

Appeals Court denies OG E's motion for rehearing on regional haze

Written by Australian Business

OKLAHOMA CITY, Oct. 31, 2013 /PRNewswire/ --The U.S. 10th Circuit Court of Appeals today denied petitions filed by Oklahoma Gas and Electric and

Oklahoma

Attorney General

Scott Pruitt

requesting a rehearing before the full 10-judge panel to determine if the Environmental Protection Agency (EPA) acted appropriately in rejecting the state of

Oklahoma's

plan to address visibility at national parks and wildlife areas. In July, a split, three-member panel ruled 2-1 that the EPA lawfully exercised its authority to impose a federally mandated plan on Oklahoma.

"We're very disappointed for our customers," said OG&E spokesman Paul Renfrow. "While we continue to weigh our legal options, including an appeal to the Supreme Court, the 10th

Circuit's decision makes it increasingly likely that our customers will be paying higher rates on their electric bills because of the sizeable investment needed to meet the regional haze requirements mandated by the EPA's plan."

Renfrow added that while the company has been challenging the EPA's federal implementation plan, it also has been studying plans to install emission control technology, or scrubbers, on its coal-fired power plants due to the time allowed for compliance in the EPA plan.

In the past, the Governor's office, state Attorney General, Oklahoma Corporation Commissioners, Oklahoma Department of Environmental Quality and other state leaders voiced opposition to the EPA plan saying that the state developed a plan that would be equally effective as costly scrubbers and cost far less. Fourteen other states also joined Oklahoma to oppose the EPA at the 10th

Circuit.

"We would like to express our appreciation to our state leaders and others for their efforts," Renfrow said. "We want to extend a special note of appreciation to Attorney General Pruitt for

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his tireless advocacy on behalf of Oklahoma's right to determine its own course to meet these new EPA requirements."

Instead of scrubbers, the Oklahoma plan called for use of low-sulfur coal and gives affected utilities in the state the flexibility of burning less coal and more natural gas on a timetable that achieves the goals of the Regional Haze rule while limiting the cost to customers. The Regional Haze Rule pertains to visibility in national parks and wilderness areas and not to public health.

OG&E is a subsidiary of OGE Energy Corp. (NYSE: [OGE](#)), and serves more than 800,000 customers in a service territory spanning 30,000 square miles in Oklahoma and western Arkansas

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