



ATTORNEY GENERAL GEORGE JEPSEN

(The U.S. Supreme Court heard arguments today in AEP v. Conn, an environmental case brought by the states of Connecticut, New York, California, Iowa, Rhode Island, Vermont and the City of New York. It was argued for the states by New York Solicitor General Barbara Underwood)

TUESDAY APRIL 19, 2011

For immediate release

STATEMENT BY ATTORNEY GENERAL GEORGE JEPSEN:

As Attorney General, I am charged with protecting the public health and welfare of Connecticut citizens in environmental matters. This important case is an effort to do just that. This case is against the five largest power-producing emitters of carbon dioxide in the United States: American Electric Power Company, Inc. and AEP Service Corp., The Southern Company, Tennessee Valley Authority, Xcel Energy and Cinergy Corp. Together, their emissions represent 10 percent of all carbon dioxide emissions in the United States and approximately 25 percent of the carbon dioxide emissions of the U.S. electric power sector.

Connecticut, and the sister states who have joined us, took this action because we cannot stand idly by while carbon dioxide continues to be emitted without any controls. There are still no controls on climate change emissions from power producers and until the Environmental Protection Agency acts, and those regulations are effective, tort law can provide a remedy.

This case is based on the federal common law of public nuisance. It has been used successfully by other states to challenge water pollution and air pollution. We are acting to challenge unreasonable and harmful emissions of carbon dioxide, which are having an impact on our property and our environment. That impact has far reaching implications, not only for the health and welfare of Connecticut citizens, but our businesses as well. We are not seeking damages, but injunctive relief to reduce these emissions at the source.

The argument today before the U.S. Supreme Court will determine whether the States' case can proceed on the merits. We believe that the law is clear -- that the States have standing and this is a viable cause of action. We look forward to making our case at trial.

###

CONTACT: *Susan E. Kinsman*, susan.kinsman@ct.gov; 860-808-5324; cell: 860-478-9581
Facebook.com/AGGeorgeJepsen; Twitter.com/AGJepsen;