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ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

January 24, 2012

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

Pursuant to Rules X and XI of the Rules of the U.S. House of Representatives, the Committee on Energy and Commerce seeks information regarding the Environmental Protection Agency's recently finalized rule establishing national emission standards for coal and oil-fired electric utilities (commonly known as the "Utility MACT" rule), signed on December 16, 2011.

Specifically, we request that you provide an estimate of the total cost of the regulation, including the total (not annualized) capital cost associated with compliance activities analyzed in the "Regulatory Impact Analysis for the Final Mercury and Air Toxics Standards," (RIA) published December 2011, and the present value of all costs assessed in that Regulatory Impact Analysis. President Obama's Executive Order 13563 requires that EPA make available to the public the assessment of the costs anticipated from the regulatory action, such as the direct cost to businesses and others in complying with the regulation, as well as the underlying analysis. The RIA produced by EPA does not provide a total cost of the regulation, but only a share of those costs assigned to three select years from costs that are amortized over 30 to 40 years.¹

In addition, because it is our understanding that EPA in its Utility MACT cost estimate assumed that the Cross-State Air Pollution Rule (CSAPR) would already be in effect, we request that you provide an assessment of the impact of the recent court decision to stay implementation of CSAPR on the cost estimate.

¹ Environmental Protection Agency, "Documentation for EPA Base Case v.4.10 Using the Integrated Planning Model", August 2010.

Finally, please provide your written response no later than February 6, 2012. Thank you for your prompt attention to this request. Should you have any questions, please contact Mary Neumayr of the Majority staff of the Committee at (202) 225-2927.

Sincerely,



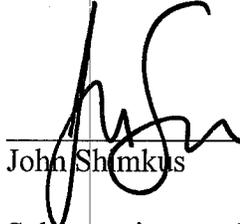
Fred Upton
Chairman



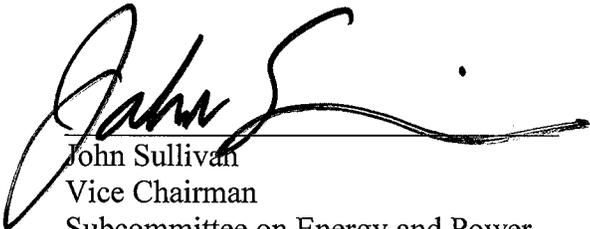
Joe Barton
Chairman Emeritus



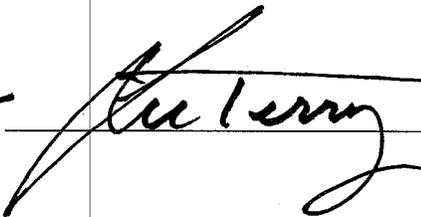
Ed Whitfield
Chairman
Subcommittee on Energy and Power

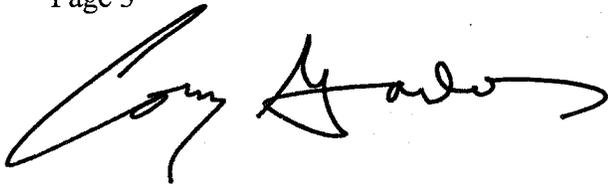
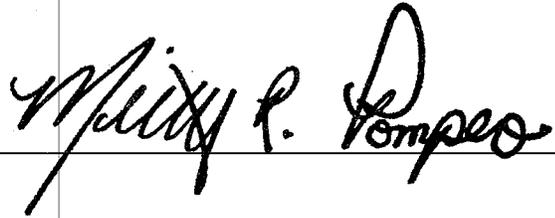


John Shimkus
Subcommittee on Environment
and the Economy



John Sullivan
Vice Chairman
Subcommittee on Energy and Power



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cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Bobby L. Rush, Ranking Member
Subcommittee on Energy and Power

The Honorable Gene Green, Ranking Member
Subcommittee on Environment and the Economy