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**Testimony by Rabbi Moti Rieber, Executive Director in opposition to SB456** - Establishing a rebuttable presumption against retirement of fossil fuel-fired electric generating units

**Senate Committee on Utilities, Sen. Michael Fagg, chair**

February 15, 2024

Mr. Chair, members of the committee:

Thank you for the opportunity to present testimony. My name is Rabbi Moti Rieber; I am Executive Director of Kansas Interfaith Action, a statewide, multifaith issue advocacy organization that represents mostly Mainline Christian, Jewish and Muslim communities and individuals on a variety of important racial, economic, and climate justice issues. As the State Public Policy office of the Central States Synod of the ELCA Lutheran Church, I am also testifying on behalf of the Kansas chapter of Lutherans Restoring Creation, in opposition to SB456.

The denominations and faith communities that make up Kansas Interfaith Action take, as the very core of our mission, care for God's Creation. One way we do this is by advocating for Kansas to address both the causes and the effects of human-caused climate disruption. The main cause of climate change is the burning of fossil fuels, causing CO2 in the atmosphere which leads to the greenhouse effect – trapping heat in the planet's atmosphere, leading to rising temperatures, weather variability, limiting access to fresh water and dealing with floods and droughts, and wildfires, etc. The production of electricity by coal plant and other CO2 generating sources is a major source of these emissions. Coal plants also have major health impacts, including respiratory ailments, developmental delays in children, and cancers caused by putting carcinogens into the air. This is why it has been such a priority over the past decade or so to transition our energy system to more climate-friendly sources, including wind and solar, distributed generation, energy efficiency, and so on.

KIFA is a climate advocacy organization, so in any given situation we will always advocate for the policy that is more climate aware. Over the years there has been a steady stream of what I would call gratuitous anti-climate bills, bills which might or might not do much policy-wise but which attempt to put roadblocks in the way of forward progress on addressing climate disruption. A couple of recent examples include ESG and the plastic bag ban ban, also a Chamber special. I've spent too much of my time in the legislature opposing such politically motivated efforts to hamstring Kansas' ability to respond nimbly and effectively to climate disruption. Fortunately, a combination of a growing and successful wind energy industry in Kansas, combined with federal policies that have incentivized markets to move Kansas away from fossil-fuel electricity generation. I see these as a positive good, and we should look for more.

SB 456 is just another in a long line of such gratuitous anti-climate bills. As everyone here knows, Evergy is an investor-owned utility that has demanding stakeholders. They're not going to prematurely retire a coal plant because of hippie ideals. This bill puts the legislature in the middle of decisions that should be made by the utilities and by regulators, in response to changes in the market and in the regulatory environment. SB 456 would turn the closing of old and uneconomical coal plants and gas plants into a politicized and more difficult process. It could force utilities to delay or terminate plans for lower cost and cleaner renewables. The impact would be to force higher rates on consumers (industrial and residential), as well as reinforcing our commitment to a technology that is becoming obsolete.

The Southwest Power Pool and FERC already drive the requirements for generation capacity, so no generation can go offline without other corresponding generation to meet growing requirements. Generation capacity is already slowing the coal plant closures, like the Lawrence facility, so this bill can only delay the eventual economic benefits of closing expensive plants in favor of lower cost generation.

This bill is as if the legislature decided in 1990 to compel regulators to prioritize landlines over cellphones. It's putting the legislature's thumb on the scale in favor of a form of energy generation that is dirtier and more expensive. The sponsors of this bill are some of the same individuals and organizations that have spent years trying to prevent Kansas from being able to move away from fossil fuel generation and into our clean energy future. It adds an additional, unnecessary bureaucratic step. And it makes more difficult our ability to move toward alternatives that are better for Creation. Please vote no.

Thank you for your attention to my testimony.