

DOCKETED	
Docket Number:	21-OIR-01
Project Title:	Rulemaking to Amend Regulations Governing the Power Source Disclosure Program
TN #:	257856
Document Title:	CGNP Opposes the WWGPI - May 8, 2024
Description:	CGNP's filed document in the WIEB-CREPC's Proceeding regarding the West-Wide Governance Pathways Initiative (WWGPI.) The WWGPI would provide significant commercial advantages to PacifiCorp in serving California load. Based on the 2016 U.S. Supreme Court decision Hughes v. Talen Energy, if CAISO becomes a multistate ISO or RTO as proposed by the WWGPI, important California environmental legislation such as SB 1386 (Perata, 2006) could be nullified by federal preemption as established by the U.S. Constitution's Commerce Clause. For this reason, the WWGPI should be rejected, despite letters of support from the CPUC and CAISO, among other entities. The California legislature has rejected CAISO grid regionalization. The most recent rejection of CAISO grid rationalization was AB 813 (Holden, 2018.) PacifiCorp continues to aggressively lobby California decision-makers so it can sell even more of its mostly coal-fired generation into the lucrative California power market.
Filer:	Gene Nelson, Ph.D.
Organization:	Californians for Green Nuclear Power, Inc.
Submitter Role:	Intervenor
Submission Date:	7/21/2024 11:01:00 PM
Docketed Date:	7/22/2024

The entire 31-page File is at the WIEB-CREPC Website: <https://tinyurl.com/WWGPI-Opposed>



Western Interstate Energy Board Committee on Regional Electric Power Cooperation (WIEB-CREPC)

1600 Broadway, Suite 1020

Denver, Colorado 80202

(720) 897-4600

<https://www.westernenergyboard.org/wwgpi/> website

Comments@WestWidePathwaysInitiative.org email

May 8, 2024

OPPOSE the West-Wide Governance Pathways Initiative (WWGPI)

SUMMARY:

The WWGPI is likely supported by vigorous lobbying by coal interests in states such as Wyoming with weak environmental protections. Independent nonprofit Californians for Green Nuclear Power (CGNP) believes the purpose of the WWGPI is to eventually implement a west-wide RTO or ISO to replace the California Independent System Operator (CAISO) for the state of California, despite a consistent rejection by the California legislature of CAISO grid regionalization plans. The California legislature rejected CAISO grid regionalization as a consequence of grid governance concerns and environmental concerns - this is a "state's rights" issue. CAISO has a footprint covering a large part of California and a small portion of Nevada. CAISO is controlled by a board selected by the Governor of California, yielding state control. CAISO's mandates were changed as a consequence of ENRON's profiteering schemes which significantly harmed the economic interests of California electricity and natural gas ratepayers.

California is vulnerable to out-of-state interests taking advantage of California's structural deficiency of a lack of in-state generation to serve all of the state's load coupled with high in-state demand. California imports roughly 1/3 of its annual power consumption of about 300 TWh / year, where a TWh is 1 billion kilowatt-hours. This is the largest amount of electricity imports of any state. California imports roughly 95% of the natural gas consumed in the state. In a videoconference about 3 years ago, CGNP observed a pair of WIEB-CREPC officials describing a plan where the west-wide RTO would be created with participation of the western states except California. Then, plan proponents would "circle back" to include California. The harms to California include the potential nullification of California environmental laws such as SB 1368 (Perata, 2006) as a consequence of the 2016 U.S. Supreme Court decision in *Hughes v. Talen Energy*. In multistate RTOs or ISOs, state environmental laws regarding electricity generation policies are at risk for nullification as a consequence of federal preemption based on the U.S. Constitution's Commerce Clause. The ENRON saga also serves to illustrate how out-of-state firms took advantage of the essentially inelastic demand for electricity and natural gas to supply energy to California's industries and residences in our modern society. For the above reasons, the WWGPI should be rejected.

Table of Contents

SUMMARY:	1
A. PacifiCorp is primarily a coal-fired utility.....	3
B. PacifiCorp expends millions annually lobbying California - CGNP Concerns with PacifiCorp lobbying disclosures.....	7
C. A Significant U.S. Supreme Court Case <i>Hughes v. Talen Energy</i> (2016).....	12
D. The California Legislature and CGNP Prefer CAISO Remain a California-based ISO.....	15
E. The "Unspecified Sources" Loophole in California Power Source Disclosures	15
F. California's Need For DCP's Dispatchable Power	16
G. The German Economic Calamity called "Energiewende" is Cautionary for California.....	17
H. Conclusion	19
APPENDIX	20
The Former Chancellor Who Became Putin's Man in Germany	20
Germany's Greens embrace coal	22
Germans Are Getting Mugged by Reality of Green Energy	24
"This is nonsense"-Ex-Eon supervisory board contradicts Habeck's reasons for phasing out nuclear power	27
Did the minister lie?-Nuclear power plant operators contradict Habeck's representation	29
Voting intention in Germany 2021-2024	30
The Ampel's woes continue in 2024	31

A. PacifiCorp is primarily a coal-fired utility.

PacifiCorp was acquired by the holding company currently named Berkshire Hathaway Energy (BHE) circa 2005. CGNP has registered longstanding objections to PacifiCorp's desires to sell more coal-fired power into the lucrative California electricity market. CGNP made objections in several California Public Utilities Commission (CPUC) Proceedings, most notably A.16-08-006, R.20-05-003, and R.23-01-007. Furthermore CGNP has raised objections in several FERC Dockets, most notably EL21-13-000 and ER22-2762. Underlying CGNP's objections are a belief that PacifiCorp desires to shut down the safe, reliable, abundant, cost-effective, and emission-free Diablo Canyon Power Plant (DCPP.)¹ DCPP's typical annual power production is equal to five Hoover Dams. The California Legislature passed SB 846 (Dodd, 2022) to extend DCPP's operational lifetime at least until 2030 because the state recognized that DCPP supports California power grid reliability, particularly on hot August and September days. If DCPP is needlessly shut down, California will have no choice but to accept increasing amounts of PacifiCorp's coal-heavy power with its attendant air and water pollution to preserve California grid reliability. There is circumstantial information supporting the perspective that PacifiCorp was one of the special interests lobbying the State of California to cause the needless shutdown of San Onofre Nuclear Generating Station (SONGS) at the end of January, 2012.

Here is a tabulation reproduced from CGNP's CPUC filings showing the coal-centric nature of PacifiCorp's generation fleet in 2019.

COAL-FIRED POWER PLANT	State	Capacity, MW	Berkshire Hathaway Energy Ownership Percentage	Annual Deaths from Air Pollution
Colstrip Power Plant	MT	2,094	6.8	48
Craig Station	CO	1,304	12.9	21
Cholla Generating Station	AZ	1,027	36.7	12
North Valmy	NV	522	50.0	21
Hunter Power Plant	UT	1,336	84.7	28
Huntington Power Plant	UT	911	100.0	16
Naughton Power Plant	WY	700	100.0	20
Dave Johnston Power Plant (Ret. 2020)	WY	762	100.0	34
Wyodak Power Plant	WY	335	80.0	9
Jim Bridger Power Plant	WY	2,118	66.7	60
Hayden Station	CO	446	17.5	7
Total		11,555		276

Initial map source: <https://tinyurl.com/PacifiCorp-1-Coal> Generally, the plant power output was higher on this older map.

Please see notes. CATF 2019 Updated map source: <https://www.tollfromcoal.org/#/map>

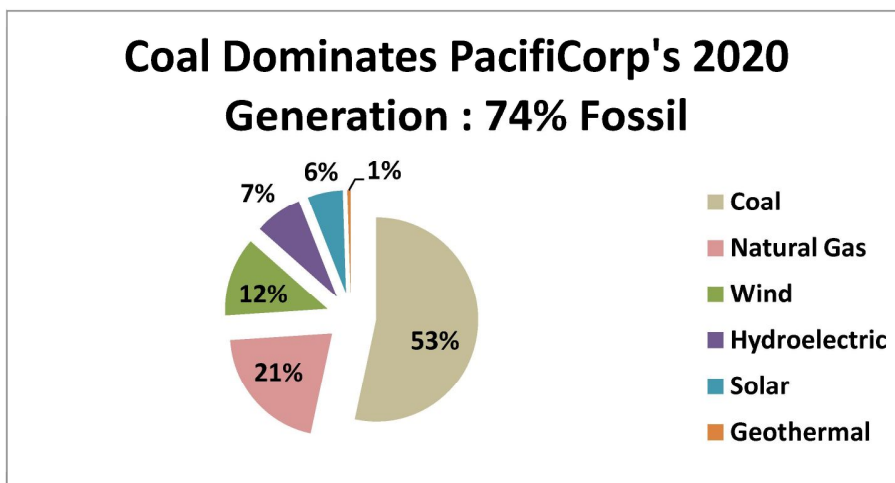
¹ "Closing Diablo Canyon spurs fears over replacement power," Gene Nelson, Ph.D., April 5, 2022, *Capitol Weekly*. This article notes that a California-specific legal euphemism "Unspecified Imports" or "Unspecified Sources" is primarily used to disguise coal-fired imported power. <https://TinyURL.com/DCPP-VERSUS-COAL>

Here are key 2020 PacifiCorp generation statistics²

Key PacifiCorp Statistics - 2020

Emissions		Emissions Intensity			
CO2 Emissions - Owned plus Purchased Power (MT)	38,476,001	0.652 MT/MWh			
NOx Emissions - Owned ant Purchased Power (MT)	29,672				
SO2 Emissions - Owned ant Purchased Power (MT)	20,426				
Mercury Emissions - Owned ant Purchased Power (Kg)	75				
Generation		% of Total	Owned Capacity at end of 2020 (MW)	% of Total	
Coal Fired - Owned plus Purchased Power (MWh)	Coal	31,312,529	53.4%	5,234	46.9%
Natural Gas - Fired - Owned plus Purchased Power (MWh)	Natural Gas	12,093,269	20.6%	3,013	27.0%
Wind - Owned plus Purchased Power (MWh)	Wind	7,335,709	12.5%	1,738	15.6%
Hydroelectric - Owned plus Purchased Power (MWh)	Hydroelectric	4,383,537	7.5%	1,135	10.2%
Solar - Owned plus Purchased Power (MWh)	Solar	3,242,304	5.5%	0	0.0%
Geothermal - Owned plus Purchased Power (MWh)	Geothermal	304,343	0.5%	32	0.3%
Total (MWh)		58,671,691	100.0%	11,152	100.0%

PacifiCorp's calculated fleet-wide 2020 CO2 emissions intensity of 0.652 MT / MWh is equal to 1,434 pounds /MWh, significantly in excess of the SB 1368 (Perata, 2006) performance threshold of about 1,000 pounds / MWh for long-term California power supply contracts. Coal-fired generation dominated PacifiCorp's 2020 generation statistics.



² 2020 ESG/Sustainability Quantitative Information for PacifiCorp.

<https://brkenegy.com/assets/pdf/sustainability-pacificorp-2020.pdf> This spreadsheet information is no longer available via this URL. However, a copy of this file and the NVEnergy file cited in the footnote on the next page is available via an emailed request to Government [at] CGNP dot org

The U.S. EIA shows in 2022 that five of PacifiCorp's coal-fired generators are found in the set of the ten largest Wyoming power plants. No natural-gas fired generators are in the Wyoming set. The average price to ultimate customers was \$82.40 / MWh.³ California's largest generators are led by DCPD which produced 17,583,254 MWh in 2022. Eight natural-gas fired generators with lower air and water pollution than coal-fired generation produced a total of 31,508,102 MWh. A set of Geysers geothermal units produced 4,668,219 MWh. The average price to ultimate California customers was \$223.30 / MWh⁴ CGNP believes the roughly triple price of California's power relative to Wyoming's is because the state has favored lower-polluting nuclear, geothermal, and natural gas instead of coal-fired generation. California has essentially zero coal-fired generation.

Table 2B. Ten largest plants by generation, 2022 Wyoming

	Plant	Primary energy source	Operating company	Generation (MWh)	PacifiCorp Coal Total	PacifiCorp Wind Total
1	Jim Bridger	Coal	PacifiCorp	10,662,019	18,441,371	1,488,986
2	Laramie River Station	Coal	Basin Electric Power Coop	9,858,855		
3	Dave Johnston	Coal	PacifiCorp	3,581,919		
4	Dry Fork Station	Coal	Basin Electric Power Coop	2,692,916		
5	Naughton	Coal	PacifiCorp	2,456,201		
6	Wyodak	Coal	PacifiCorp	1,741,232		
7	TB Flats	Wind	PacifiCorp	1,488,986		
8	Roundhouse Wind Energy Project	Wind	Roundhouse Renewable Energy, LLC	969,526		
9	Cedar Springs I	Wind	Cedar Springs Wind, LLC	821,141		
10	Shute Creek Facility	Natural gas	Exxon Mobil Production Co	818,647		

Source: U.S. Energy Information Administration, Form EIA-923, Power Plant Operations Report and predecessor forms.

Table 2B. Ten largest plants by generation, 2022 California

	Plant	Primary energy source	Operating company	Generation (MWh)	Nuclear Total	Geothermal Total	Natural Gas Total
1	Diablo Canyon	Nuclear	Pacific Gas & Electric Co.	17,593,254	17,593,254	4,668,219	31,508,102
2	Dynergy Moss Landing Power Plant Hybrid	Natural gas	Dynergy -Moss Landing LLC	5,118,438			
3	Geysers Unit 5-20	Geothermal	Geysers Power Co LLC	4,668,219			
4	High Desert Power Plant	Natural gas	MRP Generation Holdings, LLC	4,052,355			
5	Delta Energy Center	Natural gas	Delta Energy Center LLC	3,970,444			
6	AES Huntington Beach Energy Project	Natural gas	AES Huntington Beach Energy, LLC	3,914,996			
7	Mountainview Generating Station	Natural gas	Southern California Edison Co	3,755,565			
8	Elk Hills Power LLC	Natural gas	Elk Hills Power LLC	3,686,883			
9	Los Medanos Energy Center	Natural gas	Los Medanos Energy Center LLC	3,557,559			
10	AES Alamos Energy Center	Natural gas	AES Alamos Energy, LLC	3,451,862			

Source: U.S. Energy Information Administration, Form EIA-923, Power Plant Operations Report and predecessor forms.

In November, 2014, PacifiCorp, in conjunction with the CAISO created the innocuously - named Western Energy Imbalance Market (WEIM) as a wholesale electricity market. In the view of CGNP this served to facilitate the export of PacifiCorp's mostly coal-fired power principally to California via a daily spot market not subject to the performance standards of SB 1368 (Perata, 2006.) Subsequently, another BHE subsidiary, NVEnergy joined the WEIM. In 2020, NVEnergy employed essentially 100% natural gas-fired generation.⁵ Since PacifiCorp and NVEnergy are power generators, the economic benefit for both firms is to sell power to WEIM power consumers.

³ U.S. EIA Wyoming Electricity Profile - 2022 Spreadsheets.
<https://www.eia.gov/electricity/state/wyoming/xls/wy.xls>

⁴ U.S. EIA California Electricity Profile - 2022 Spreadsheets.
<https://www.eia.gov/electricity/state/california/xls/ca.xlsx>

⁵ <https://brkenenergy.com/assets/pdf/sustainability-nvenergy-2020.pdf>

NVEnergy 2020 CO2 Emissions: 9,765,523 MT 5,756 MW total generators, 5,475 MW Gas, 261 MW Coal.
 2020 CO2 Emissions intensity: 1,007.6 pounds CO2 / MWh. NV Energy would likely meet the performance standard of SB 1368 (Perata, 2006.) 2020 Emissions: 2,330 MT NOx, 913 MT SO2, No Mercury

Here is a WEIM tabulation showing the PacifiCorp and NVEnergy electricity sales from CGNP's recent CPUC filing: ⁶

WEIM Benefits
\$5.05 billion in gross benefits since Nov 2014 (as of 1/31/2024)

WEIM PARTICIPANTS	2014-2019	2020	2021	2022	2023				TOTAL
					Q1	Q2	Q3	Q4	
Arizona Public Service Entered 10/2016	\$140.32	\$48.96	\$58.79	\$88.84	\$26.43	\$11.95	\$19.90	\$11.13	\$406.32
Avangrid Entered 04/2023						\$8.78	\$4.80	\$6.64	\$20.22
Avista Utilities Entered 04/2022				\$24.08	\$6.38	\$4.98	\$5.19	\$4.30	\$44.93
BANC Entered 04/2019	\$15.86	\$30.36	\$129.61	\$281.65	\$44.63	\$17.72	\$22.17	\$73.12	\$615.12
BPA Entered 05/2022				\$26.39	\$11.83	\$7.49	\$6.38	\$9.68	\$61.77
California ISO Entered 11/2014	\$191.88	\$62.04	\$146.00	\$289.83	\$67.86	\$70.47	\$34.88	\$25.40	\$888.36
EPE Entered 04/2023						\$3.04	\$5.96	\$4.00	\$13.00
Idaho Power Company Entered 04/2018	\$55.11	\$26.30	\$52.62	\$43.95	\$13.31	\$31.52	\$8.62	\$9.47	\$240.90
LADWP Entered 04/2021			\$42.71	\$75.09	\$27.99	\$17.09	\$64.78	\$39.10	\$266.76
NV Energy Entered 12/2015	\$89.03	\$24.62	\$47.76	\$117.75	\$47.19	\$46.16	\$60.30	\$22.46	\$455.27
NorthWestern Energy Entered 06/2021			\$12.09	\$31.22	\$12.60	\$4.44	\$6.34	\$7.57	\$74.26
PacifiCorp Entered 11/2014	235.29	\$40.63	\$115.46	\$200.02	\$28.94	\$37.49	\$37.37	\$50.46	\$745.66
Portland General Electric Entered 10/2017	\$73.27	\$31.76	\$30.78	\$61.26	\$21.67	\$13.84	\$16.92	\$11.58	\$261.08
PowerX Entered 04/2018	\$19.78	\$4.03	\$3.08	\$12.41	\$16.80	\$34.09	\$83.72	\$43.96	\$217.87
PNM Entered 04/2021			\$12.53	\$34.59	\$22.40	\$7.29	\$8.53	\$6.17	\$91.51
Puget Sound Energy Entered 10/2016	\$41.25	\$13.68	\$20.67	\$31.15	\$15.28	\$6.46	\$10.06	\$15.17	\$153.72
Salt River Project Entered 04/2020		36.06	\$47.90	\$77.08	\$31.38	\$22.83	\$19.10	\$22.03	\$256.38
Seattle City Light Entered 04/2020		\$6.64	\$13.92	\$14.88	\$4.20	\$5.14	\$4.61	\$3.65	\$53.04
Tacoma Power Entered 04/2022				\$9.61	\$6.55	\$4.86	\$8.19	\$2.80	\$32.01
TEP Entered 05/2022				\$40.93	\$10.37	\$5.43	\$7.17	\$5.90	\$69.80
TID Entered 04/2021			\$5.11	\$10.82	\$3.01	\$1.72	\$1.00	\$1.06	\$22.72
WALC Entered 04/2023						\$17.12	\$26.06	\$16.17	\$59.35
TOTAL	\$861.79	\$325.08	\$739.03	\$1,471.55	\$418.82	\$379.91	\$462.05	\$391.82	\$5,050.05

The pair of Berkshire Hathaway Energy Subsidiaries PacifiCorp and NV Energy sold this amount of power (\$ millions) \$1,200.93
<https://www.westerneim.com/Pages/About/QuarterlyBenefits.aspx>
 Archived 02/09/24

An economic benefit in excess of \$1.2 billion is a significant sum for PacifiCorp and NVEnergy.

⁶ WEIM Benefits as of 01/31/24 <https://www.westerneim.com/Pages/About/QuarterlyBenefits.aspx>

B. PacifiCorp expends millions annually lobbying California - CGNP Concerns with PacifiCorp lobbying disclosures

The previous section documents that PacifiCorp's electric generation is very dependent on coal-fired generation. California is one of PacifiCorp's important markets. The California legislature and executive branch have clearly expressed their preference for electricity that minimizes air and water pollution. Coal - fired electricity produces significantly more air and water pollution than natural gas - fired electricity. One method that is employed by PacifiCorp is to expend millions annually lobbying California decision makers. PacifiCorp was recently highlighted as spending the

fifth largest amount for California lobbying in 2023.⁷

Secretary of State Shirley N. Weber, Ph.D.

Cal-Access Search

View: General Information Financial Activity/Filing History

Legislative Session: 2023 through 2024 Historical

As disclosed in quarterly reports filed with the Secretary of State, payments made by an organization to its own in-house lobbyists or to lobbying firms are reported here. Links to legislative bills or state agencies lobbied also are available.

2023-2024 LEGISLATIVE SESSION			
LOBBYING PAYMENTS MADE			
SESSION	QUARTER	GENERAL LOBBYING	P.U.C. LOBBYING
2023-2024	5th	\$0.00	\$16,594.83
2023-2024	4th	\$1,931,158.85	\$78,908.11
2023-2024	3rd	\$1,479,204.12	\$172,137.18
2023-2024	2nd	\$619,476.14	\$62,336.61
2023-2024	1st	\$529,757.14	\$176,634.11

CGNP has highlighted some of its concerns regarding PacifiCorp and its holding company BHE in a recent trio of articles.^{8 9 10}

One of the ways that investigative journalists and interested members of the public can learn more about the California lobbying activities of a large corporation is to refer to the Lobbyist Employer lookup at the California Secretary of State's Cal-Access website. Here's the URL to obtain PacifiCorp's mandated

⁷ "A record amount went to lobbying California's government. Who were the biggest spenders?," By Jeremia Kimelman, February 12, 2024, *Cal Matters*.

[HTTPS://CALMATTERS.ORG/POLITICS/2024/02/CALIFORNIA-LOBBYING-STATE-GOVERNMENT/](https://CALMATTERS.ORG/POLITICS/2024/02/CALIFORNIA-LOBBYING-STATE-GOVERNMENT/)

⁸ "BHE is a Likely Opponent of DCPD Extended Operations - Part 1" The CPUC has been aggressively lobbied, likely by BHE subsidiary PacifiCorp to make a series of "coal-friendly" decisions Gene Nelson, Ph.D., April 20, 2024, *GreenNUKE Substack*.

<https://greennuke.substack.com/p/bhe-is-a-likely-opponent-of-dcpp>

⁹ "BHE is a Likely Opponent of DCPD Extended Operations - Part 2" BHE's 2020 coal-fired generation was about 174% of DCPD's typical annual power production. BHE's 2020 natural gas-fired generation adds 67% of DCPD's production for a total of 241%, Gene Nelson, Ph.D., April 21, 2024, *GreenNUKE Substack*.

<https://greennuke.substack.com/p/bhe-is-a-likely-opponent-of-dcpp-3f4>

¹⁰ "How Did the CPUC Decide to Deny CGNP Intervenor Compensation?" Lavish Opposition Lobbying Likely Culprit Gene Nelson, Ph.D., May 2, 2024, *GreenNUKE Substack*.

<https://greennuke.substack.com/p/how-did-the-cpuc-decide-to-deny-cgnp>

California lobbying disclosures: ¹¹

On the previous page is a May 8, 2024 screen capture of the screen showing PacifiCorp's 2023-24 financial activity / Filing History. Note the 5th quarter for 2023 - 2024 shows \$0.00 expended for general California lobbying. This is a substantial decrease from the \$1,931,158.85 PacifiCorp expended in the 4th quarter for 2023-2024. However, examining the first page of the 5th quarter 2023-2024 PacifiCorp Form 635 (reproduced below) shows that the GRAND TOTAL of lines A through D is shown as \$0.00 when it is obvious that it is not zero. CGNP believes an automated process is used by the California Secretary of State to extract the GRAND TOTAL from the PacifiCorp Form 635.

REPORT OF LOBBYIST EMPLOYER
(Government Code Section 86116) 1/16

or

REPORT OF LOBBYING COALITION
(2 Cal. Code of Regs. Section 18616.4)

FORM 635
1993

IMPORTANT: Lobbying Coalitions must attach a completed Form 635-C to this Report.

REPORT COVERS PERIOD FROM 01/01/2024 THROUGH 03/31/2024

CUMULATIVE PERIOD BEGINNING 01/01/2023

TYPE OR PRINT IN INK

For information required to be provided to you pursuant to the Information Practices Act of 1977, see [Information Manual on Lobbying Disclosure Provisions of the Political Reform Act](#).

	FOR OFFICIAL USE ONLY
	A
	B

NAME OF FILER:
PACIFICORP

BUSINESS ADDRESS: (Number and Street) (City) (State) (Zip Code) TELEPHONE NUMBER:
PORTLAND OR 97232

PART I - LEGISLATIVE OR STATE AGENCY ADMINISTRATIVE ACTIONS ACTIVELY LOBBIED DURING THE PERIOD
(See instructions on reverse.)

Please see memo section

If more space is needed, check box and attach continuation sheets.

SUMMARY OF PAYMENTS THIS PERIOD

A. Total Payments to In-House Employee Lobbyists (Part III, Section A, Column 1)	\$ 0.00
B. Total Payments to Lobbying Firms (Part III, Section B, Column 4)	\$ 25500.00
C. Total Activity Expenses (Part III, Section C)	\$ 0.00
D. Total Other Payments to Influence (Part III, Section D)	\$ 2705625.08
GRAND TOTAL (A + B + C + D above)	\$ 0.00

→ The sum of A. + B. + C. + D. is **\$2,731,125.08, not 0.00**

E. Total Payments in Connection with PUC Activities (Part III, Section E) \$ 16594.83

F. Campaign Contributions: Part IV completed and attached No campaign contributions made this period

VERIFICATION

I have used all reasonable diligence in preparing this Report. I have reviewed the Report and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.
I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on (Date) 04/26/2024	At (City and State) Portland, OR	By (Signature of Employer or Responsible Officer) Annette Price
Name of Employer or Responsible Officer (Type or Print) Annette Price		Title Vice President, Govt Affairs

CAL2PDF Version3.8

¹¹ <https://cal-access.sos.ca.gov/Lobbying/Employers/Detail.aspx?id=1145547&session=2023&view=activity>

Four lines down from PacifiCorp's misleading GRAND TOTAL OF \$0.00 this section appears:

VERIFICATION

I have used all reasonable diligence in preparing this Report. I have reviewed the Report and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. On April 26, 2024, Annette Price, Vice President, Govt Affairs affirmed PacifiCorp's filing.

Since PacifiCorp has filed California lobbying disclosures with the California Secretary of State for over two decades, they should have considerable experience with these filings. They likely understand the ramifications of the sentence, "*I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*"

On May 7, 2024, CGNP emailed the following complaint to the California Secretary of State:

Shirley N. Weber, Ph.D. - California Secretary of State
Political Reform Division - Cal-Access Lobbying Disclosures
1500 11th Street 4th Floor - Room 495
Sacramento, CA 95814
(916) 653-6224
prd@sos.ca.gov

May 7, 2024

Subject: Error in PacifiCorp 1Q 2024 Form 635 Grand Total, Page 1

Hello, Political Reform Division:

Independent nonprofit Californians for Green Nuclear Power, Inc. (CGNP) is an intervenor before the California Public Utilities Commission. For several years, CGNP has been monitoring and reporting on the California lobbying activities of PacifiCorp as found in the Secretary of State's quarterly Form 635 disclosures.

There is a misleading grand total reported on page 1 of PacifiCorp's first quarter 2024 Form 635. PacifiCorp reports a grand total of \$0.00 as the sum of lines A, B, C, and D. The actual total is \$2,731,125.08 CGNP respectfully requests this grand total be corrected. Please see the attached page 1. This will also change the first quarter 2024 summary of the Form 635 shown on your website for PacifiCorp.

CGNP anticipates your office's prompt attention in making those corrections.

Gene Nelson, Ph.D. CGNP Senior Legal Researcher and President
Californians for Green Nuclear Power, Inc. (CGNP)
1375 East Grand Ave Ste 103 #523
Arroyo Grande, CA 93420-2421
(805) 363 - 4697 cell
Government [at] CGNP [dot] org email
<https://CGNP.org> website
<https://greennuke.substack.com> Substack

CGNP attached the marked up first page of PacifiCorp's Q5 2023-2024 Form 635 shown on the previous page.

In CGNP's previous CPUC filings, we raised questions regarding PacifiCorp failing to follow the Secretary of State's guidelines for completing the narrative sections of each quarterly Form 635. Detailed information regarding specific legislation during the quarter being reported is requested. Instead, PacifiCorp has chosen to mostly "cut and paste" general statements from the previous quarter instead of referencing specific legislation. One of CGNP's concerns is that PacifiCorp did not disclose any lobbying activity regarding California AB 538 (Holden 2023) on any of its quarterly 2023 Form 635 filings. The 2023 CAISO

grid regionalization bill AB 538 failed, per California legislative procedure on January 31, 2024. Here's the text of an October 14, 2022 article showing that PacifiCorp had a keen interest in AB 538, since PacifiCorp would be the first beneficiary of CAISO grid regionalization.

<https://www.panc.org/wp-content/uploads/2022/10/INSIDE-CAL.pdf> Archived 01 22 23
California Advisors is one of PacifiCorp's registered lobbying firms.

INSIDE CAL/EPA - 10/14/2022

California Lawmakers Poised To Renew Push For Expanded Western Grid

October 13, 2022

Leading California lawmakers are expected in 2023 to redouble efforts to pass legislation that would expand the state's power system into a broad Western regional operator in part to help secure adequate amounts of affordable electricity, as the Golden State faces daunting challenges to maintaining reliability while boosting clean energy. "Given that there is other action in the West, by other folks, I think that '23 and '24 are just going to be watershed years about the ability for the grid to be expanded beyond just the" California Independent System Operator's (CAISO) balancing authority, said Delaney Hunter, managing partner of Sacramento-based lobbying firm California Advisors, LLC, during an Oct. 12 webinar hosted by the Power Association of Northern California.

Hunter noted that efforts to pass legislation to expand CAISO into a Western regional transmission organization (RTO) involving multiple states are likely to be spearheaded by Assemblyman Chris Holden (D-Pasadena), who formerly chaired the Assembly Utilities & Energy Committee and now is the chairman of the Assembly Appropriations Committee.

Holden, who failed to pass legislation to establish a governance structure for such a new RTO in 2017, 2018 and [2019](#), authored a resolution on the topic that was enacted this year, [ACR 188](#). That measure calls on CAISO to produce a report by Feb. 28 summarizing "recent relevant studies on the impacts of expanded regional cooperation on California and identifies key issues that will advance the state's energy and environmental goals."

The forthcoming report by CAISO, which for years has been urging lawmakers to create an expanded Western RTO, is likely to be used to bolster arguments in favor of such legislation next year.

CAISO is holding a "public stakeholder call" Oct. 17 to discuss ACR 188 and "engagement between neighboring states on regional transmission organizations in the West."

Gov. Gavin Newsom (D) has previously indicated he supported a grid-expansion proposal that was advanced by the administration of former Gov. Jerry Brown (D) through several bills authored by Holden in 2017 and 2018.

CAISO and Brown in 2016 proposed to expand the grid operator into a regional entity, a move intended to bolster renewable power generation, reduce greenhouse gases, and lower ratepayer costs. The plan called for first adding territory served by the utility PacifiCorp. The envisioned Western RTO would serve California and parts of the five other states served by that utility: Idaho, Oregon, Utah, Washington and Wyoming.

The proposed organization could eventually also include Nevada and Arizona, which currently participate in CAISO's energy imbalance market, and other Western states.

More recently, researchers at the think tank Resources for the Future argued that expanding organized wholesale power markets into regions that currently lack them -- such as the West, as well as the Southeast -- is [a crucial complementary strategy](#) to achieve the projected GHG benefits of the suite

of clean power incentives in federal Democrats' recent budget reconciliation law. In addition, they argued that expanding such power markets would reduce the cost of deploying zero-emitting electricity.

Opposition To Regional Grid

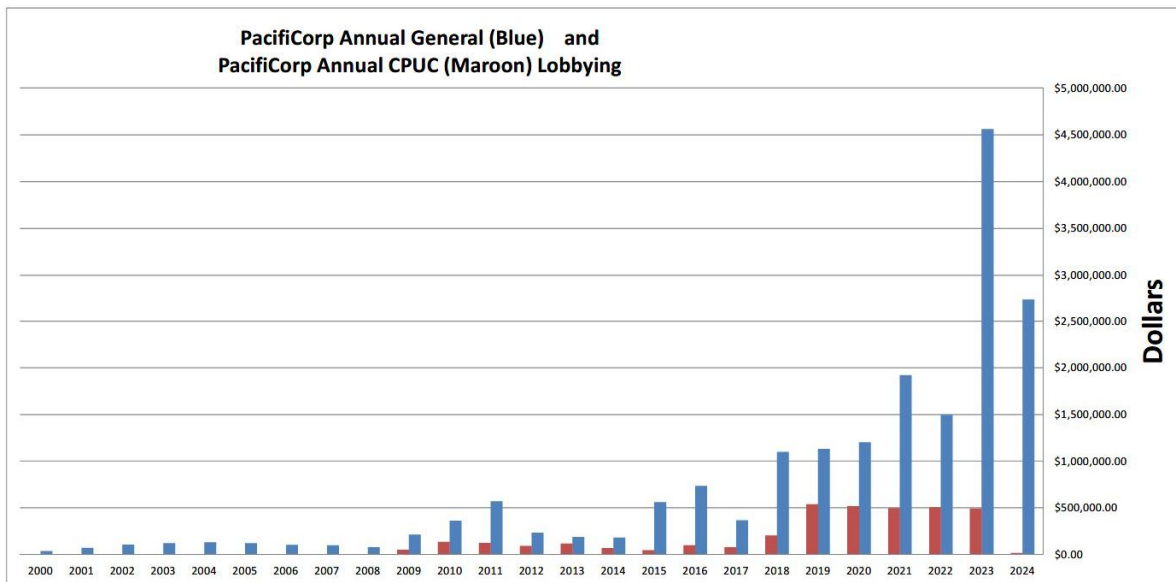
However, legislation to expand CAISO into a Western entity has been opposed by leading Democrats in the Legislature and powerful lobbies in Sacramento, including major labor unions, public utilities and some environmental groups. They argue that expanding the grid operator to include other Western states would cost California thousands of renewable power industry jobs, threaten to cede too much power to federal regulators, undermine the state's GHG and clean power programs and increase ratepayer costs.

But given California's continuing challenges to procure enough affordable power to keep the lights on -- chiefly on hot summer days -- sources indicate legislation to expand the CAISO may have a better chance at passing next year. In addition, experts say grid regionalization could solve the state's problem in which it must curtail, or waste, vast amounts of solar and wind power it generates because it cannot dispatch it to nearby states.

Hunter and **Chase Hopkins**, energy advisor to Assembly Speaker Anthony Rendon (D-Lakewood), said during the Oct. 12 webinar that lawmakers next year might also prioritize legislation to further address soaring utility bills. Policymakers "completely agree that there's a growing affordability crisis in California," Hopkins said.

And Hunter emphasized that lawmakers will also be focusing heavily on expediting new power transmission line projects, which are far behind schedule to meet the state's lofty goals for renewable energy and decarbonizing the grid, describing the current situation as "dire." -- *Curt Barry* (cbarry@iwpnews.com)

Here's a graphical presentation of PacifiCorp's California lobbying expenditures between 2000-2024:



And a tabulation of the data contained in this graph:

PacifiCorp Annual Lobbying		
Year	General	CPUC
2024	\$2,731,125.08	\$16,594.83
2023	\$4,559,596.25	\$490,016.01
2022	\$1,494,592.35	\$503,695.27
2021	\$1,918,318.90	\$494,345.91
2020	\$1,200,694.11	\$517,663.21
2019	\$1,129,477.08	\$536,073.72
2018	\$1,098,211.95	\$202,374.33
2017	\$366,598.11	\$77,784.91
2016	\$735,185.20	\$98,239.79
2015	\$561,410.67	\$43,812.55
2014	\$181,030.56	\$69,753.38
2013	\$188,297.55	\$115,197.74
2012	\$233,085.62	\$89,957.01
2011	\$570,354.16	\$123,455.99
2010	\$361,388.62	\$135,729.40
2009	\$212,338.28	\$48,818.16
2008	\$77,431.96	\$0.00
2007	\$96,902.90	\$0.00
2006	\$102,085.42	\$0.00
2005	\$120,342.55	\$0.00
2004	\$131,344.87	\$0.00
2003	\$121,562.02	\$0.00
2002	\$104,327.64	\$0.00
2001	\$71,267.51	\$0.00
2000	\$35,000.00	\$0.00

To put PacifiCorp's 1st Quarter 2024 general lobbying expenditures in perspective, the Western States Petroleum Association (WSPA) is typically ranked as the leading California lobbyist in most quarters. Here is the summary data reported by the California Secretary of State.

Western States Petroleum Association

2023-2024 LEGISLATIVE SESSION			
LOBBYING PAYMENTS MADE			
SESSION	QUARTER	GENERAL LOBBYING	P.U.C. LOBBYING
2023-2024	5th	\$2,469,067.56	\$0.00
2023-2024	4th	\$2,215,061.96	\$0.00
2023-2024	3rd	\$1,381,995.63	\$0.00
2023-2024	2nd	\$1,561,555.07	\$0.00
2023-2024	1st	\$2,380,275.88	\$0.00
Total		\$10,007,956.10	\$0.00

With the correct values reported for PacifiCorp for general lobbying for the 5th Quarter of 2023-2024 (e.g. 1st quarter of 2024,) PacifiCorp exceeds WSPA's quarterly general lobbying expenditures by over \$262,000.00

C. A Significant U.S. Supreme Court Case *Hughes v. Talen Energy* (2016)

This argued before the U.S. Supreme Court established federal preemption regarding electric power policies for multistate Independent System Operators (ISOs) or Regional Transmission Organizations (RTOs.) **Holding:** Maryland's regulatory program to encourage development of new in-state energy

generation is preempted by the Federal Power Act, which vests in the Federal Energy Regulatory Commission exclusive jurisdiction over interstate wholesale electricity rates.

Judgment: Affirmed, 8-0, in an opinion by Justice Ginsburg on April 19, 2016. Justice Sotomayor filed a concurring opinion. Justice Thomas filed an opinion concurring in part and concurring in the judgment.¹²

CGNP's analysis of this 2016 U.S. Supreme Court decision is that if CAISO becomes part of a multistate ISO or RTO, the state's ability to enforce its environmental regulations regarding power imports into California would be preempted by the federal government. Thus, California legislation such as SB 1368 (2006, Perata) would likely be nullified. Clearly this would be a benefit to out-of-state firms such as PacifiCorp that desire to sell considerably more electric power to California than they currently do. Previous sections of this letter have established that PacifiCorp is primarily operates a coal-fired generation fleet. Here's a chart appearing on page 23 of 143 of *PacifiCorp's 2023 Integrated Resource Plan Update - April 1, 2024*¹³ which shows that PacifiCorp plans to delay retirement of several of its coal-fired plants.

¹² Hughes v. Talen Energy Marketing, Consolidated with CPV Maryland, LLC v. Talen Energy Marketing <https://www.scotusblog.com/case-files/cases/nazarian-v-ppl-energyplus-llc/>

Docket No.	Op. Below	Argument	Opinion	Vote	Author	Term
14-614	4th Cir.	Feb 24, 2016	Apr 19, 2016	8-0	Ginsburg	OT 2015

¹³ [https://www.pacificorp.com/content/dam/pcorp/docunnents/en/pacificorp/energy/integrated-resource-plan/2023 IRP Update.pdf](https://www.pacificorp.com/content/dam/pcorp/docunnents/en/pacificorp/energy/integrated-resource-plan/2023%20IRP%20Update.pdf)

Table 1.1 – Coal Unit Retirements in the 2023 IRP and 2023 IRP Update

Coal			
Unit	2023 IRP Retirement Year (12/31/___)	2023 IRP Update Retirement Year (12/31/___)	Delta to 2023 IRP (Years)
	As Selected	As Selected	
Colstrip 3	2025	2025	-
Colstrip 4	2029	2029	-
Craig 1	2025	2025	-
Craig 2	2028	2028	-
DaveJohnston 1	2028	2028	-
DaveJohnston 2	2028	2028	-
DaveJohnston 3	2027	2027	-
DaveJohnston 4	2039	2039	-
Hayden 1	2028	2028	-
Hayden 2	2027	2027	-
Hunter 1	2031	2042	11
Hunter 2	2032	2042	10
Hunter 3	2032	2042	10
Huntington 1	2032	2036	4
Huntington 2	2032	2036	4
JimBridger 1	2037	2037	-
JimBridger 2	2037	2037	-
JimBridger 3	2037	2039	2
JimBridger 4	2037	2039	2
Naughton 1	2036	2036	-
Naughton 2	2036	2036	-
Wyodak	2039	2039	-

Coal unit exits, retirements, gas conversions, and retrofits scheduled under the preferred portfolio include:

- 2023 = Jim Bridger Units 1-2, converted to natural gas in 2024 (same as in the 2023 IRP)
- 2025 = Craig Unit 1 retirement (same as in the 2023 IRP)
- 2026 = Naughton Units 1-2, converted to natural gas in 2026, operates through 2036 (same as in the 2023 IRP)
- 2027 = Dave Johnston Unit 3 retirement (same as in the 2023 IRP)
- 2027 = Hayden Unit 2 retirement (same as in the 2023 IRP)

CGNP believes that if the price of natural gas increases relative to the price of coal per unit of heat energy, which is likely as the pace of LNG shipments from the U.S. increases, PacifiCorp may choose to delay, perhaps indefinitely, repowering coal units to natural gas. Unlike the state of California, the state of Wyoming has not made retirements of coal-fired power plants a priority.

D. The California Legislature and CGNP Prefer CAISO Remain a California-based ISO

As the October 14, 2022 *Inside Cal/EPA* article on pages 9-10 shows, there have been several attempts to change CAISO from California - based ISO to a multistate ISO or RTO. As a consequence of the 2016 U.S. Supreme Court decision *Hughes v. Talen Energy*, if California were part of a multistate ISO or RTO, PacifiCorp would likely be able to sell much more coal-fired power into California.

CGNP was part of a coalition opposed to CAISO grid regionalization during the debate regarding AB 813 (Holden, 2018.) Since ACR 188 (Holden, 2022) only called for a study of CAISO grid regionalization, CGNP did not take a position on the legislation. However, when AB 538 (Holden, 2023) was being debated, CGNP vigorously opposed the bill. As noted previously, AB 538 died in the California Assembly on January 31, 2024.

This California legislative opposition has not stopped PacifiCorp, which commands generous financial resources to lobby at the California state level, as CGNP already established. CGNP is continuing the research PacifiCorp's federal lobbying. In the event that a multistate ISO or RTO is created, PacifiCorp's financial resources could also be used to undercut the price of nuclear power in Washington, California, and Arizona to force those three nuclear plants to close - and be replaced by PacifiCorp's mostly Wyoming-based coal - fired generation fleet. Emissions and power rates would subsequently climb. The U.S. EIA established that nuclear fuel costs about one quarter of the cost of either coal or natural gas on a BTU basis.

E. The "Unspecified Sources" Loophole in California Power Source Disclosures

"Unspecified Sources" or "Unspecified Imports" is a California-specific legal euphemism created in 2010 that mostly applies to coal-fired generation. This 24-page long article provides a detailed legislative history of these terms.¹⁴ CGNP previously noted in their April 5, 2022 *Capitol Weekly* OpEd that these terms provide competitive advantages for coal-fired imports into California. A group of CGNP members toured CAISO headquarters in Folsom, California on May 20, 2016. The guide reminded us, and pointed out graphics that showed that coal-fired power from Wyoming was less expensive than electricity from Diablo Canyon Power Plant. (CAISO's 2016 analysis neglects the significant cost of transmitting this power over long-distance power transmission lines. If the electric power is primarily for the benefit of California ratepayers, the owner of the power transmission system is eligible for lucrative capital cost recovery payments.) Here is the informative Figure 2 from the 2018 Center for Sustainable Energy article showing how Southern California Edison's (SCE's) use of unspecified power dramatically rose after the unnecessary cessation of operations of SONGS at the end of January, 2012.

¹⁴ "Knowing Your Power - Improving the Reporting of Electric Power Fuel Content in California" "There is a need for reliable, accurate, timely and consistent information regarding fuel sources for electric generation offered for retail sale in California," Steven Weissman, Senior Policy Advisor, Center for Sustainable Energy, May 23, 2018. https://energycenter.org/sites/default/files/docsinav/policy/research-and-reports/Knowing_Your_Power.pdf

Figure 2: Southern California Edison Power Sources 2009-13

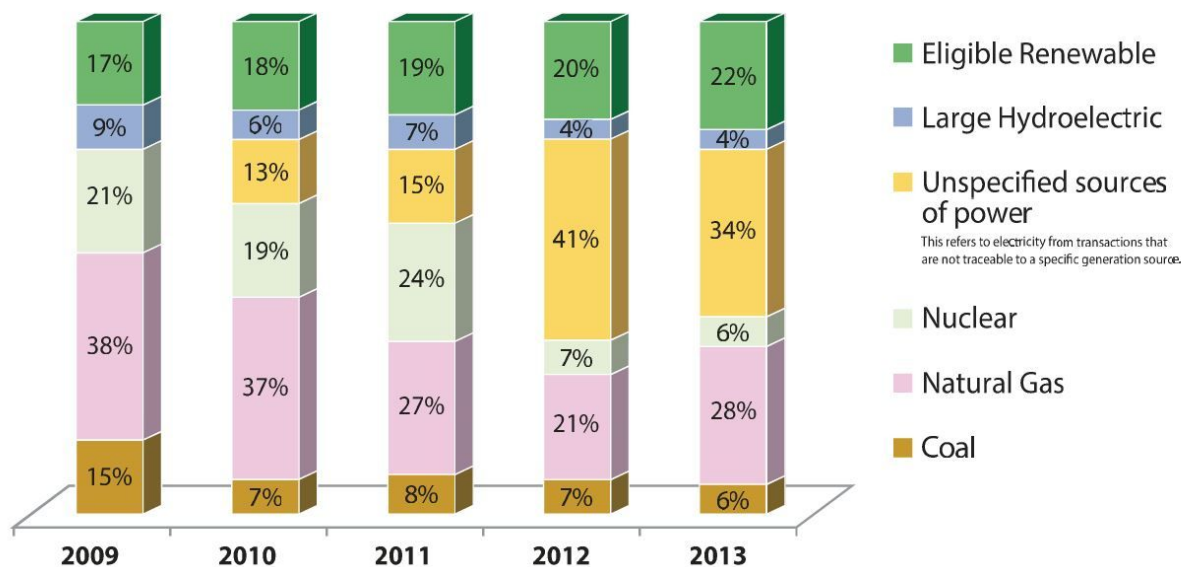


Chart from SCE illustrating the change in reporting with the introduction of the unspecified sources of power in 2010 as required by AB 162.

As can be seen from the graphic, SONGS nuclear power was replaced by unspecified sources of power, e.g. coal - fired imported power. SCE's (and SDG&E's) power rates significantly increased. CGNP holds that if CAISO becomes a multistate RTO, that will also be the unnecessary fate of the safe, reliable, abundant locally-generated emission-free power from DCP.

F. California's Need For DCP's Dispatchable Power

DCP provides always - on local 24/7 dispatchable power to stabilize the California power grid. This need has become acute with the high penetration of nondispatchable solar and wind power in the California power grid. Both solar and wind destabilize California's power grid with random changes to their contribution to the grid. They are nondispatchable inverter-based resources (IBRs) that provide negligible synchronous grid inertia. CGNP provides additional details in this recent article.¹⁵ The photo below is included in the article.

¹⁵ "Why is Grid Inertia Important? Without sufficient synchronous grid inertia, the grid becomes unstable and a blackout occurs," By Gene Nelson, Ph.D., March 4, 2024, GreenNUKE Substack.

<https://greenuke.substack.com/p/why-is-grid-inertia-important>



The pair of workers provide a sense of the massive scale of DCP's generators. The top of the generator is about 20 feet from the floor of the power deck. DCP has two of these massive generators. Together, the pair of DCP generators provides about 10% of California's dispatchable power. (SONGS 2011 annual power production was comparable to DCP's typical annual power production.)

The alternative for California is to rely on mostly coal-fired dispatchable power from Wyoming, connected via a roughly 1,000 mile long network of high voltage transmission lines. The penalty is that much of that power would flow through high voltage AC power lines that pass through regions vulnerable to wildfires in the PacifiCorp and PG&E service territories. CGNP holds with climate change, that is an unacceptable risk. CGNP discussed the role of the July 9, 2021 Bootleg fire in causing a "near miss" regarding CAISO grid reliability at a recent American Nuclear Society meeting.¹⁶ The indicator was an anomalous and significant rise in CAISO's locational marginal prices (LMPs) of CAISO's wholesale electric power when the 500 kV AC intertie was imperiled. CGNP's slide deck is available via a request to government [at] CGNP dot org.

G. The German Economic Calamity called "Energiewende" is Cautionary for California.

Germany's GDP and California's Gross State Product (GSP) are comparable at about \$4 trillion.¹⁷ They are also comparable because special interests have pushed for a phase-out of nuclear power. This phase-

¹⁶ "Nuclear Power's Role in Supporting California's Grid Reliability" American Nuclear Society Panel Presentation at the 2022 Annual Meeting, June 15, 2022

¹⁷ Germany on 04 08 24: \$4.08247 USD trillion. The economy of the State of California is the largest in the United States, with a \$3.89 trillion gross state product (GSP) as of 3Q 2023 - U.S. BEA, December 22, 2023

out was successful in Germany as of April 15, 2023. The nuclear phase-out in California was approved by the CPUC on January 11, 2018. However, as a consequence of steadfast pro nuclear power advocacy by CGNP and a coalition of other pro-nuclear power groups, California SB 846 (Dodd, 2022) was enacted on September 2, 2022. After more than a year of additional advocacy, DCP's operations were extended to at least 2030. A 2023 appeal by three groups (doctrinally opposed to nuclear power) of the NRC granting DCP an exemption of the NRC's "five year rule" was dismissed by the Ninth Circuit on April 29, 2024. A copy of this Decision is available via a request to government [at] CGNP [dot] org. The docket of Case 23-00852 is also available via PACER at <https://ca9-showdoc.azurewebsites.us/23-852>

A similarly-misleading public relations campaign alleging that non-dispatchable solar and wind power can replace dispatchable nuclear power was established in both Germany and California. The claims of the German Energiewende (energy transition) are based on anti-nuclear power ideology, not principles of science, engineering, and economy. Here's a comment that was posted to a German Greens website:¹⁸

CGNP Comment 30 April 2024: The claims made by this website are absurd and counterfactual. Germany's Energiewende has been an ecological and economic disaster. As of 15 April 2023, Germany's emission-free nuclear power fleet was shut down. Germany, just like any modern society needs abundant, dispatchable electric power. Neither solar nor wind can provide dispatchable power and batteries are not a cost effective means to store the huge amount of electric power required. Since Russia has exercised its control over its natural gas pipelines as a tactic to attempt to prevail militarily in Ukraine, Germany has been forced to dramatically increase its reliance on heavily-polluting coal.

See: <HTTPS://UNHERD.COM/NEWSROOM/GERMANY'S-GREENS-EMBRACE-COAL/> Coal-fired generation produces toxic air pollution and toxic water pollution from coal ash. Using the Electricity Maps application at <https://app.electricitymaps.com/map>, it shows that as of 5:00 AM GMT on 30 April 2024, France's electricity had 20 grams of carbon intensity per kilowatt-hour of electricity generated. Germany's electricity had about 362 grams of carbon intensity at the same time. Germany's example shows what not to do. A foundation of German government deception is being exposed. See for example "Top German Greens officials accused of deception in nuclear phase-out advice" 27 April 2024 <https://tinyurl.com/Greens-fraud>

As of 08 May 2024, this post did not appear after it was posted.

As the collection of articles in the appendix show, the outcome in Germany has been significant harm to the Germany economy, worldwide geopolitical instability,¹⁹ a dramatic increase in the use of German coal-fired power, and the likely political rejection of the German Greens during the upcoming German Parliamentary elections in June, 2024. CGNP is gratified that the claims of energy transition advocates in California are now being viewed in a much more critical light. CGNP remains optimistic that the WIEB - CREPC will also reject the claims of energy transition advocates, including several well-known

¹⁸ "Renewables replace nuclear and lower emissions simultaneously," Craig Morris, 20 Nov 2019, *Energy Transition - The Global Energiewende blog*.

<https://energytransition.org/2019/11/renewables-replace-nuclear-and-lower-emissions-simultaneously/>

An Initiative of the Heinrich Böll Foundation. © 2012 - 2024. The Heinrich Böll Foundation (hbs) receives German taxpayer funded subsidies. The hbs has offices in the West Bank of Palestine, Moscow, Russia, and Washington, DC. Many of the policies of the hbs are socialist policies.

¹⁹ "Top German Greens officials accused of deception in nuclear phase-out advice" After months of obstructions, a German high court forces the German government to disclose key internal memoranda regarding a nuclear phase-out following the February, 2022 Russian attack of Ukraine, Gene Nelson, Ph.D., April 29, 2024, *GreenNUKE Substack*. <https://greenuke.substack.com/p/top-german-greens-officials-accused>

environmental groups that are actually advocating for increase in the use of Western U.S. coal-fired power to replace emission-free DCCP.

H. Conclusion

For the reasons set forth above, the WWGPI should be rejected by the WIEB - CREPC

Sincerely,

A handwritten signature in blue ink that reads "Dr. Gene Nelson" followed by a long, horizontal flourish.

Gene Nelson, Ph.D. CGNP Senior Legal Researcher and President
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APPENDIX

The New York Times ***The Former Chancellor Who Became Putin's Man in Germany***



Gerhard Schröder, who is paid almost \$1 million a year by Russian-controlled energy companies, has become a pariah. But he is also a symbol of Germany's Russia policy.

Credit...Laetitia Vancon for The New York Times



By [Katrin Bennhold](#)

April 23, 2022

<https://www.nytimes.com/2022/04/23/world/europe/schroder-germany-russia-gas-ukraine-war-energy.html>

HANOVER, Germany — On the evening of Dec. 9, 2005, 17 days after Gerhard Schröder left office as chancellor of Germany, he got a call on his cellphone. It was his friend President Vladimir V. Putin of Russia.

Mr. Putin was pressing Mr. Schröder to accept an offer to lead the shareholder committee of Nord Stream, the Russian-controlled company in charge of building the first undersea gas pipeline directly connecting Russia and Germany.

“Are you afraid to work for us?” Mr. Putin had joked. Mr. Schröder might well have been, given the appearance of possible impropriety — the pipeline he was now being asked to head had been agreed to in the final weeks of his chancellorship, with his strong support.

He took the job anyway.

Seventeen years later, the former chancellor, who recounted the events himself in a pair of rare interviews, remains as defiant as ever.

“I don’t do mea culpa,” Mr. Schröder said, sitting in his sprawling light- and art-filled office in the center of his home city, Hanover, in northwestern Germany. “It’s not my thing.”

With Mr. Putin now waging a brutal war in Ukraine, all of Germany is reconsidering the ties with Russia that — despite years of warnings from the United States and Eastern European allies — have left Germany deeply reliant on Russian gas, giving Mr. Putin coercive leverage over Europe while filling the Kremlin’s war chest.

That dependency grew out of a German belief — embraced by a long succession of chancellors, industry leaders, journalists and the public — that a Russia bound in trade would have too much to risk in conflict with Europe, making Germany more secure while also profiting its economy. (22 pages follow.)

UnHerd

Germany's Greens embrace coal

BY KATJA HOYER



Green Party leaders Annalena Baerbock (L) and Robert Habeck (R). Credit: Getty
COAL GAS GAZPROM GERMANY RUSSIA VLADIMIR PUTIN



News room

JUNE 21, 2022 - 1:30PM

[HTTPS://UNHERD.COM/NEWSROOM/GERMANYS-GREENS-EMBRACE-COAL/](https://unherd.com/newsroom/germanys-greens-embrace-coal/)

That German politicians spoke of 'blackmail', 'neo-imperialism' and even a 'declaration of economic war' when confronted with Germany's energy dependency on Russia may hardly seem surprising. But those words weren't uttered recently, nor were they about the Russian president. They were said two years ago and directed at the Americans — for trying to shake Germany over the Nord Stream 2 pipeline.

The war in Ukraine has finally opened Germany's eyes to the fact that it Putin who is engaging in blackmail. Last week, Gazprom announced that it would cut gas flows to Germany by reducing supply to 40% of the regular amount. In response, Vice Chancellor Robert Habeck said that the country would turn to coal.

It can't have been easy for Habeck, a Green politician, to make the decision to safeguard German energy supplies by replacing the missing Russian gas with domestic coal. But that is exactly what Habeck plans to do. Gas, which is used to produce both heat and electricity is to be saved (storage is only at 57% capacity at the moment), while more coal will be used temporarily (until 2024) to make electricity.

Habeck looked more than a little dejected when he announced the measures on Sunday. "This is bitter, but the situation just makes it necessary," he said, adding that it would lead to "slightly higher" emissions. Bear in mind that Habeck is part of a coalition that had planned to increase renewables to 80% of electricity production by 2030 while phasing out nuclear energy by the end of 2022 and coal by 2030.

Still, his pragmatism is admirable. Recognising that Germany would make itself vulnerable to "political blackmail" if it allowed its gas supplies to run low, he found it in himself to abandon the ideological dogma of his party. Germany on the whole is finally waking up to the unpalatable reality that a diverse range of fossil fuels are still needed while we find ways to build up reliable renewables.

The Liberal Party, also part of the governing coalition, has even begun to push a debate around fracking which has been banned in Germany since 2017. Their leader, Christian Lindner, has also argued that North Sea oil and gas should be looked at again as Germany currently only produces 5% of its gas demand itself.

It seems every available domestic energy resource is back on the table. With one exception: Germany's nuclear industry. The country only has three reactors left but many have argued that switching them off could at least be postponed to help with the crisis. A new survey showed that only 35% of people did *not* think a return to nuclear energy for electricity production would be helpful.

Yet both Scholz and Habeck remain adamant that Germany's last reactors must be switched off in six months. It seems the chancellor cannot even bring himself to discuss the issue on an argumentative footing. Instead, his contribution is that the exit had long been decided and the necessary fuel elements could not be procured anyway.

The Bavarian Minister President Markus Söder called this "nonsense", pointing out that this is an "ideological debate" and amounts to "pure stubbornness at the expense of a lot of people".

Germany needs to have a full rethink of its energy and security policies now that it is beginning to see the link between the two. Habeck was right to turn to coal as an

emergency measure, but the country will need sustainable transition fuels in every sense of the word.

Although he is right in that coal is not a long-term solution, a diversification of the entire energy sector is. The government needs to get off its high horse, admit that mistakes were made in the past and discuss the way forward without ideological blinkers.

Katja Hoyer is a German-British historian and writer. She is the author, most recently, of *Beyond the Wall: East Germany, 1949-1990*.



THE DAILY SIGNAL ENERGY COMMENTARY

Germans Are Getting Mugged by Reality of Green Energy

Mackenzie Fries / Diana Furchtgott-Roth / @DFR_Economics / April 06, 2023

<https://www.dailysignal.com/2023/04/06/germanys-green-energy-debacle-should-be-warning-to-us/>



Germany's been phasing out conventional fuels and phasing in renewables, resulting in higher prices, shortages, and a greater reliance on adversarial nations like Russia and China. Pictured: Environmental activists dressed as then-German Chancellor Angela Merkel and then-Economy Minister Peter Altmaier display mock-ups of tiny wind turbines and solar panels during a demonstration in front of the



Reichstag in Berlin asking for more renewable energy on Oct. 30, 2020. (Photo: John MacDougall, AFP/Getty Images)

COMMENTARY BY

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When one of us (Mackenzie Fries) visited Germany last month, she saw firsthand the cost of the nation's [environmental policies](#), and it was staggering. Germans continue to complain about the ever-increasing energy costs that result from those policies, a major source of discontent. The nation has been phasing out conventional fuels and phasing in less reliable, less abundant [renewable energy](#) sources, resulting in higher prices, shortages, and a greater reliance on adversarial nations like Russia and China. The country's trials should prove to be a vital lesson for those of us in the United States.

Sebastian Lehnerer, a Berlin native, related, "The impact [of the energy crisis] is easy to say, I just have a lot less money. I now pay a quarter more in electricity since the Ukraine war started. The annual Warmmiete [warm rent] that I pay, which covers rent, heating, and hot water, is now 20% higher, not including the additional costs I have to pay at the end of the year. There are some people using only natural gas as a heating source who are paying 55% more."

Energy prices have increased by 28% compared to February 2022. In the last year, natural gas prices have risen 39% and electricity prices have risen 27%.

Food prices increased by 23%, and the price of pork rose by 59%. The most shocking change was the almost doubling of sugar prices.

In terms of inflation, Lehnerer stated that prices are much higher than reported: "Flour is 100% more expensive. Many bakeries are going out of business because of the high electricity prices and expensive flour."

Lehnerer also discussed restrictions for using carbon-based fuels in Germany, saying "The [former German Chancellor Angela] Merkel regime placed an additional carbon tax on car gasoline a few years ago. Every year, the gas tax increases." In addition, he mentioned that individuals pay higher yearly car taxes depending on the amount of carbon their car produces.

The problem is not only that Germany was hit by the disruption in Russia's natural gas supplies because of the Russia-Ukraine war. The greater issue lies in Germany's efforts to [phase out](#) its own domestic resources of nuclear and coal-fired power. The majority of Germany's nuclear plants have been closed in the last decade.

These energy problems ultimately caused Merkel to resign as chancellor after significant public backlash. The coalition government Merkel headed shut down nearly all of Germany's nuclear plants following Japan's Fukushima nuclear plant catastrophe.

Merkel's closure of power plants made the country even more reliant on foreign natural gas supplies from Russia. The war in Ukraine simply brought the consequences of Germany's [green energy policies](#) to the surface.

The resulting reductions in emissions in Germany comprise only a tiny fraction of global emissions. Germany's emissions of 675 million tons of carbon dioxide account for less than 2% of the total 37 billion tons of carbon dioxide emissions worldwide each year. Germans are ultimately being taxed for little global gain.

Germany's nuclear exit signaled its growing weakness as it shifted away from cultivating greater energy independence. The nation has transitioned from relying on Russia for its natural gas to relying on China for solar panels and wind turbines. Ninety-five percent of the solar cells in Germany are manufactured in China. In addition, more than 50% of the raw materials used to construct wind turbines are sourced from China.

This past July, the German Bundestag passed the Onshore Wind Energy Act to ramp up the construction of wind turbines across the country. Germany's green technology policies are only driving the country into the hands of China—and its reliance on wind is raising the price of electricity and slowing the economy.

A Daily Signal report on energy [states](#) that “renewable energy (i.e., wind, solar, biofuels, and hydropower) only accounted for 14% of the EU's electricity mix, nuclear accounted for 10%, and conventional fuels (i.e., natural gas, oil, and coal) accounted for 76%.” American officials have long warned European countries to [diversify](#) their energy supplies and that renewable energy was [not a reliable replacement](#) for conventional fuels.

Germany should not rely on either China or Russia for something as critical as its energy supply. Countries need to be able to care for themselves and maintain their energy independence. The current German government is shooting itself in the foot by continuing to impose laws to destroy all coal power plants and nuclear power plants in the wake of its ongoing energy crisis—precisely when it needs them most.

Have an opinion about this article? To sound off, please email letters@DailySignal.com, and we'll consider publishing your edited remarks in our regular “We Hear You” feature. Remember to include the URL or headline of the article plus your name and town and/or state.

Cicero

MAGAZIN FÜR POLITISCHE KULTUR



Federal Minister of Economics Robert Habeck/dpa

"This is nonsense"-Ex-Eon supervisory board contradicts Habeck's reasons for phasing out nuclear power

Ex-Eon supervisory board chairman Karl-Ludwig Kley contradicts Economics Minister Robert Habeck. The nuclear power plants could have operated longer and significantly reduced both the price of electricity and CO₂ emissions.

BY [CICERO EDITORIAL](#) on May 6, 2024

<https://www.cicero.de/innenpolitik/habeck-atomakten-kley>



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HOW TO REACH CICERO EDITORIAL TEAM:

CICERO NEWSLETTER

Exclusive insights into political events

Economics Minister Robert Habeck is coming under increasing pressure in the scandal surrounding the [nuclear files released by Cicero](#). Now the former head of the supervisory board of the then nuclear power plant operator Eon, Karl-Ludwig Kley, contradicts Habeck's claim that the continued operation of the nuclear power plants was examined in 2022 with an “open outcome”.

Kley was asked by the news channel *ntv* about the documents that *Cicero* had to sue Habeck's ministry for in court and partially published. They show that leading ministry officials manipulated the decision “What *Cicero* found out doesn't surprise me. It corresponded and completely corresponds to my perception,” said Kley. More precisely: He describes the presentation in a so-called audit report, which claimed that the 4.4 gigawatts of output from the last three nuclear power plants would not make a relevant contribution to the energy supply, as “nonsense”. The note, written by senior ministry officials, also claimed that an extension of the term was not possible due to “regulatory and technical obstacles”. Kley also explicitly calls this “nonsense”.

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[Did the minister lie?-](#)

[Nuclear power plant operators contradict Habeck's representation](#)

4.4 gigawatts are “an extremely relevant amount” with which “for example, the CO₂ emissions from coal-fired power plants could have been reduced by at least 15 million tons.” **Electricity prices would then also be lower. “Nuclear power plants produced electricity for just under two cents per kilowatt hour, gas power plants, with certain fluctuations, for around ten times as much.** (Emphasis added.) If that’s not relevant, I don’t know what is.”

Before Kley, the current management of the last two nuclear power plant operators, including Eon and PreussenElektra, had already contradicted Habeck's representation .

And Kley also does not accept another central argument from Habeck and his officials, namely that the available fuel elements, as Habeck put it in 2022, have been “exhausted”. Kley: “Operation for a few more months would have been possible, at least at the Isar nuclear power plant, with a newly assembled reactor core.”

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Habeck's secret files-

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Kley also reported all of this to the Ministry of Economic Affairs and the Ministry of the Environment. Eon's position is clear: the question of allowing nuclear power plants to continue to operate was not a technical one, but a political one. Kley self-critically notes that the energy industry as a whole should have “positioned itself more clearly in the political discussions instead of hastily avoiding possible conflicts.”

In the interview, Kley is surprised as to why Habeck didn't simply say that he "absolutely doesn't want nuclear energy" and therefore consent to continued operation was never an option for him: "That would be the truth. And then he wouldn't have to interpret all sorts of emails and protocols up and down.”

Daniel Gräber in (34:13) conversation with Clemens Traub:

“It reads like a crime story”

Did the minister lie?-Nuclear power plant operators contradict Habeck's representation

Economics Minister Habeck also justified his rejection of the continued operation of the nuclear power plants by saying that the operators themselves would have spoken out against it in 2022. But the companies explicitly contradict this representation.

BY [CICERO EDITORIAL](#) on May 4, 2024

<https://www.cicero.de/innenpolitik/habeck-akw-betreiber>

The scandal surrounding Robert Habeck and the operating times of nuclear power plants is taking a new turn: The operating companies contradict the statement of the Federal Minister of Economics, who claimed that the companies themselves did not consider continued operation possible in the spring of 2022 because the fuel rods were "sucked out." Yes Eon and PreussenElektra (PE) contradict this representation, [as the Bild newspaper reports](#) .

<https://www.bild.de/politik/inland/papier-enthuehlt-neue-vorwuerfe-akw-betreiber-giften-gegen-habeck-6634f814bd964b2b82e4b559> This would mean that Habeck has deceived the public.

Bild quotes from a letter from PE's management to its own employees: "We as PreussenElektra have always shown ourselves to be open to examining and implementing continued operation and have articulated this - wherever possible." Minister Habeck has explained the nuclear power plant situation " "significantly shortened". "Essential arguments that prove the feasibility of continued operation are ignored." This cannot be left as it is.

According to Bild , the other operating company also contradicts the minister : "We made it clear throughout the debate that we could technically and logistically enable the power plant to continue operating if the federal government wanted this."

Cicero had released internal files from the Ministry of Economics that show [how the Green Party's puppet masters manipulated the decision to extend the life of German nuclear power plants in 2022](#) . Robert Habeck was also misinformed. On Tuesday evening, Habeck claimed [on the ZDF program Markus Lanz](#) that nothing had been kept secret and that everything could be proven in writing. He announced that all files would be made available to the responsible Bundestag committee.

More on the subject:

- *How the Greens were deceptive about the nuclear phase-out*
- *Graichen wanted to keep the explosive note secret at all costs*
- *"Revelations are a scandal and a reason for resignation"*

Voting intention in Germany 2021-2024

Published by Statista [Olan McEvoy](#), May 6, 2024

<https://www.statista.com/statistics/1257178/voting-intention-in-germany/>

As of the 24th of April 2024, the [Christian Democrats](#) (CDU/CSU) are the most popular political party in Germany, with 30 percent of prospective voters indicating that they would vote for the party if the next election to the German parliament were held that week. The CDU/CSU has seen a remarkable turn-around in its fortunes since the previous German federal election, when the party recorded its worst ever result in a nation-wide vote, securing only 24.1 percent of the vote.

The party had struggled since the stepping down of its long-time chancellor, Angela Merkel, before the [2021 election](#). As dissatisfaction with the current governing coalition - known as the 'Ampel' (Traffic Light) coalition - of the Social Democrats, Greens, and Liberals has increased, the Christian Democrats, now led by Friedrich Merz, have won increasing support.

The Ampel's woes continue in 2024

The Ampel coalition came to power in 2021 due to the surprise surge in support for the [Social Democrats](#), who secured almost 26 percent of the vote in that election. Unwilling to re-enter a 'grand coalition' with the Christian Democrats, the SPD instead opted to create a coalition with the center-left environmentalist party, the [Greens](#), and the free-market neoliberal party, the [FDP](#). This unlikely coalition which promised to "dare to make more progress" (*mehr Fortschritt wagen*) has instead been mired by constant infighting between the three parties, as well as being hit by several external crises, most notably [Russia's war of aggression against Ukraine](#). At the same time, the [German economy's](#) post-pandemic recovery has faltered, with the country being one of the few European countries to experience a [recession in 2023](#), while one of the government's key economic plans - a special investment fund designed to bypass the constitutional [debt](#) brake - was struck down by the constitutional court in Karlsruhe.

These factors have led to consistently declining support for the three governing parties, with the latest poll showing their combined share of the vote being only 33 percent, slightly more than the vote share of the Christian Democrats. While the Greens' vote share would remain roughly equal to what they achieved in 2021, the popularity of the SPD and FDP has collapsed compared to their 2021 levels. The Social Democrats are now the third most popular party in Germany, with Chancellor Olaf Scholz's party on track to achieve their worst election result since 1887. The Liberals (FDP), on the other hand, look likely to not gain any seats in the parliament at all in the next election, as they are currently falling below the five percent threshold to enter the *Bundestag* (federal parliament)....

Economy & Politics > Politics & Government

Voting intentions for the German parliament from the 2021 General Election to the 26th of April 2024, by party

