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Good afternoon. My name is Greg Wannier, and I am an attorney at the Sierra Club specializing in grid reliability issues. Thank you to Ranking Members Whitehouse and Heinrich for holding this hearing and inviting me to talk about this important issue.

Section 202c of the Federal Power Act allows the Department of Energy to issue orders ensuring that power facilities operate during crises that threaten our national power grid. In previous administrations, this authority has been used sparingly by presidents of both parties to save lives during winter storms, hurricanes, and other large-scale disruptions. These administrations worked with states and regional grid operators, issuing orders only when called upon and only for a few days or even hours at a time.

Unfortunately, in the past ten months, the Trump administration has twisted the use of this emergency authority beyond all recognition. Secretary Wright has issued thirteen 90-day orders to six old, expensive power plants on the eve of each of their planned retirements, forcing them to remain operational, and has said that more are on their way. Not one of these orders was requested by the relevant plant owner, grid operator, or state or regional regulator whose responsibility it is to keep the lights on. To the contrary, those same grid-responsible entities had already determined that the plants could retire without destabilizing the grid, and in many cases had linked retirement of the power plants with construction plans for cheaper and cleaner replacements.

The coal sector is in decline because it is incredibly expensive to create electricity by burning coal. This economic reality, along with rapidly developing cheap and clean energy technologies and an influx of natural gas, has led to a rapid transition in the industry, with 330 coal plants retiring or converting in the past 15 years. When Secretary Wright issues a Section 202c order forcing a coal plant to remain operational, he is forcing that plant owner to spend tens of millions of dollars on a facility that no longer provides economic value. And his solution to that problem is to tell those owners to recover their losses from ratepayers. That means American households already strained by high energy prices are being asked to foot the bill for these orders.

Sierra Club has years of experience evaluating coal plant costs and has created a tracker to help the public understand the real costs these orders impose on ratepayers. We created a visual aid showing the states that will be impacted: in our best estimate, the thirteen 202c orders issued so far have already cost ratepayers in those states over 230 million dollars.



Burning coal also emits huge quantities of air and water toxins that harm nearby communities. Coal plant operations have been linked with higher rates of asthma, heart disease, neurological issues, and premature death, with children, older adults, and people with pre-existing health conditions particularly impacted. Preliminary analysis from the Clean Air Task Force, using EPA's health impact model, estimates that exposure to air pollution from running the facilities DOE has targeted so far results in the loss of 143 lives each year.

I will close by noting the disruptive effect of these orders on long-term grid planning efforts. The plant owners that are subject to these orders have no way of knowing how long the orders will continue, and no way to commence with site redevelopment, plant conversions, or any other resource investment plans that are far better suited to ensuring the long-term stability of the grid. In other words, the Trump administration's interventions are likely putting the grid at greater risk, even as they claim to do the opposite.

Thank you again for the opportunity to speak today; I am happy to answer any further questions you may have on this topic.