
SOUTHERN COMPANY

EFFORTS BY UTILITY COMPANIES TO BLOCK OR DELAY EPA STANDARDS

LOBBYING EXPENDITURES, CONTRIBUTIONS, AND MEMBERSHIPS

Southern Company spent over \$17.5 million lobbying Congress in 2010-2012, including (but not limited to) advocacy on proposals to disapprove the CSAPR and delay compliance schedules on CSAPR and MATS, as well as to delay the EPA from setting carbon pollution standards, deny EPA authority to set carbon pollution standards, and prohibit funding for EPA to implement carbon pollution standards.¹

Southern Company is a member of the Electric Reliability Coordinating Council (ERCC), a coal utility front group run out of Bracewell & Giuliani's office by lobbyist Scott Segal.²

Southern Company made payments of \$50,000 or more in 2011 to each of the following trade associations and coalitions engaged in lobbying-related activities:³

- American Coalition for Clean Coal Electricity
- National Association of Manufacturers
- U.S. Chamber of Commerce

TESTIMONY AGAINST CLEAN AIR STANDARDS

Southern Company testified in opposition to the Mercury and Air Toxics Standards for Power Plants at a April 15, 2011 Energy & Commerce Subcommittee on Energy & Power hearing on Recent EPA Rulemakings Relating to Boilers, Cement Manufacturing Plants, and Utilities.⁴ Southern Company pressed EPA to slow down its implementation of court-ordered rules targeting toxic air pollution, and warned that a three-year time frame (the time frame that's required by law) to upgrade or shut down the dirtiest plants would be too costly.⁵

ACCCE MEMBERSHIP

Southern Company is a member of the American Coalition for Clean Coal Electricity (ACCCE).⁶ ACCCE is one of the most prominent voices against EPA strengthening standards on power plant pollution and opposes EPA setting limits on carbon pollution.⁷ ACCCE is a member 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.⁸

GOING TO COURT TO BLOCK CLEAN AIR STANDARDS

Southern Company has filed a lawsuit challenging EPA's Cross-State Air Pollution Rule (CSAPR).⁹

The standard would save as many as 34,000 lives per year and prevent hundreds of thousands of asthma attacks, as well as deliver a number of other health benefits, by reducing the amount of smog-forming and soot pollution from power plants.¹⁰ Southern has also sued EPA over these life-saving standards jointly with other power companies as a member of ACCCE, which is a member of the Midwest Ozone Group (MOG).¹¹

Southern Company is also a member of ACCCE which is a member of MOG. MOG has filed a lawsuit to strike down EPA's Mercury and Air Toxics Standards for power plants (MATS).¹² 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.¹³ Southern's lawsuit under its own name, and MOG's lawsuit, both seek to undo these standards.

Estimated Death and Disease Attributable to Southern Company's 2011 Pollution				
State	Premature Deaths	Asthma Attacks and Exacerbation	ER and Hospital Admissions	Work Loss and Reduced Activity Days
Georgia	111 – 286	2,399	231	119,066
Alabama	62 – 160	956	98	49,347
Tennessee	48 – 122	712	75	38,784
North Carolina	45 – 115	751	78	38,384
Florida	36 – 93	502	57	27,555
South Carolina	32 – 83	518	53	26,575
Ohio	30 – 78	486	55	25,002
Mississippi	21 – 54	361	35	17,275
Kentucky	21 – 53	332	34	17,635
Virginia	21 – 53	324	34	17,684
Pennsylvania	20 – 52	249	24	13,776
Illinois	16 – 42	281	31	14,429
Indiana	15 – 40	279	30	13,496
Texas	12 – 32	271	26	13,076
Michigan	12 – 30	208	23	10,485
Missouri	11 – 28	170	19	8,867
New York	11 – 27	168	15	9,079
Louisiana	10 – 27	187	18	9,095
Arkansas	8 – 21	120	13	5,944
West Virginia	7 – 18	82	9	4,749
Maryland	6 – 16	112	11	5,839
New Jersey	5 – 14	92	8	4,663
Wisconsin	4 – 11	68	8	3,705
Total	580 – 1,497	9,888	1,012	508,390

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 Southern Company'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
Georgia	\$810,000 – \$2,087,000	\$125	\$1,973	\$7,748
Alabama	\$452,000 – \$1,164,000	\$50	\$1,004	\$3,131
Tennessee	\$347,000 – \$892,000	\$37	\$782	\$2,463
North Carolina	\$327,000 – \$840,000	\$39	\$772	\$2,446
Florida	\$266,000 – \$682,000	\$26	\$645	\$1,751
South Carolina	\$236,000 – \$607,000	\$27	\$536	\$1,686
Ohio	\$222,000 – \$569,000	\$25	\$496	\$1,625
Mississippi	\$154,000 – \$396,000	\$19	\$336	\$1,079
Kentucky	\$152,000 – \$390,000	\$17	\$346	\$1,114
Virginia	\$151,000 – \$386,000	\$17	\$351	\$1,147
Pennsylvania	\$149,000 – \$380,000	\$13	\$355	\$890
Illinois	\$120,000 – \$309,000	\$15	\$280	\$946
Indiana	\$113,000 – \$290,000	\$15	\$259	\$872
Texas	\$89,000 – \$230,000	\$14	\$228	\$846
Michigan	\$85,000 – \$218,000	\$11	\$198	\$697
Missouri	\$80,000 – \$205,000	\$9	\$177	\$564
New York	\$78,000 – \$199,000	\$9	\$205	\$598
Louisiana	\$76,000 – \$197,000	\$10	\$171	\$577
Arkansas	\$59,000 – \$152,000	\$6	\$128	\$370
West Virginia	\$50,000 – \$129,000	\$4	\$107	\$298
Maryland	\$45,000 – \$116,000	\$6	\$111	\$391
New Jersey	\$40,000 – \$102,000	\$5	\$106	\$317
Wisconsin	\$30,000 – \$77,000	\$4	\$73	\$240
Total	\$4,248,000 – \$10,919,000	\$514	\$9,927	\$32,700

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 Verbal communication from Scott Segal to NRDC's John Walke. (http://switchboard.nrdc.org/blogs/jwalke/epas_mercury_and_air_toxics_st.html.)
- 3 Southern Company. Political Contributions. http://investor.southerncompany.com/political_contributions.cfm.
- 4 Hearing before the House Energy & Commerce Committee. April 15, 2011. http://republicans.energycommerce.house.gov/Media/file/Hearings/Energy/041511_2/Fanning.pdf.
- 5 "Southern Co. CEO protests 'war on coal' and says nuclear projects are on track." E&E ClimateWire (subscription only.) April 14, 2011. <http://www.eenews.net/climatewire/2011/04/14/archive/2?terms=tom+fanning>.
- 6 See American Coalition for Clean Coal Electricity, Members available at <http://www.cleancoalusa.org/about-us/members>.
- 7 American Coalition for Clean Coal Electricity (ACCCE). See <http://www.americaspower.org/press-room> for multiple relevant public statements.
- 8 See <http://midwestozonegroup.com/membercomp.html>.
- 9 See Petition for Review filed by Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, Southern Company Services, Inc. and Southern Power Company in No. 11-1389 (D.C. Cir. Oct. 7, 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)).
- 10 US EPA, accessed 3/21/12, <http://www.epa.gov/airtransport/>.
- 11 *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 Southern 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.
- 12 *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 ACCCE is a member. 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).
- 13 U.S. EPA, <http://www.epa.gov/mats/health.html>.