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To curb global warming, eight states and New York City vow to sue nation's largest power companies

By MARK JOHNSON, Associated Press Writer

ALBANY, N.Y.

Attorneys general from eight states and New York City are stepping into the debate over global climate change, vowing to force the nation's largest power companies to cut their carbon dioxide emissions.

Officials from California, Connecticut, Iowa, New Jersey, New York, Rhode Island, Vermont and Wisconsin, along with New York City's corporation counsel, were to file a public nuisance lawsuit Wednesday in federal district court in Manhattan.

They are trying to pressure five power producers - American Electric Power Co., Southern Co., Xcel Energy Inc., Cinergy Corp. and the federal Tennessee Valley Authority - to clean up their emissions and help curb global warming.

The states that are suing claim those power producers own 174 fossil fuel-burning power plants that produce 646 million tons of carbon dioxide annually - about 10 percent of the nation's total.

The attorneys general claim greenhouse gases like carbon dioxide could have catastrophic effects, including increased asthma and heat-related illness, depletion of drinking water supplies, a decline in fisheries and erosion of infrastructure.

Marc Violette, a spokesman for New York Attorney General Eliot Spitzer, declined to comment Tuesday on details but said the lawsuit would, "for the first time, put global warming on the litigation map."

"This is a precedent-setting, first-of-its-kind lawsuit," he said.

Scott Segal, director of the Washington, D.C.-based Electric Reliability Coordinating Council, a group that includes Atlanta-based Southern, criticized

the lawsuit for trying to hold individual companies responsible for global climate change.

"If you gave the facts of global climate change to a first-year law student, and they recommended a public nuisance case, they would get an 'F,'" Segal said. "The idea that any one company's emissions are responsible for global climate change is more political science than environmental science."

Jeffrey Marks, with the National Association of Manufacturers, which represents AEP, Southern and Cincinnati-based Cinergy, said regulating carbon dioxide emissions would severely depress the U.S. economy, limit the use of fossil fuels, and hinder environmental improvements.

Pat Hemlepp, a spokesman for Columbus, Ohio-based AEP, agreed, saying, "A lawsuit is not a constructive way to deal with climate change. There is nothing one company, five companies, or one country can do to resolve global warming. It will require a global commitment including developing nations."