

City Joins Suit Against 5 Power Companies

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New York City officials, evoking an apocalyptic vision of Manhattan's tunnels flooded and Kennedy Airport under water, joined a federal suit brought yesterday by New York and seven other states against five of the country's largest power companies in an effort to curb global warming.

New York was the only city to join the suit, which was brought by states dissatisfied with the Bush administration's policies on controlling emissions of carbon dioxide, a greenhouse gas that has been linked to the significant warming of the earth in recent decades.

Painting a scenario that could have come from "The Day After Tomorrow," the city's top lawyer, Michael A. Cardozo, detailed the "extraordinary impact" he said global warming could one day have on New York. It could bring a sharp increases in asthma cases, he said, as well as erosion of beaches in Queens and the Bronx and flooding of Staten Island wetlands.

"And it can mean, to put this most dramatically, flooding of the Holland and Lincoln Tunnels and on the landing strips at La Guardia and Kennedy Airports," Mr. Cardozo said.

While city officials did not suggest that any of those calamities were imminent, they accepted Attorney General Eliot Spitzer's view that the scientific evidence was "rock solid" that carbon dioxide concentrations contributed to global warming.

Mayor Michael R. Bloomberg decided to participate in the suit - a clear challenge to President Bush's approach to pollution control - because he believes that the city should not delay action on the issue, Mr. Cardozo said.

The companies named in the suit, which was filed in Federal District Court in Manhattan, are the American Electric Power Company, the Southern Company, the Tennessee Valley Authority, Xcel Energy and the Cinergy Corporation. The other states participating are Connecticut, New Jersey, Rhode Island, Vermont, Wisconsin, Iowa and California. The companies, the largest emitters of carbon dioxide in the United States, do not, for the most part, operate in the Northeast. The suit is the first by local governments to try to force companies outside their jurisdictions to curb carbon dioxide emissions.

The companies condemned the suit yesterday, accusing the attorneys general of the eight states of trying to dictate federal pollution policy and punish a small group of utilities for a worldwide problem.

"We view this simply as an effort to legislate through litigation rather than pursuing standards through Congress," said Steven Brash, a spokesman for Cinergy, which is based in Cincinnati.

The lawsuit divided environmental groups, dismaying some who had been working with big power companies, including several of the defendants, to get them to reduce emissions. Representatives of several groups said the suit erred by lumping the companies together, regardless of whether they had made efforts to curb carbon dioxide.

American Electric Power, while long criticized for its sooty pollution, has gained praise from environmentalists for its commitments to cut emissions. Eileen Claussen, the president of the Pew Center on Global Climate Change, which has worked with the company, called the suit "slightly perverse."

"Of course we need a national program and of course we need some legislation," she said. "The real question is, does this help you get there? It's not clear to me that this lawsuit will help."

In a new approach, the suit charges that the utilities are creating a "public nuisance," global warming, that harms residents in the states bringing the action. The suit seeks a court order requiring the companies to reduce their emissions by at least 3 percent per year for 10 years, said Richard Blumenthal, the Connecticut attorney general. No monetary damages are sought.

"We're here because the federal government has abdicated its responsibility and has in fact resisted our court action," Mr. Blumenthal said.

During his 2000 campaign, Mr. Bush promised to restrict carbon dioxide emissions from power plants, but abandoned that pledge early in his term. The Bush administration has called for voluntary measures to slow the growth of emissions.

Most scientists now agree that most of a decades-long warming trend is caused by rising atmospheric concentrations of carbon dioxide and other greenhouse gases. Yet scientific projections of the possible local impacts have remained laced with caveats.

One of the hardest things to predict is the potential impact of shifting climate conditions on health. In a 2001 report, for example, the National Research Council of the National Academies said projections of health impacts were "highly uncertain."