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# AMERICAN ELECTRIC POWER (AEP)

## EFFORTS BY UTILITY COMPANIES TO BLOCK OR DELAY EPA STANDARDS

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### LOBBYING EXPENDITURES

- AEP spent over \$22.5 million lobbying Congress in 2010-2012, including (but not limited to) advocacy on proposals to disapprove and delay implementation of the Cross-State Air Pollution standard, advocacy on delaying carbon pollution standards, and prohibiting EPA from developing carbon pollution standards under the Clean Air Act.<sup>1</sup> AEP also indicates lobbying activities on ozone standard and standards for industrial boilers.
- AEP has also provided millions of dollars<sup>2</sup> to organizations that oppose EPA efforts:
  - AEP reports paying \$2.375 million to the American Coalition for Clean Coal Electricity (ACCCE) for lobbying officials in 2010. ACCCE is one of the most prominent voices against EPA strengthening standards on power plant pollution and opposes EPA setting limits on carbon pollution.<sup>3</sup>
  - AEP paid \$500,000 to the U.S. Chamber of Commerce for lobbying in 2010. The Chamber is legally challenging stronger EPA standards.<sup>4</sup>

### DRAFTING LEGISLATION TO BLOCK CLEAN AIR STANDARDS

AEP has been connected to two proposals whose effects would have been to weaken, block or delay life-saving standards developed by the EPA. In early 2011, AEP lobbyists drafted a sweeping, 56-page bill to weaken and delay federal clean air standards.<sup>5</sup> The bill (dubbed the “Electric Power Regulatory Coordination Act of 2011”) would, if it became law, halt implementation of the nation’s clean air laws for the nation’s single largest source of air pollution: fossil fueled power plants.<sup>6</sup>

The “Electric Power Regulatory Coordination Act of 2011” didn’t gain much support, but later in the year a similar proposal emerged. AEP claimed credit for “working with Senator Manchin”<sup>7</sup> on the Coats-Manchin bill, a late 2011 proposal to block and delay for several years clean air safeguards against smog, soot, mercury and other toxic air pollution from power plants that burn coal, that are estimated to contribute to the loss of as many as 73,360 lives.<sup>8</sup>

### ACCCE MEMBERSHIP

AEP is a member of the American Coalition for Clean Coal Electricity (ACCCE).<sup>9</sup> ACCCE is one of the most prominent voices against EPA strengthening standards on power plant pollution and opposes EPA setting limits on carbon pollution.<sup>10</sup>

### MOG MEMBERSHIP

AEP and its subsidiaries, and ACCCE, are also members of the Midwest Ozone Group (MOG), which is a collective of power companies that has sued EPA to void both its Mercury and Air Toxics Standards for power plants and its Cross-State Air Pollution rule.<sup>11</sup>

### GOING TO COURT TO BLOCK CLEAN AIR STANDARDS

AEP, under the name of a number of its subsidiaries, has filed a lawsuit to eliminate EPA’s Cross-State Air Pollution standards (CSAPR).<sup>12</sup> CSAPR is estimated to save as many as 34,000 lives per year and prevent hundreds of thousands of asthma attacks by reducing the amount of smog-forming and soot pollution from power plants that crosses state lines.<sup>13</sup>

MOG has also filed suit against the CSAPR standards.<sup>14</sup>

MOG has filed a lawsuit to strike down EPA’s Mercury and Air Toxics Standards for power plants (MATS).<sup>15</sup> MATS sets the first-ever national limits for mercury and other toxic pollutants from power plants, and is imperative for protecting the health of thousands of Americans. MATS is estimated to prevent as many as 11,000 premature deaths from air pollution and avoid as many as 130,000 asthma attacks every year.<sup>16</sup> MOG’s lawsuit seeks to undo these standards.

<b>Estimated Death and Disease Attributable to AEP's 2011 Pollution</b>				
<b>State</b>	<b>Premature Deaths</b>	<b>Asthma Attacks and Exacerbation</b>	<b>ER and Hospital Admissions</b>	<b>Work Loss and Reduced Activity Days</b>
Pennsylvania	204 – 523	2,518	241	139,018
Ohio	179 – 458	2,803	316	144,890
New York	111 – 284	1,804	157	96,936
Virginia	92 – 236	1,615	165	87,092
North Carolina	67 – 173	1,180	121	59,938
New Jersey	63 – 162	1,076	91	54,396
Maryland	57 – 146	1,036	103	53,791
Michigan	54 – 139	972	106	48,866
Indiana	49 – 125	898	97	43,053
West Virginia	48 – 123	581	65	33,868
Kentucky	44 – 112	706	72	37,723
Tennessee	36 – 93	536	57	29,539
Illinois	33 – 86	613	68	31,015
Massachusetts	27 – 70	427	38	23,663
Georgia	24 – 62	518	50	25,782
Connecticut	22 – 56	345	30	18,095
South Carolina	16 – 42	263	27	13,521
Missouri	16 – 41	249	28	12,953
Texas	14 – 36	297	29	14,383
Wisconsin	13 – 34	216	25	11,744
Alabama	12 – 32	193	20	10,009
Florida	10 – 25	132	15	7,255
Arkansas	9 – 22	131	14	6,539
Delaware	9 – 22	131	14	7,156
Oklahoma	8 – 20	124	13	6,331
Iowa	7 – 18	106	13	5,727
District of Columbia	7 – 17	88	9	5,539
Mississippi	5 – 13	87	9	4,156
Rhode Island	5 – 13	72	7	4,055
New Hampshire	5 – 13	79	7	4,412
Maine	5 – 12	62	6	3,720
Kansas	5 – 12	84	9	4,303
Vermont	4 – 11	58	6	3,581
Minnesota	4 – 10	78	9	4,168
Louisiana	4 – 10	67	7	3,256
Nebraska	2 – 4	30	3	1,490
<b>Total</b>	<b>1,271 – 3,261</b>	<b>20,193</b>	<b>2,046</b>	<b>1,063,998</b>

Note: Estimates of premature deaths are presented as a range, reflecting two different risk factors employed by US EPA to estimate premature deaths. The lower estimates are based on Pope et al., 2002, and the higher estimates based on Laden et al. 2006. See the methodology for more information on the two approaches. Asthma exacerbation indicates coughs, shortness of breath and wheezing. ER and Hospital admissions include estimates of visits needed to treat respiratory and cardiopulmonary symptoms.

States with fewer than ten deaths are not included in this table, but health impacts in those states are included in the totals.

**Estimated Health Costs Due to AEP's 2011 Pollution** (All costs reported in \$1,000s)

State	Premature Deaths	Asthma Attacks and Exacerbation	ER and Hospital Admissions	Work Loss and Reduced Activity Days
Pennsylvania	\$1,493,000 – \$3,821,000	\$131	\$3,576	\$8,992
Ohio	\$1,306,000 – \$3,344,000	\$146	\$2,903	\$9,404
New York	\$809,000 – \$2,075,000	\$94	\$2,162	\$6,414
Virginia	\$673,000 – \$1,725,000	\$84	\$1,654	\$5,740
North Carolina	\$492,000 – \$1,263,000	\$61	\$1,167	\$3,827
New Jersey	\$460,000 – \$1,181,000	\$56	\$1,226	\$3,705
Maryland	\$415,000 – \$1,067,000	\$54	\$1,022	\$3,607
Michigan	\$395,000 – \$1,014,000	\$51	\$924	\$3,260
Indiana	\$357,000 – \$915,000	\$47	\$823	\$2,787
West Virginia	\$350,000 – \$896,000	\$30	\$762	\$2,125
Kentucky	\$320,000 – \$820,000	\$37	\$729	\$2,392
Tennessee	\$265,000 – \$681,000	\$28	\$599	\$1,873
Illinois	\$244,000 – \$628,000	\$32	\$582	\$2,052
Massachusetts	\$201,000 – \$514,000	\$22	\$536	\$1,589
Georgia	\$177,000 – \$455,000	\$27	\$431	\$1,676
Connecticut	\$159,000 – \$408,000	\$18	\$428	\$1,230
South Carolina	\$120,000 – \$310,000	\$14	\$271	\$857
Missouri	\$115,000 – \$297,000	\$13	\$259	\$822
Texas	\$102,000 – \$262,000	\$15	\$255	\$928
Wisconsin	\$96,000 – \$245,000	\$11	\$233	\$762
Alabama	\$91,000 – \$234,000	\$10	\$204	\$636
Florida	\$72,000 – \$185,000	\$7	\$175	\$462
Arkansas	\$63,000 – \$162,000	\$7	\$140	\$407
Delaware	\$63,000 – \$160,000	\$7	\$145	\$469
Oklahoma	\$57,000 – \$146,000	\$6	\$130	\$398
Iowa	\$52,000 – \$132,000	\$6	\$123	\$365
District of Columbia	\$48,000 – \$123,000	\$5	\$96	\$374
Mississippi	\$37,000 – \$95,000	\$5	\$80	\$260
Rhode Island	\$36,000 – \$92,000	\$4	\$93	\$265
New Hampshire	\$36,000 – \$92,000	\$4	\$99	\$289
Maine	\$35,000 – \$90,000	\$3	\$92	\$237
Kansas	\$35,000 – \$90,000	\$4	\$83	\$277
Vermont	\$32,000 – \$82,000	\$3	\$87	\$228
Minnesota	\$29,000 – \$74,000	\$4	\$77	\$275
Louisiana	\$28,000 – \$72,000	\$4	\$63	\$206
<b>Total</b>	<b>\$9,287,000 – \$23,818,000</b>	<b>\$1,051</b>	<b>\$22,289</b>	<b>\$69,416</b>

States with fewer than ten deaths are not included in this table, but health impacts in those states are included in the totals. The estimated economic costs of health impacts presented here adhere to standards and methods used by the US EPA in calculating health benefits of pollution standards. The estimated health costs are based on either the cost of services that must be provided (for example, the average cost of an emergency room visit to treat a severe asthma attack) or an estimate of the value of avoiding a particular risk (such as mortality.)

- 1 U.S. Senate, Lobbying Disclosure Act Database. Queried by client name, filing year (2010, 2011 and 2012), and issue area (clean air and water, environment/superfund). Note that because disclosure requirements are limited, it isn't possible to determine exactly how much a company spent specifically on any given activity, and lobbying totals may include expenditures on activities other than opposing clean air standards. However, only expenditure reports which list activity relating to air standards and EPA authority were included in lobbying amounts reported here. Available at: <http://soprweb.senate.gov/index.cfm?event=selectfields> (Accessed May 3, 2012).
- 2 AEP Sustainability Report 2010. [http://www.aepsustainability.com/ourissues/publicpolicy/docs/AEP-Corporate%20Political%20Contributions\\_2010chart.pdf](http://www.aepsustainability.com/ourissues/publicpolicy/docs/AEP-Corporate%20Political%20Contributions_2010chart.pdf).
- 3 American Coalition for Clean Coal Electricity (ACCCE). See <http://www.americaspower.org/press-room> for multiple relevant public statements.
- 4 Power Magazine. [http://www.powermag.com/POWERnews/Published-MATS-Rule-Rouses-Challenges-Lawsuits\\_4427.html](http://www.powermag.com/POWERnews/Published-MATS-Rule-Rouses-Challenges-Lawsuits_4427.html).
- 5 "American Electric Power seeking legislation to delay EPA regulations," E&E News April 28, 2011, (subscription only) <http://www.eenews.net/Greenwire/2011/04/28/archive/2?terms=AEP>.
- 6 NRDC Switchboard Blog. [http://switchboard.nrdc.org/blogs/fbeinecke/how\\_many\\_lives\\_will\\_american\\_e.html](http://switchboard.nrdc.org/blogs/fbeinecke/how_many_lives_will_american_e.html).
- 7 The State Journal. <http://www.statejournal.com/story/16953012/aep-ceo-says-new-air-quality-regulations-are-not-cost-effective>.
- 8 NRDC Switchboard Blog. [http://switchboard.nrdc.org/blogs/jwalke/senators\\_dan\\_coats\\_r-in\\_and.html](http://switchboard.nrdc.org/blogs/jwalke/senators_dan_coats_r-in_and.html).
- 9 ACCCE. <http://www.cleancoalusa.org/about-us/members>.
- 10 American Coalition for Clean Coal Electricity (ACCCE). See <http://www.americaspower.org/press-room> for multiple relevant public statements.
- 11 See <http://midwestozonegroup.com/membercomp.html>.
- 12 See Petition for Review filed by AEP Texas North Company, Appalachian Power Company, Columbus Southern Power Company, Indiana Michigan Power Company, Kentucky Power Company, Ohio Power Company, Public Service Company of Oklahoma and Southwestern Electric Power Company in No. 11-1369 (D.C. Cir. Oct. 6, 2011) (Consolidated on Oct. 12, 2011 with *EME Homer City Generation, L.P. v. EPA*, No. 11-1302 (D.C. Cir. filed Aug. 23, 2011)).
- 13 US EPA, accessed 3/21/12, <http://www.epa.gov/airtransport/>.
- 14 *EME Homer City Generation, L.P. v. EPA*, No. 11-1302 (D.C. Cir. filed Aug. 23, 2011) (See No. 11-1362, petition for review filed by Midwest Ozone Group of which AEP is a member (<http://midwestozonegroup.com/membercomp.html>). Filed on Oct. 5, 2011 in the Court of Appeals for the D.C. Circuit consolidated with 11-1302 on Oct. 12, 2011 no. 1334791). See also [http://www.eenews.net/assets/2012/02/09/document\\_pm\\_02.pdf](http://www.eenews.net/assets/2012/02/09/document_pm_02.pdf).
- 15 *White Stallion Energy Ctr. v. EPA*, No. 12-110 (D.C. Cir. filed Feb. 16, 2012) (See No. 12-1172, petition for review filed by Midwest Ozone Group, of which AEP is a member (<http://midwestozonegroup.com/membercomp.html>). Filed on April 12, 2012 in the Court of Appeals for the D.C. Circuit consolidated with 12-1100 on April 19, 2012, no. 1369559).
- 16 U.S. EPA, <http://www.epa.gov/mats/health.html>.