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Energy, Environmental and Renewable Energy

House Passes Energy Bill with Climate Language

On Friday, June 26, 2009, the U.S. House of Representatives passed a comprehensive energy bill that contains the first-ever nation-wide mandatory greenhouse gas “cap and trade” program. Formally entitled the “American Clean Energy and Security Act of 2009,” the bill is more commonly referred to as the “Waxman-Markey Bill” after the bill’s cosponsors – House Energy and Commerce Committee Chairman Henry Waxman (D-Cal.) and Rep. Ed Markey (D-Mass.). The bill represents a victory for those seeking the regulation of greenhouse gases at the national level.

At final passage, the bill had reached approximately 1,500 pages in length after having been amended almost continuously during its trip to the floor of the House and in negotiations that took place up until the bill was actually passed. Several measures were modified, or in some cases significantly rewritten, during the days preceding the actual vote last Friday, with a 300+ page Manager’s Amendment filed at about 3:00 A.M. on the morning of the vote. The bill was approved by a narrow margin of 219 to 212 Friday evening, with 44 Democrats voting against the bill and 8 Republicans voting for it.

The Waxman-Markey Bill is broad in scope, and covers multiple topics, including carbon capture and sequestration, clean transportation, smart grid advancement, nuclear and advanced technologies, and energy efficiency. This Advisory focuses on three key provisions relevant to the electric utility industry: climate change, renewable electricity standard, and transmission planning and siting.

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