

November 4, 2009

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Chairman Boxer,

Thank you for taking this important step to advance climate legislation in the Senate and move the nation closer to adopting a comprehensive climate change and energy policy.

At a time when the country and the Congress face a number of pressing issues, the consideration of the Clean Energy Jobs and American Power Act is a reminder that climate change and energy legislation must remain a top priority for America. By crafting smart, responsible climate and energy policy, we can provide certainty for business, spur investments in new technology, enhance America's long-term economic competitiveness and security, and protect consumers.

The bill under consideration today includes several provisions that we believe are critical, including:

- Providing allowance value to electricity and natural gas consumers. This will be critical to ensuring that American energy consumers -- residential, commercial, industrial, agricultural, etc., -- are protected during the transition to a low carbon economy.
- Funding to accelerate the development and deployment of energy efficiency, coal with carbon capture and storage and renewable energy technologies.
- Workforce training to ensure the next generation of nuclear engineers, power plant operators, energy auditors, are ready and able to support the build out and maintenance of the new energy economy.
- Cost containment provisions, including phasing-in start dates for various sectors, significant domestic and international offsets, banking and multi-year compliance periods.

The Honorable Barbara Boxer

November 4, 2009

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- Recognition that a “price collar” will be necessary to reduce allowance-price volatility, provide predictability and guard against unsustainably high prices. We believe inclusion of a price collar that balances environmental integrity and price certainty is an important mechanism to protect consumers, compliance entities and the broader economy.

PG&E looks forward to working with all parties as the process moves through the Environment and Public Works Committee and on to the broader Senate to ensure passage of a bill that establishes a market-based system to cap carbon pollution, protects consumers and business, and puts a value on clean energy to incentivize new investments in technology and efficiency. We believe that taking action on energy and climate legislation and establishing balanced policies will strengthen our economy, enable us to responsibly lower greenhouse gas emissions, and accelerate much needed investment in the nation’s energy infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to be the name 'S' or 'S.', written in a cursive style.



National Venture Capital Association

November 5, 2009

**The Honorable Barbara Boxer
Chair, Senate Committee on Environment
and Public Works
508 Hart Senate Office Building
Washington, DC 20510**

Dear Chairman Boxer,

On behalf of the National Venture Capital Association, I would like to thank you for your leadership in the Senate on energy and environmental issues. As you are aware, the venture capital community is committed to investing in the clean tech industry and growing strong companies from the ground up in the energy, power management, and sustainability sectors. It is our fastest growing area of investment with nearly \$6 billion dollars invested in emerging companies since 2008.

The energy challenges that we face as a nation are daunting. If we are to meet our shared goals of energy independence, the reduction of harmful greenhouse gas emissions, and the creation of the next generation of high-tech and manufacturing jobs associated with the new "green economy," we must act expeditiously. Other countries are moving forward rapidly and our nation's innovation competitiveness on the energy front is at stake.

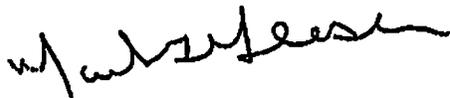
If the venture industry is to continue to invest confidently and consistently in clean technologies, strong signals of support from the government are necessary. Venture capitalists across the country are bringing companies to market in areas ranging from solar and wind to battery and energy storage to carbon sequestration and clean coal; even innovative nuclear advancements are being pursued. Yet, without the certainty that comes with Federal legislation supporting these sectors, our investment levels are at substantial risk.

We applaud the Kerry-Boxer bill, S 1733, the Clean Energy Jobs and American Power Act, and strongly support its passage out of the Environment and Public Works Committee. You have heard testimony from many witnesses, including the venture capital industry, in support of your efforts. We thank you for your commitment to move this process decidedly forward.

In the same manner that venture capitalists built companies and created jobs in the high-tech and biotechnology industries, we are now poised to replicate that innovative

economic growth in the cleantech sector. We are heartened by the fact that Congress recognizes the need for US leadership on these important energy and environmental issues and look forward to being part of the solution.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark G. Heesen". The signature is written in a cursive style with a prominent initial "M".

Mark G. Heesen
President



November 3, 2009

The Honorable Barbara Boxer
Chair
Senate Environment & Public Works Committee
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable James Inhofe
Ranking Member
Senate Environment & Public Works Committee
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Boxer and Ranking Member Inhofe:

On behalf of the nation's mayors, we strongly urge you and the members of the Environment and Public Works Committee to act promptly to approve S. 1733, The Clean Energy Jobs and American Power Act.

Since 2005, the Conference of Mayors has urged Congress to authorize a comprehensive climate protection plan, one that reduces our nation's greenhouse gas emissions, adapts to anticipated climate threats, transitions to greater use of renewable energy and cleaner energy supplies, increases commitments to energy conservation and efficiency, and enhances our economic security through the accelerated development of domestic energy sources and technologies. We believe that S. 1733 will achieve these outcomes.

This bill also will create millions of new jobs and businesses. According to our IHS Global Insight study, which looked at selected scenarios, 4.2 million new green jobs could be added to the U.S. economy by 2038 with green jobs representing 10 percent of all new jobs; the single largest source of new jobs in the economy. We believe this legislation, and other actions, will result in even higher job numbers and economic benefits.

This bill represents a new economic course for the nation. We are confident that this legislative commitment will move us forward towards a new green economy and leave the generations that follow with a safer, cleaner and more secure future. The time to act is now. The Clean Energy Jobs and American Power Act you have developed is the right direction at the right time.

Thank you very much for consideration. If you have any questions, please contact Judy Sheahan (202-861-6775) or Debra DeHaney Howard (202-861-6702) of my staff.

Sincerely,

A handwritten signature in black ink that reads "Tom Cochran".

Tom Cochran
CEO and Executive Director

John W. Rowe
President, Chairman and CEO

Exelon Corporation
P. O. Box 805398
Chicago, Illinois 60680-5398

November 4, 2009

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Madam Chairman:

I appreciate the courtesy you afforded me last week in inviting me to testify before the Committee. As I testified, Exelon supports passage of comprehensive legislation to address the greenhouse gas issue. We need an economy-wide bill with realistic targets and timetables, an effective cost-containment mechanism, and an allowance allocation mechanism that awards allowances to electricity delivery companies to prevent dramatic consumer rate increases. Without prompt action, our industry will be caught in a carbon purgatory: we will lack the certainty we need to make the large-scale investments in clean generation that are necessary to both keep the lights on and meet the challenges associated with climate change.

We have watched the events at the Committee this week with great interest. We are disappointed that the Committee has not been able to have a full debate, and consider amendments, to the pending bill. We believe the bill is an excellent starting point for discussion and debate but, as my testimony indicated, we would support amendments to it.

It now appears that the Committee is at an impasse and unable to muster the quorum necessary to consider amendments to the bill. The impasse should not be allowed to result in the bill being indefinitely stalled in Committee. In light of the impasse, we would urge you as Chairman, as well as your colleagues, to take the steps necessary to order the bill reported by the Committee so that climate legislation can be considered by the full Senate.

We look forward to working with you and your colleagues with the goal of securing passage of a comprehensive bill that will put us on the path to a low-carbon future.

Sincerely,





**ENVIRONMENTAL
ENTREPRENEURS**

www.e2.org

November 3, 2009

Chairman Barbara Boxer
Environment and Public Works Committee
410 Dirksen Senate Building
Washington, DC 20510

Dear Chairman Boxer:

As members of Environmental Entrepreneurs (E2), we want to express our strong support for your bill, the Clean Energy Jobs and American Power Act, and strongly urge the Senate Environment and Public Works Committee to pass this bill. Along with the core requirement to cap global warming emissions, we strongly endorse the allocation of allowance value to promote energy efficiency and renewable energy generation. These sectors are poised to expand significantly in response to federal carbon policy, driving economic growth and job creation in the U.S.

E2 represents a national community of 850 business leaders who promote strong environmental policy to grow the economy. We are entrepreneurs, investors and professionals who collectively manage over \$20 billion of venture capital and private equity, and have started well over 800 businesses which in turn have created over 400,000 jobs. We are committed to comprehensive climate and energy legislation as a means to bring about economic recovery while avoiding the systemic disruption threatened by global warming.

A mandatory cap on carbon pollution is the single most important policy our nation can adopt to move towards a clean energy economy. The cap targets in the Clean Energy Jobs and American Power Act will provide a strong signal to the market to develop low carbon technologies. Complementary energy policies are also necessary to ensure that the targets are met in the most cost-effective manner. A robust allocation of emission allowances to promote energy efficiency and renewable energy will be fundamental to effective expansion of these sectors.

Allowance allocations for renewable energy will generate continuous funding that is essential to encourage deployment of emerging technologies. Federal support of renewable energy through tax incentives has played a vital role in the growth of this sector to date. Moving forward, allocation investments will become even more important as we seek to scale up these resources to meet carbon reduction targets.

While it is critical to develop new domestic low carbon energy sources, energy efficiency remains the single most cost-effective way to increase productivity and decrease carbon pollution. Efficiency saves consumers and businesses billions of dollars on their energy bills, and creates jobs. Much of the enormous energy efficiency potential in this country remains untapped due to structural market barriers. The energy efficiency incentives in Clean Energy Jobs and American Power Act would help overcome these barriers and lower consumer and commercial energy bills.

The Clean Energy Jobs and American Power Act will promote the development of a new low carbon energy economy for America and provides a platform for economic growth and job generation in every region of the country. This bill represents the opportunity to re-deploy America's workforce, encourage business innovation, diversify our economic base and promote U.S. leadership in 21st century clean technologies. We thank you for your leadership on this critical issue and taking this important step toward enacting effective and sustainable climate and energy policy.

Sincerely,

Nicole Lederer
E2 Co-Founder

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NRG Energy, Inc.
211 Carnegie Center
Princeton, NJ 08540

Phone 609.524.4511
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David Crane
President & CEO

4 November 2009

The Honorable Barbara Boxer
The Committee on Environment & Public Works
United States Senate
401 Dirksen Senate Office Building
Washington, DC 20510-6175

Dear Chair Boxer:

One week ago I testified in your Committee regarding the urgent need for the Senate to process and pass a companion bill to HR 2454. As I did then, I continue to salute your leadership in beginning this critically important debate and process in the Senate. Please allow me to reiterate the urgency of this issue by underscoring several points I made in my testimony.

First, my company -- which is among the ten largest emitter of CO₂ in the US power sector -- needs well-crafted climate legislation from this Congress in order to be able to continue aggressively investing in the new nuclear, solar, CCS and biomass resources necessary to effectively decarbonize our fleet.

Second, we believe the power sector as a whole, along with the vast majority of all US businesses, needs the same certainty and carefully crafted legislation in order to plan and carry out our responsibilities in a way that is good for shareholders, for customers and for the environment. We especially need this legislation enacted before the EPA begins to regulate CO₂ under the Clean Air Act, which will necessarily be in a much more heavy handed, costly and uncertain manner than under a sensible comprehensive framework such as that of HR 2454. As you know, the EPA has made clear they intend to regulate CO₂ from power plants and other stationary sources, under existing Clean Air Act authorities, starting in the spring of 2010.

Third, we appreciate the efforts you have made to improve the House bill. However, we believe additional work and improvements are necessary, including:

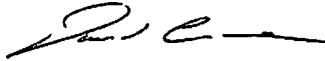
- Restoring the power sector allocations, including those for merchant coal, to at least the levels in the House bill, which in our view were at the bare minimum necessary for us to support passage of that bill, and at the bare minimum to allow the power sector -- whether merchant power companies or regulated utilities -- to aggressively invest capital in CCS, nuclear, and the most promising renewable technologies.

- Providing practical support for the nuclear renaissance that we believe is poised to happen and to provide the foundation for a new, ultra-low carbon power sector and transportation sector.
- Preventing EPA from doing more harm than good by starting to regulate CO2 under the existing Clean Air Act

These and other needed improvements will provide the certainty and framework urgently needed by US businesses as we attempt to chart a future for our customers, shareholders and employees. In our view, the best path forward is for legislation addressing these issues to continue to progress in a timely manner through the various Committees of jurisdiction and then, with oversight by the Majority Leader and with broad regional input and support, be crafted into a bi-partisan bill that will provide the certainty, incentives and transitional support the business community needs to successfully develop and deploy tomorrow's low- and no-carbon technologies, competitively and at scale.

We remain committed to working with the broad business community, environmental organizations, the Administration, and all members of the US Senate to achieve such legislation as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Crane", with a long horizontal flourish extending to the right.

David Crane

EXECUTIVE COMMITTEE

PRESIDENT

Kevin L. Shafor
Executive Director
Milwaukee Metropolitan
Sewerage District
Milwaukee, WI

VICE PRESIDENT

Jeff Theerman
Executive Director
Metropolitan St. Louis
Sewer District
Saint Louis, MO

TREASURER

David R. Williams
Director of Wastewater
East Bay Municipal
Utility District
Oakland, CA

SECRETARY

Suzanne E. Goss
Government Relations Specialist
JEA (Electric, Water & Sewer)
Jacksonville, FL

PAST PRESIDENT

Marian A. Orfeo
*Director of Planning
& Coordination*
Massachusetts Water
Resources Authority
Boston, MA

EXECUTIVE DIRECTOR

Ken Kirk

November 3, 2009

The Honorable Barbara Boxer
Chair
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

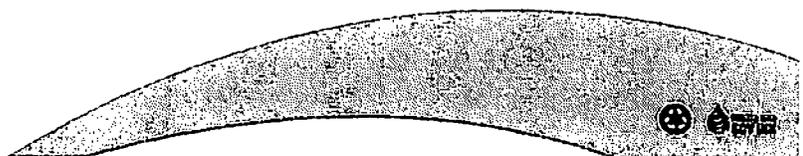
Dear Chairwoman Boxer:

On behalf of the National Association of Clean Water Agencies (NACWA), I am writing to thank you again for including provisions in S. 1733 to help address the challenges that climate change will pose to our nation's water, wastewater and stormwater utilities, and urge the Environment and Public Works Committee to pass the bill so that further action can occur in the Senate.

We believe that climate change is all about water: its most critical impacts will be on the hydrological system, including more severe droughts and floods of increased intensity, declining snowpack, varying stream flow patterns, aquifer level changes, increased saltwater intrusion and rising sea levels, among others. Though the exact effects of climate change on water resources are uncertain and will vary by region, wastewater treatment utilities charged with protecting public health and the environment can anticipate daunting challenges, as described in the joint NACWA-AMWA report *Confronting Climate Change: An Early Analysis of Water and Wastewater Adaptation Costs* (available at www.nacwa.org).

Reducing greenhouse gas (GHG) emissions to avoid devastating impacts to our water resources and the resulting stresses to our wastewater infrastructure is of paramount concern for NACWA's members. However, water systems must also have tools at hand to prepare for unavoidable climate impacts expected to occur over the coming decades - before the full benefits of emissions reductions are felt.

We support *The Clean Energy Jobs and American Power Act* because it provides for both mitigation of climate change's consequences and support for critical adaptation efforts. We particularly appreciate the inclusion of the Water System Mitigation and Adaptation Partnership program, which would establish a competitive grant program through which the nation's water, wastewater, and stormwater utilities can compete for funding to undertake projects to adapt their operations to climate change impacts.



November 3, 2009

Page 2 of 2

We support your goal of enacting this critical legislation this year. To that end, we encourage committee action on S. 1733 as quickly as possible. Thank you again for your leadership on this issue, and we look forward to continuing to work with you to advance and fund this important legislation's water resources provisions.

Sincerely,

A handwritten signature in black ink, appearing to read "K Kirk". The letters are cursive and somewhat stylized.

Ken Kirk
Executive Director



October 21, 2009

via Fax

The Honorable John Kerry
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Chairman Kerry and Chairman Boxer:

On behalf of the National Association of Clean Water Agencies (NACWA) and the California Association of Sanitary Agencies (CASA), thank you for including the *Water System Mitigation and Adaptation Partnerships* program within the *Clean Energy Jobs and American Power Act*. The nation's wastewater utilities will be among the first to feel the impacts of climate change, and this proposal will respond with competitive matching funds to assist in the design, planning, construction, and implementation of necessary climate change adaptation projects.

NACWA and CASA believe that climate change is all about water – either there will be more water in areas that are already water-rich or less water in areas that need it most. Under changing climate conditions, the nation's wastewater utilities will be on the frontlines in managing water resources to ensure that public health is protected and environmental goals are achieved. However, wastewater utilities already face daunting challenges in maintaining their systems in the face of aging infrastructure and increased population demands. For this reason, reducing greenhouse gas (GHG) emissions to avoid catastrophic climate change, devastating impacts to our water resources, and the resultant stresses to our wastewater infrastructure, is of paramount concern for NACWA's and CASA's members and is why we support comprehensive climate change legislation.

We are pleased that S. 1733 recognizes the unique challenges that climate change will pose to our nation's water, wastewater and stormwater utilities and includes provisions to help address those challenges. The *Water System Mitigation and Adaptation Partnerships* program would establish a competitive grant program through which the

nation's water, wastewater, and stormwater utilities will compete for funding to undertake projects to adapt their operations to these impacts. Eligible projects will include efforts to conserve water or increase the efficiency in its use, preserve or improve water quality, rebuild or relocate threatened infrastructure, protect sourcewaters and ecosystems, or implement advanced treatment technologies such as water reuse, recycling, and desalination. Additionally, water systems could use grant funds to increase their use of renewable energy or to conduct local-level analyses of future climate-related water resource challenges they will face.

Energy recovery efforts are increasingly becoming part of wastewater utilities core operations to reduce their GHG footprint and operating costs. Many utilities are recovering enough energy from their treatment processes to exceed internal demand thereby enabling them to offer inexpensive, renewable energy to the electric grid. We would like to continue to work with you to identify additional opportunities within S. 1733 to promote greater use of this renewable source of energy to assist our nation in becoming energy independent.

We support your goal of enacting comprehensive legislation to reduce GHG emissions this year. We appreciate that S. 1733 recognizes that water systems must have tools at hand to prepare for unavoidable climate impacts expected to occur over the coming decades – before the full benefits of emissions reductions are felt. The *Water System Mitigation and Adaptation Partnerships* program strengthens the *Clean Energy Jobs and American Power Act* by recognizing water resources adaptation as a critical component of a comprehensive climate change strategy.

Thank you again for your leadership on this issue, and we look forward to continuing to work with you to advance and fund the *Water System Mitigation and Adaptation Partnerships* program as part of the *Clean Energy Jobs and American Power Act*.

Sincerely,



Ken Kirk
Executive Director
National Association of Clean Water Agencies (NACWA)



Catherine Smith
Executive Director
California Association of Sewerage Agencies (CASA)

CC: The Honorable Richard G. Lugar
The Honorable James M. Inhofe



**GREEN
ALL**

BUILDING AN INCLUSIVE GREEN ECONOMY STRONG ENOUGH TO LIFT PEOPLE OUT OF POVERTY

November 2, 2009

The Honorable Barbara Boxer
Chairwoman
Environment & Public Works Committee
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairwoman Boxer:

On behalf of Green For All, a national organization that works to create broad access and opportunity in the clean-energy economy, I am writing this letter in support of the Clean Energy Jobs and American Power Act. This legislation is vital: It will jump start our struggling economy, create good green jobs, and put American industries at the global forefront of the burgeoning clean-energy sector.

We applaud your commitment to moving climate and energy legislation through the Senate at this critical moment. We encourage you and the Environment and Public Works Committee that you chair to mark up the strongest possible bill and report it out of the Committee.

In particular, I want to thank you for your inclusion of two provisions — the Green Construction Careers Demonstration Project, and funding for the Green Jobs Act. These provisions will make the promise of this new economy real for those workers and communities struggling the most in these tough times. As you mark up the bill, I urge you to maximize its job-creation potential by including a requirement that electric utilities use a significant percentage of the free allowance value they receive for cost-effective, energy-efficiency investments

Well-designed climate and energy legislation will not only help cut global-warming pollution and fuel the green economy. It will also ensure that America's clean-energy future provides equity and opportunity for all.

Thank you for your leadership on the development of this bill and your commitment to pass comprehensive climate and energy legislation in the Senate.

Most Sincerely,

Phaedra Ellis-Lamkins

Chief Executive Officer

Green For All

**Audubon • CARE USA • Ceres • Clean Water Action • Defenders of Wildlife •
Earthjustice • Environment America • Environmental Defense Fund •
League of Conservation Voters • National Wildlife Federation • Natural Resources
Defense Council • Operation Free • Oxfam America • Sierra Club • Student PIRGs •
The Wilderness Society • Union of Concerned Scientists • World Wildlife Fund**

November 2, 2009

Chairman Barbara Boxer
Environment and Public Works Committee
410 Dirksen Senate Building
Washington, DC 20510-6175

Dear Chairman Boxer:

The undersigned organizations thank Senators Kerry and Boxer for their leadership in developing the Clean Energy Jobs and American Power Act (S.1733), and strongly urge the Senate Environment and Public Works Committee to pass this bill.

A broad array of interests – including business, veteran, labor, sportsmen, faith, tribal, science and public health leaders – have come together in an unprecedented way to voice support for action on global warming. We strongly urge the Committee to pass the Clean Energy Jobs and American Power Act. We recognize that discussions need to occur in other committees, and with additional stakeholders, to ensure that a strong bill ultimately moves to the Senate floor combined with other strong clean energy measures. A vote to pass S.1733 out of committee is a vote to move the process forward in sending comprehensive climate and energy legislation to the President's desk.

America is at a crossroads: we can choose a future that creates clean energy jobs, reduces pollution, and ensures energy independence, or we can continue the 20th century energy policies that send many billions from American consumers' wallets to petro-dictators, and added 7 billion tons of heat-trapping pollutants to the atmosphere. On behalf of the millions of members and volunteers that our organizations represent, we urge you to take the clean energy path.

The keys to unlocking our clean energy future are placing a firm limit on carbon pollution and establishing strong clean energy standards. Companies across the country will respond with substantial investments in new renewable energy and efficiency projects and technologies that will create jobs, help drive the economic recovery, and bring low income workers and communities out of poverty and into our shared prosperity. If we reduce our pollution enough, not only can we avoid the most damaging and costly impacts of global warming, we also can ensure that clean energy investments will be made quickly – increasing our competitiveness in a global clean energy market that could reach nearly \$2 trillion in the next decade.

The urgency to act is clear and the need for strong leadership is paramount. We must put the United States on the path to significant emissions reductions, a stronger economy, and a new position of leadership in the global effort to stabilize our climate. Climate change is a global problem and requires a global solution. Progress toward the passage of domestic climate legislation will provide the President with the tools he needs to rebuild American leadership abroad and work towards a strong climate agreement.

Our environment, economy, and national security, and that of future generations, depends on the willingness of this Congress to work together - across both party and regional lines - to pass a strong energy and global warming bill at this critical moment in time.

Sincerely,

**Audubon
CARE USA
Ceres
Clean Water Action
Defenders of Wildlife
Earthjustice
Environment America
Environmental Defense Fund
League of Conservation Voters
National Wildlife Federation
Natural Resources Defense Council
Operation Free
Oxfam America
Sierra Club
Student PIRGs
The Wilderness Society
Union of Concerned Scientists
World Wildlife Fund**

CC: Environment and Public Works Committee Members



November 2, 2009

The Honorable Barbara Boxer
Chairman, Senate Committee on
Environment and Public Works
United States Senate
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable James Inhofe
Ranking Member, Senate Committee on
Environment and Public Works
United States Senate
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Boxer and Ranking Member Inhofe:

I write to express The Nature Conservancy's support for reporting from the Environment and Public Works Committee the Clean Energy Jobs and American Power Act (S.1733) as amended by the Chairman's Mark amendment released on October 30, 2009. Across the nation and world, The Nature Conservancy is already witnessing the harmful effects of climate change in the places that we strive to protect. We need to solve this problem now by reducing emissions, minimizing impacts and using the power of nature to help keep people, economies and natural systems healthy and secure.

S.1733 builds upon the progress made by the House last June when it passed its American Clean Energy and Security Act (ACES). Like ACES, S.1733 includes provisions to protect forests at home and abroad in order to lower the world's carbon dioxide emissions. We have recently offered further comment for the consideration of the Committee to help improve the domestic and international forest conservation provisions, reflecting our on-the-ground experience implementing forest carbon sequestration projects in the United States and around the world. The bill also would establish a framework to guide U.S. federal and state adaptation strategies, so that ecological systems and wildlife can survive the impacts of climate change and continue to provide human communities with the food, water, shelter and income on which they rely. S. 1733 also provides critically needed assistance to increase the resilience of communities and ecosystems in developing countries to climate change impacts. We are grateful for the leadership and collaboration demonstrated by several Members of the Committee in shaping these adaptation provisions in the legislation.

We are also pleased that S. 1733 would establish by 2020 an emissions cap that represents a 20 percent reduction from 2005 carbon dioxide emission levels. The science is clear: If we are to succeed in protecting our country's lands, waters, and way of life, the U.S. and other nations should commit to the strongest economically achievable emission reductions over the next decade. Fortunately, the emission reductions in this bill build on other recent actions that will enable the economy to grow while directing investment toward low-carbon energy opportunities.

We appreciate Chairman Boxer's efforts to bring S. 1733 to mark-up in Committee. We look forward to the engagement of additional Senate committees in further shaping climate and energy legislation, and we call upon all Senators to move as quickly as possible to help enact a successful and constructive legislative approach to this critical issue.

We are at a unique time in history. With Senate leadership committed towards achieving consensus and progress, the U.S. can seize the opportunity to provide global leadership in protecting our natural world for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Bendick". The signature is written in a cursive, flowing style.

**Robert Bendick
Director, US Government Relations**



**THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA**

Office of the Board of Directors

October 28, 2009

**The Honorable John Kerry
Chairman
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510**

**The Honorable Barbara Boxer
Chairwoman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510**

Dear Chairman Kerry and Chairwoman Boxer:

As the largest provider of drinking water in the United States, the Metropolitan Water District of Southern California (Metropolitan) greatly appreciates your efforts to support conservation and water management in the "Clean Energy Jobs and American Power Act", S.1733. This legislation clearly recognizes the important link between climate change and our nation's water resources, which is vital to the 19 million residents in Southern California we serve.

To this end, Metropolitan strongly supports the following provisions:

Subtitle D: "WaterSense", authorizing the EPA water conservation and efficiency program. This program should have the same positive impact on reducing water use as the EnergyStar program has had on energy use and appliance manufacturers.

Section 211: "Effects of Climate Change on Drinking Water Utilities", will provide crucial information for water managers to use in planning for the impacts of climate change.

Section 381: "Water System Mitigation and Adaptation Partnership Program", this competitive program will help water agencies finance water conservation projects, irrigation efficiency measures, water recycling projects and other initiatives designed to improve water systems resiliency to climate change.

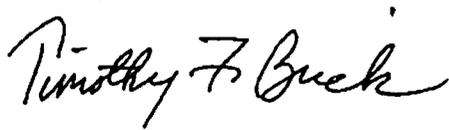
Climate change is considered to be the primary cause of the continuing drought conditions in Southern California, other regions of the country and throughout the world. With the increase in population and the impacts caused because of climate change, water conservation is a tool that must be utilized by all to sustain this precious resource. S.1733, and specifically Subtitle D and sections 211 and 381, will enable Metropolitan and other water agencies to develop planning

The Honorable John Kerry
The Honorable Barbara Boxer
October 28, 2009
Page Two

principles that will substantially help address the challenges of global climate change in terms of clean, renewable and sustainable methods to deliver safe and reliable drinking water.

Metropolitan applauds your leadership on this important issue and looks forward to working with you toward the enactment of this legislation in the 111th Congress.

Sincerely,

A handwritten signature in black ink that reads "Timothy F. Brick". The signature is written in a cursive style with a prominent initial 'T' and 'B'.

Timothy F. Brick
Chairman of the Board



NATURAL RESOURCES DEFENSE COUNCIL

November 2, 2009

Dear Chairman Boxer and Members of the Environment and Public Works Committee;

On behalf of our more than one million members and online activists, I thank you for crafting critically important climate legislation, the Clean Energy Jobs and American Power Act, that will curb global warming emissions and put our country on the path to a clean energy future.

This bill combines standards and incentives in a powerful clean energy package:

- The bill sets a firm limit on carbon dioxide and other heat-trapping emissions, gradually cutting global warming pollution 20 percent by 2020, 42 percent by 2030, and 83 percent by 2050, compared to 2005 levels.
- The bill includes additional emission standards to cut carbon pollution from power plants, vehicles, and other industries.
- The bill's allowances will be used to meet public objectives: protecting consumers, preserving and creating jobs, deploying renewable energy and energy efficiency technologies, cutting more carbon emissions, and coping with climate change impacts.

While the legislation builds on today's Clean Air Act, adding a new program to limit overall carbon pollution, it maintains the Act's existing tools for reducing global warming pollution. Furthermore, to assure stable markets, the bill creates a large reserve of emissions allowances that can flow into the marketplace if unexpected carbon price spikes take place. This reserve provides security against market volatility.

The Clean Energy Jobs and American Power Act includes the major policies needed to generate millions of jobs, help break our dependence on oil, and reduce the pollution that causes global warming. This strong foundation would be further strengthened by addressing the improvements identified in our October 29th testimony and we look forward to working with the Committee and the Senate to ensure these important measures are included in final legislation.

We strongly urge the Committee to pass the Clean Energy Jobs and American Power Act, which will set us on the right path to a clean energy future.

Sincerely,

Frances G. Beinecke, President

BICEP Business for Innovative
Climate & Energy Policy
a project of  **Ceres**



November 4, 2009

The Honorable Barbara Boxer
Chair, Senate Environment & Public Works Committee
410 Dirksen Senate Building
Washington, DC 20510-6175

Dear Chairwoman Boxer:

We thank you and Senator Kerry for your leadership in developing the Clean Energy Jobs and American Power Act (S.1733), and urge you and the EPW Committee to pass this bill out of Committee expeditiously, so it can move forward to the next stages of the Senate and Congressional processes.

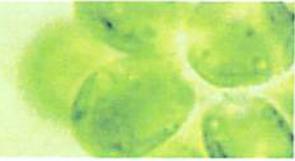
We recognize that discussions need to occur in other committees, and with additional stakeholders, to ensure that a strong bill ultimately moves to the Senate floor combined with other strong clean energy measures. A vote to pass S.1733 out of Committee is a significant step in helping to move the process forward and ultimately send a comprehensive climate and energy bill to the President for signature into law.

Enacting strong climate and energy legislation is critical to help generate jobs, create market certainty, and reduce the harmful impacts of climate change that the latest science predicts. More jobs are being and will be created in the clean energy sector than in any other. By passing this bill out of Committee, and ultimately having the U.S. adopt and enact such critical legislation, companies across the country will respond with substantial investments in new renewable energy and efficiency projects and technologies that will create jobs, and help drive the economic recovery. We must act now to reduce the most harmful projected impacts of climate change; of course, we acknowledge that other major emitting countries must act, as well. However, the costs of inaction far outweigh the costs of action.

The urgency to act is clear and the need for strong leadership is paramount. We must put the United States on the path to significant emissions reductions, a stronger economy, and a new position of leadership in the global effort to stabilize our climate. Our environment, economy, and national security, and that of future generations, depends on the willingness of this Congress to work together – across both party and regional lines – to pass strong, comprehensive energy and climate legislation as soon as possible. By passing this bill out of your Committee, we will be one step closer to this goal. Thank you again for your leadership on this vital issue.

Sincerely,

Mindy S. Lubber
President, Ceres



October 29, 2009

The Honorable Barbara Boxer, Chairman
Committee on Environment and Public Works
U.S. Senate
Washington, DC 20510

Dear Senator Boxer:

We commend you for including in S. 1733 a provision that reforms the Renewable Fuel Standard by placing all advanced green biofuels on equal footing, and provides resources to accelerate the development of these fuels.

Our algae-based biofuel will meet the criteria for advanced green biofuels. We have a low life-cycle carbon cost because our algae actually utilize carbon dioxide. Meanwhile, we do not depend on farm land, fertilizer, or fresh water resources. Our target is to produce ethanol that is cost-competitive with both corn-based ethanol and gasoline made from fossil fuels. Because our inputs are so naturally plentiful we hope to supply the U.S. with billions of gallons of fuel per year.

Your provision, Section 166, means that for the first time we will be able to compete directly with cellulosic-based fuels. We believe that this new competition is just what America needs to develop an array of advanced green biofuels at economic prices. Moreover, by allowing us to compete commercially, Section 166 will also help our technology compete in the financial markets. We are optimistic that this will spur the investment we need to help move our country to a greener, energy-secure economy.

We stand ready to work with you to see this provision enacted as soon as possible.

Thank you very much.

Sincerely,

A handwritten signature in blue ink that reads "Paul Woods".

Paul Woods
Chief Executive Officer
Algenol Biofuels Inc.



November 4, 2009

The Honorable Barbara Boxer, Chairman
Senate Committee on Environment & Public Works

The Honorable John Kerry, Chairman
Senate Committee on Foreign Relations

Re: Support for the Clean Energy Jobs and American Power Act

Dear Chairman Boxer and Chairman Kerry:

On behalf of the hundreds of local government leaders across America working with Climate Communities, we write to express strong support for the Clean Energy Jobs and American Power Act. This landmark legislation will enable America to create millions of new clean energy jobs, reduce our dependence on foreign oil and decrease harmful greenhouse gas emissions.

Your legislation recognizes the critical role local governments play in promoting a clean energy economy and combating climate change by providing resources for local energy efficiency, renewable energy, clean transportation, sustainable economic development, and adaptation programs. By providing carbon allowances to the Energy Efficiency and Conservation Block Grants, your legislation underscores the importance of providing direct resources to America's cities and counties.

A reliable, ongoing revenue stream is essential, if local governments are to have the resources necessary to retain and expand these critical programs, including (1) green building codes; (2) low cost financing of home energy retrofits; (3) community-scale renewable energy projects; (4) land use and transportation planning that reduces vehicle miles travelled; (5) public transportation; (6) sustainable economic development in distressed communities; and (7) planning to protect communities and local infrastructure from rising sea levels, drought, flooding, wildfires, and other impacts of climate change.

More than 430 local elected leaders in 41 states have endorsed the Climate Communities / ICLEI USA blueprint, "Empowering Local Government Climate Action – Blueprint for President Obama and the 111th Congress," calling for a federal climate policy that creates strong partnership between local governments and our federal and state partners. See www.climatecommunities.us for the blueprint and list of supporting local officials.

We commend you for your leadership and look forward to working with you to advance this legislation, which is so important to the future of our nation. If you have questions or want more information, please contact Climate Communities Executive Director Ken Brown at (202) 261-6011 or ken@climatecommunities.us.

Sincerely,



Supervisor Roger Dickinson
Sacramento County, CA
Climate Communities Co-Chair



Councilmember Larry Phillips
King County, WA
Climate Communities Co-Chair

ON BEHALF OF THE CLIMATE COMMUNITIES EXECUTIVE COMMITTEE

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klaw@lipa.org

Kevin S. Law
President & Chief Executive Officer

November 5, 2009

Chairman Barbara Boxer
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington D.C., 20510

Dear Chairman Boxer:

Thank you again for the opportunity to testify in front of the Environment and Public Works Committee on October 28th and to share the story of the Long Island Power Authority (LIPA) and New York State. I write today to reiterate my support the Clean Energy Jobs and American Power Act (CEJAPA). This is an important piece of legislation that will spur a new clean energy economy, diversify our energy portfolio with more renewables, create clean energy jobs, reduce greenhouse gases, and wean ourselves off our dependence on fossil fuel.

LIPA is the second largest public power company in the country, serving 1.1 million customers and a population of nearly 3 million people in Nassau and Suffolk Counties and parts of New York City. As you now know, LIPA is already operating with great success under programs to reduce greenhouse gases and is developing a clean energy economy. But while New York and other states have taken action at the state level, it does not diminish the need for action at the federal level. CEJAPA has the potential to build a 21st century clean energy economy for our country. While the legislation addresses global warming, it also makes important investments in energy efficiency and renewables like the efforts being undertaken at LIPA. LIPA supports your efforts to enact comprehensive climate change and energy legislation while balancing that with the financial impact on consumers and providing workable timelines for emissions reductions.

I look forward to working with you on this clean energy and climate change legislation and other critical energy challenges facing our nation. If you have any questions, please feel free to contact me at (516) 719-9898.

Sincerely,

A handwritten signature in black ink that reads "Kevin S. Law". The signature is written in a cursive, flowing style.

Kevin S. Law

November 3, 2009

The Honorable Barbara Boxer
United States Senate
Washington, DC 20510

Dear Chairman Boxer:

We are writing to thank you for your leadership in introducing the Clean Energy Jobs and American Power Act (S. 1733) bill, and to urge you to move forward this week with efforts to advance this legislation through the Environment and Public Works Committee. Given the magnitude of problems associated with climate change and our country's dependence on oil, we believe that advancing this legislation is critical to putting us on the path to a cleaner energy future.

As a large and diverse coalition dedicated to advancing a more sustainable transportation system, we believe that S. 1733 is one of the most important steps toward this end. We are very supportive and grateful for your inclusion of Sections 112 and 113 in the bill, which will help states and regions reduce greenhouse gas emissions from the transportation sector. These sections will help provide Americans with cleaner, more affordable transportation choices, as well as create green jobs and improve air quality.

Again, we thank you for your leadership on this critical issue, and we look forward to working with you to pass S. 1733 through the Senate.

Sincerely,

James Corless
Director



**AMERICAN
PUBLIC
TRANSPORTATION
ASSOCIATION**

October 1, 2009

The Honorable Barbara Boxer
Senate Committee on Environment
and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable John Kerry
Senate Committee on Foreign Relations
450 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Boxer and Chairman Kerry:

On behalf of the American Public Transportation Association (APTA) and its 1,500 member organizations, I write to express strong support for your efforts to move our nation toward a vibrant clean energy economy while controlling global warming. The "Clean Energy Jobs and American Power Act" outlines a strong plan to reduce greenhouse gas emissions (GHG) and petroleum consumption within our transportation system, a much-needed element in energy and climate legislation. The transportation sector is responsible for 28 percent of GHG emissions in the United States, and growth in transportation emissions accounted for almost one-half of the increase in total U.S. GHGs between 1990 and 2006. Transportation is also responsible for nearly 70 percent of our oil consumption.

APTA strongly endorses the bill's prospective funding to expand and improve public transportation service throughout the country. Transit use last year prevented the release of more than 37 million metric tonnes of carbon dioxide. Direct investment in public transportation expands travel options, produces both near-term and long-term emission savings, and prevents future disruptions in service. The bill also creates a competitive multi-modal program to fund transportation projects identified by new regional and state planning efforts to reduce vehicular emissions. This program could advance significant projects such as light-rail systems, bus-rapid-transit (BRT) installations, and subway extensions that improve land-use, spur private investment and significantly reduce transportation-related emissions in metropolitan areas.

We strongly urge to you provide robust funding for transit and transportation investment in future versions of the "Clean Energy Jobs and American Power Act." In addition to benefiting the environment, these investments will be a significant source of employment. Every \$1 billion invested in federally aided public transportation capital projects supports approximately 30,000 jobs.

Thank you for your continued support of public transportation. We look forward to working with you to advance this vital legislation.

Sincerely yours,

William Millar
President

WM/tjj

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**THE HUMANE SOCIETY
OF THE UNITED STATES**

October 26, 2009

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The Honorable Barbara Boxer
Chairwoman
Senate Environment and Public Works Committee
Washington, D.C. 20510

Dear Madame Chair:

On behalf of our organization's 11 million supporters nationwide, I am writing to commend you for introducing the Clean Energy Jobs and American Power Act (S. 1733) with Senator Kerry, and for your leadership in holding hearings and moving your committee to markup of this urgent legislation.

Climate change poses a major long-term threat to all animals. The risks that polar bears and seals face from shrinking ice caps are just high-profile examples of dangers facing all animals from habitat degradation and increasingly severe and frequent disasters, such as floods and hurricanes. I am enclosing for background our organization's position statement on climate change, which provides additional detail on the consequences for animals. These changes are likely to result if we do not take immediate policy steps to address global warming.

At the beginning of December, when U.S. officials will sit down with leaders of many other countries in Copenhagen to try to reach an agreement on how to meet this global challenge, the stakes couldn't be higher. The rest of the world will be looking to the United States. Will we help lead the way forward to resolve this crisis or will we continue to drag our feet and provide other nations with an excuse for inaction?

Your legislation is a vital step forward, which goes further to address climate change than the bill passed by the House earlier this year. S. 1733 calls for more meaningful cuts in greenhouse gas emissions and protects EPA's authority to regulate major polluters. Before the U.S. delegation leaves for Copenhagen, we urge the Senate to take strong and swift action needed to address this crisis by supporting your bill.

Thank you for your leadership and vision.

Sincerely,

Wayne Pacelle

Wayne Pacelle
President & CEO
The Humane Society of the United States

Cc: Members of the Senate Environment and Public Works Committee

Celebrating Animals | Confronting Cruelty



THE
PEW
ENVIRONMENT GROUP

The Honorable Barbara Boxer
Chair
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Senator Boxer:

We are writing to urge expeditious action on S. 1733, the Clean Energy Jobs and American Power Act (CEJAPA), which you introduced in September along with Senator John Kerry. It is time for far-sighted U.S. action to prevent catastrophic global warming, and for the United States to put in place the policies and investments needed to innovate and compete in the rapidly emerging global clean energy economy.

As extensive hearings have made clear throughout this year, the ideas and initiatives represented in S. 1733 will advance the long-term economic, energy, environmental and national security interests of the American people. While other committees are also likely to act on provisions of what will be a final legislative package, your bill brings us one step closer to:

- creating jobs and reviving domestic manufacturing of clean energy services and products that the world wants and needs;
- strengthening U.S. energy independence;
- advancing America's international reputation and national security; and
- protecting the climate system on which our lives and civilizations depend.

Enactment of the legislation will help transform the U.S. economy by creating whole new industries and jobs: workers manufacturing new solar and wind energy products; electricians and construction workers helping to install energy efficient and renewable energy goods and services; steel and auto workers manufacturing clean cars; scientists and engineers creating new hybrid batteries and carbon capture and sequestration technologies. These clean energy industries are rapidly expanding around the world. Despite having invented many of the original technologies in the U.S., international competitors are now capturing more and more manufacturing and market share. With rapid enactment of S. 1733, we can reverse this trend and regain our competitive advantage.

Passage of CEJAPA is also badly needed as a means of providing states with the investment capital they need to become more energy efficient, harness renewable energy, and create cleaner transportation systems and the jobs that will accompany those investments.

This legislation will also make the United States more energy secure. The U.S. imports almost 60% of the oil it consumes. After 30 years of delay, we must once and for all reduce our dependence on energy imported from unstable regions and rogue regimes. S. 1733 will help renew efforts to advance U.S. energy independence through savings, development of domestic renewable energy and natural gas, and by enabling the capture of carbon emissions associated with use of our abundant coal reserves.

We applaud the attention you have given to the national security ramifications of continued global climate change. Your hearings throughout this year have highlighted the significant impacts that global warming is likely to have on fragile states, resource conflicts and humanitarian emergencies, resulting in increased roles and broader missions for the men and women of the U.S. military.

Addressing the global climate challenge is among the great generational responsibilities of the early 21st century. It is also one of our greatest economic opportunities. Nations all over the world realize they must adopt clean new technologies and processes. America's ability to compete and win in the emerging global clean energy economy cannot be delayed and hamstrung any longer. Mark-up of the Clean Energy Jobs and American Power Act will advance the legislative process and put us on a path to make the United States more prosperous, clean and secure.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis Cuttino". The signature is fluid and cursive, with the first name "Phyllis" written in a larger, more prominent script than the last name "Cuttino".

Phyllis Cuttino, Director, Global Warming Program
Pew Environment Group
pcuttino@pewtrusts.org
202-887-8867