



US Federal Policy Affecting the Biogas Industry

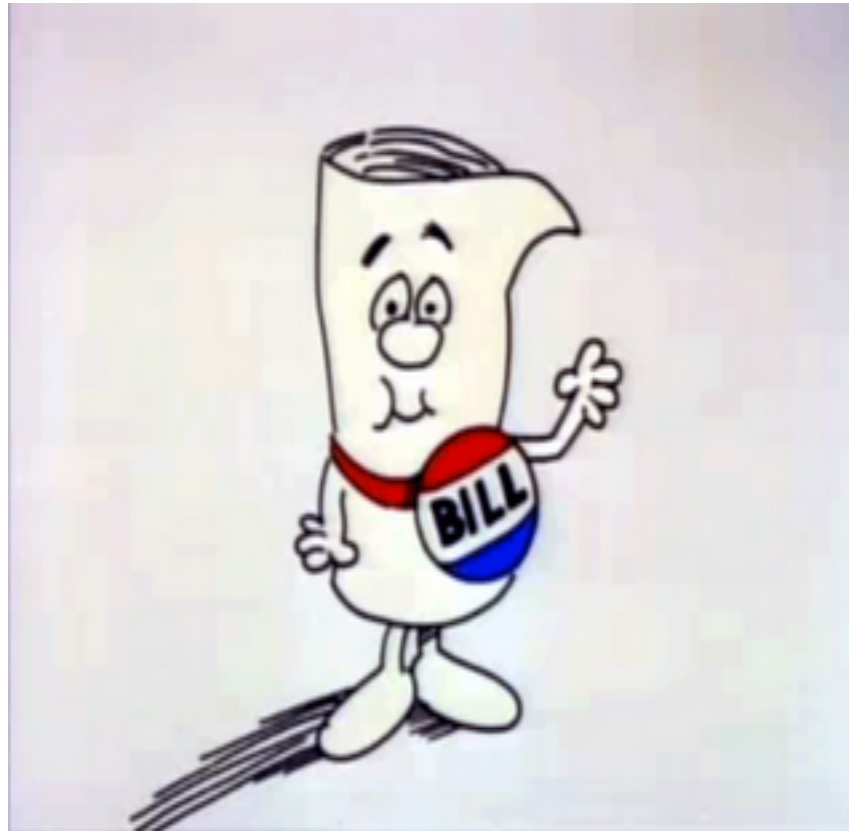
Date: October 4, 2012

The Four Phases of Policy



Legislative	Initial Regulation	Regulatory Changes	Litigation
<ul style="list-style-type: none"> •Identify policy issue •Draft language •Identify committees •Identify sponsors •Drive constituents and supporters to sponsors •Drive sponsors to committees •Marker bill •Find legislative vehicle 	<ul style="list-style-type: none"> •Law will usually call for regs to be created •Agency will announce proposed regs •Prepare comments •Monitor rulemaking •Push for regs which are appropriate for industry •Receive and analyze final regs 	<ul style="list-style-type: none"> •Regs are reviewed and updated periodically •Some regs require annual changes (RFS) •Fine tuning can be done with Agency •Major changes need to be legislative •Work <u>with</u> Agency to make sure changes get desired result 	<ul style="list-style-type: none"> •Lawsuits almost always follow regs •Sometimes regs are suspended or delayed •Sometimes regs are changed to deflate lawsuits, by Agency or Congress •Sometimes Federal Courts change the game (EPA GHG)

What does the introduction of a bill really mean?



112TH CONGRESS
1ST SESSION

S. 1491

To amend the Public Utility Regulatory Policies Act of 1978 to expand the electric rate-setting authority of States.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Public Utility Regulatory Policies Act of 1978 to expand the electric rate-setting authority of States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “PURPA’s Legislative
5 Upgrade to State Authority Act” or “PURPA PLUS
6 Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

9 (1) section 210 of the Public Utility Regulatory
10 Policies Act of 1978 (16 U.S.C. 824a-3)—

- **Biogas ITC**
- **NATGAS Act**
- **Protecting the RFS**
- **Farm Bill**
- **Long Term**

- **Department of Defense**
- **Department of Energy**
- **USDA**
- **EPA**
 - **Renewable Fuels Standard**
 - **Biogenic Carbon Dioxide**



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