

[Test Drive Our New Site!](#) We have some improvements in the works that we're excited for you to experience. [Click here](#) to try our new, faster, mobile friendly beta site. We will be maintaining our current version of the site thru mid 2025, so you can switch back as our improvements continue.

Pennsylvania State Senate

<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20250&cosponId=45149>

02/18/2025 10:15 AM

[Home](#) / Senate Co-Sponsorship Memoranda

Senate Co-Sponsorship Memoranda

Senate of Pennsylvania Session of 2025 - 2026 Regular Session

MEMORANDUM

Posted: January 17, 2025 04:12 PM

From: [Senator Gene Yaw](#)

To: All Senate members

Subject: RGGI Regulation Abrogation

On October 3, 2019, Governor Wolf issued an executive order to unilaterally enter Pennsylvania into the Regional Greenhouse Gas Initiative (RGGI). Despite bipartisan objection from the General Assembly, the Department of Environmental Protection (DEP) and the Environmental Quality Board (EQB) promulgated rulemaking for a CO2 Budget Trading Program in the Commonwealth, creating a carbon tax on electric generation.

In 2023, the Commonwealth Court affirmed what we knew to be true, RGGI is a tax that has been imposed in violation of the Constitution. The Commonwealth's participation in RGGI may only be achieved through legislation duly enacted by the General Assembly and not merely through rulemaking promulgated by DEP and EQB.

Unfortunately, this ruling has been appealed to the Pennsylvania Supreme Court, and that appeal remains pending. The existence of continued litigation of the RGGI regulations, despite the clear reasoning of the Commonwealth Court – litigation which will likely take significant time to complete – further places family sustaining jobs at risk at a time when families already continue to feel the strain of inflationary pressure.

Since the announcement of Pennsylvania's entrance into RGGI, 19 coal-fired electric generating units (EGUs) have or are in the process of closing or converting to natural gas. If the threat of a carbon tax by joining RGGI continues, the remaining coal-fired EGUs would be forced to close instead of paying hundreds of millions in additional taxes. These closures would lead to the direct elimination of thousands of family sustaining jobs across the Commonwealth and millions in local and state tax revenues. The threat of RGGI has already caused irreversible damage and forced EGUs to prematurely close. Any carbon tax will ultimately be paid for by Pennsylvania residents and employers, and there is evidence to suggest that energy costs for consumers have already increased because the market is anticipating the burden of RGGI.

We have heard testimonies from the energy industry concerned with the rate of transition from thermal base load energy sources to so-called "clean energy." RGGI has only compounded these grid reliability issues and prevented the ability for any meaningful conversation on energy and environmental policy in Pennsylvania.

Pennsylvania residents and employers can no longer bear the threat of RGGI. We must finally close this tumultuous chapter and move forward to determine the best legislative solutions to foster greater energy independence, while ensuring the responsible development of our God-given natural resources. Last session, this legislation was Senate Bill 1058.

I urge you to join me in co-sponsoring this legislation to abrogate the CO2 Budget Trading Program regulation.



Introduced as [SB186](#)

Memo Updated: January 17, 2025 04:15 PM