



# Monthly Energy Update

**Rapid Renewable Energy Growth Leads FBI to Warn Hackers Will Hit New, Vulnerable Supply**

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## Utah Joins States in Filing Emergency Appeal to Halt Denial of EPA’s Carbon Rule

**T**wo dozen states, including Utah, asked the Supreme Court on July 23 to review a federal appeals court’s July 19 denial of their motion to stay the Environmental Protection Agency’s (EPA) greenhouse gas emissions limits on coal and new natural gas-fired power plants.

The National Rural Electric Cooperative Association (NRECA) also filed a Supreme Court appeal. "A Supreme Court stay is necessary to prevent immediate harm to the nation's electric grid and the American economy. The path outlined by the EPA is unlawful, unrealistic and unachievable," NRECA CEO Jim Matheson said.

In a per curiam order, the U.S. Court of Appeals for the D.C. Circuit said the case does not trigger the "major question" doctrine stemming from the Supreme Court's 2022 ruling that EPA lacked authority from Congress to adopt the Clean Power Plan (CPP).

"EPA has claimed only the power to 'set emissions limits under [Clean Air Act] Section 111 based on the application of measures that would reduce pollution by causing the regulated source to operate more cleanly,' a type of conduct that falls well within EPA's bailiwick," the appeals court order said.

In their filing with the high court, the states, including Idaho, Montana, Utah and Wyoming, accused EPA of attempting again—following the high court's voiding of the CPP—to use Section 111 to push coal-fired power plants