extension to the due date for public comments addressing the May 23, 2023 Notice of Proposed Rulemaking (“NOPR”) issued by the U.S. Environmental Protection Agency (“EPA”), ² *New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions from Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule*, (Docket EPA-HQ-OAR-2023-0072) (“Proposed 111 Rules”).

EPSEA is the national trade association that advocates for well-functioning competitive wholesale electricity markets and represents America’s competitive power suppliers. Healthy competitive markets provide the best foundation to reliably power the nation’s homes and businesses at the lowest cost—as well as to foster the innovation and sustainable environmental progress needed to meet the future. EPSEA members provide approximately 150,000 MW of reliable and competitively priced electricity from environmentally responsible generation facilities using a diverse mix of fuels and technologies, including natural gas, wind, solar, hydropower, nuclear, and coal. EPSEA seeks to bring the benefits of competition to all power customers.

The NOPR establishing the Proposed 111 Rules is a massive undertaking based on a complex set of proposals and uncommonly dense technical supporting documents first unveiled just last month. Complicating the analysis of the proposed rules by those directly and indirectly impacted by them is an array of attendant and collateral factors which includes the ongoing extensive clean energy transition; aggressive climate and greenhouse goals established at local, regional, interregional, and federal levels; assurance of reliable electric service in light of

¹ This letter represents the position of EPSEA as an organization, but not necessarily the views of any particular member with respect to any issue.

² 88 Fed. Reg. 33,240 (May 23, 2023), establishing 60-day public comment period ending July 24, 2023.

changing weather impacts and patterns; and attention to cyber and physical security threats to this highly interconnected system.

To develop and provide useful, practical technical comments and analysis on the Proposed 111 Rules, additional time is necessary. The impacts of these rules cannot be overstated and, thus, getting them right in a final rule – with as little ex post revision as possible – is critical to serve the public as well as industry and those investing in the resources and system delivering critical electric power to all of our citizens and businesses. Electricity is a product which must continue to be delivered as efficiently, affordably, and reliably as possible.

EPSA and its member companies intend to weigh in and assist in the development of reasonable and effective final 111 rules – noting that as complex as the Proposed 111 Rules are, they represent just a portion of the regulatory framework addressing the clean energy transition and limiting GHG emissions. This extensive regulatory framework must be assessed in light of the EPA's proposals, and vice versa, and electric generators must ensure that they can maintain the ability to provide reliable, safe, affordable and efficient power to the nation's consumers. In addition to these complicated, layered proposed rules, the analysis needed must also consider their interaction with existing regulatory and operational requirements and limitations – including recent EPA proposals and existing rules. An extension of time for the development and submission of comments from all impacted entities is necessary to address these complexities.

EPSA appreciates your consideration of our request for an additional sixty days to the comment period on the Proposed 111 Rules. As a trade association, we will work with members to develop detailed comments that represent a level of consensus or shared input and concerns to help inform the final rule in this proceeding.

Respectfully submitted,

A handwritten signature in black ink that reads "Todd A. Snitchler". The signature is written in a cursive, flowing style.

Todd Snitchler
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