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MORNING ENERGY

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Rahall faces primary challenger – E&C to markup Whitfield-Manchin bill – Obama touts climate partnership with mayors

By [ALEX GUILLEN](#) | 01/24/14 10:01 AM EDT

With help from Darius Dixon

RAHALL FACES PRIMARY CHALLENGER: Rep. Nick Rahall won't be defending his record on coal against only Republicans in his reelection bid this year. The 19-term West Virginia Democrat has a new primary challenger: decorated retired Army Major Richard Ojeda, who has laid out a campaign calling for protecting the future of coal. "The coal industry — and I don't care what anybody says — is definitely under attack," Ojeda told POLITICO. "They're closing mines, they're regulating the mines. Layoffs are about as common as a cold day is around here right now and we cannot sustain that." Darren Goode has the story: <http://politico.pro/1g6UQ05>

MARK YOUR CALENDARS — E&C TAKES UP WHITFIELD-MANCHIN JUST BEFORE SOTU: The full Energy and Commerce Committee will markup H.R. 3826, the bill from Rep. Ed Whitfield and Sen. Joe Manchin taking aim at EPA's greenhouse gas regulations. The markup comes at an interesting time: next Tuesday, just hours before President Barack Obama's State of the Union address. The markup will give the GOP a fresh talking point about taking action to stop EPA and the administration. The committee will also vote on a building energy efficiency bill backed by Reps. David McKinley and Peter Welch. Opening statements Monday, Jan. 27, at 5:15 in Rayburn 2322; vote is Tuesday, Jan. 28, at 10 a.m. in Rayburn 2123.

LCVAF wants money back from Dem supporting bill: The League of Conservation Voters Action Fund wants its 2012 contribution to Rep. Bill Enyart (D-Ill.) back. The LCVAF, which says this is the first such refund request anyone at the group can remember, wants its \$5,000 back because the freshman congressman is a co-sponsor of the Whitfield-Manchin legislation. Enyart's support of the bill, the group says, defies Enyart's promise in a questionnaire to "support the Clean Air Act." Enyart is a co-chair of the Congressional Coal Caucus and said last year that EPA's proposed rule for future power plants is "impractical." The LCVAF is "disappointed that our contribution went to a congressman that's broken his word," it writes: <http://politico.pro/KQ31Qa>. Enyart campaign staff did not return a request for comment.

HAPPY FRIDAY and welcome to Morning Energy, where today's non-energy read is about the ghost ship full of cannibal rats that could crash into Cornwall or Devon: <http://bit.ly/1dRbCOO>. Send your energy news to aguillen@politico.com, and follow on Twitter [@alexsguillen](#), [@Morning_Energy](#) and [@POLITICOPro](#).

REGS WILL KEEP US TOGETHER: "What The Captain & Tennille Teach Us About Energy Policy" <http://onforb.es/1eigSGa>

OBAMA TOUTS CLIMATE PARTNERSHIP WITH MAYORS: With Congress likely not taking action on climate change or other issues anytime soon, President Barack Obama wants to partner with local officials, many of whom deal with the effects of climate change firsthand. A White House climate task force has mayors from both parties, Obama said at a

reception for the U.S. Conference of Mayors last night, "helping to make sure that cities have what it takes to withstand changes that may be taking place in our atmosphere in the years to come." He added that, like on climate change, he is willing to act when Congress does not. "Where Congress is debating things and hasn't been able to pull the trigger on stuff, my administration is going to move forward and we're going to do it in partnership with all of you," Obama said. "I've got a pen and I've got a phone. And that's all I need."

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TICKING CLOCK ON CHANCE TO PUSH YUCCA REVIEW TO SCOTUS: If the lawsuit that directed the NRC to revive its review of the Yucca Mountain nuclear waste project has any chance of heading to the Supreme Court, it'll be up to the state of Nevada, whose deadline to make such a request expires this weekend. Nevada didn't have much luck getting an en banc rehearing of the Court of Appeals for the D.C. Circuit's split decision that forced the NRC's hand on the project, but the state then got 90 days to decide whether to request that the Supreme Court pick up the case. Even though that clock runs out Sunday, if nothing comes out of Nevada today there isn't likely to be breaking news over the weekend.

TODAY AT DAVOS: A big event on international climate change efforts at the World Economic Forum in Davos today has plenty of big names on the panel, including Al Gore, Bill Gates, UN Secretary-General Ban Ki-moon, World Bank President Jim Yong Kim and Norwegian Prime Minister Erna Solberg. The panel is at 11 a.m. Swiss time — that's 5 a.m. Washington time. Video should be available here later: <http://bit.ly/1aEWa5G>

Al v. Alison: Alberta Premier Alison Redford will be in the audience, and she has vowed to try and talk with Gore for a showdown on oil sands crude. Not everyone is anticipated a big kerfuffle, however. Edmonton Journal columnist Graham Thomson predicts it will be the "Anticlimax in the Alps." <http://bit.ly/19QNj2B>

SCORE: The Congressional Budget Office says H.R. 2824, a bill blocking the Interior Department from issuing any new stream buffer zone rules for at least five years and directing it to implement a 2008 rule the administration is currently re-writing, would not have a significant impact on the federal budget. That's because "the existing federal proceeds from the area affected by this bill are small, and because it is unclear whether the rule imposed by this bill would be more or less restrictive than the rule that OSM will impose under current law." <http://1.usa.gov/1eWncVx>

SOTU MADNESS: We wrote yesterday about what industry and environmental groups have on their State of the Union wish lists. Here are some more opinions:

— President Obama should bring a focus on climate change, Matt Lee-Ashley and Jessica Goad of the Center for American Progress write. That includes urging Congress to create new national parks and wilderness areas, but doing so on his own if need be; set aside areas that are "too special" to develop; and set up a carbon emissions reduction plan for public lands. More: <http://bit.ly/1dZ5rqr>

— "President Obama should rank the battle against climate change as one of his top priorities in his State of the Union address next week. He should reaffirm his commitment to the aggressive timetable and agenda he laid out a year ago, especially with regard to regulating greenhouse gas emissions from existing power plants," Center for Clean Air Policy President Ned Helme said, adding: "The President should also use his address to encourage the American people to take action on their own."

COMMERCE WILL INVESTIGATE SOLARWORLD TRADE COMPLAINT: The Commerce Department will initiate new anti-dumping and countervailing duty investigations of crystalline silicon photovoltaic products imported from China and

Taiwan. The inquiry was spurred by a petition from SolarWorld, which contends that Chinese solar manufacturers are skirting tariffs imposed in 2012 by exploiting what the company says is a loophole.

Next steps: If the U.S. International Trade Commission rules that Commerce can move forward, the department will release preliminary determinations in its countervailing duties investigation by March and the anti-dumping investigations by June. The department can give itself more time if needed, pushing the dates back by several months. The department will hear from interested parties about the proposed levels and would finalize the tariffs by June and August. If the U.S. International Trade Commission approves, the tariffs would then go into effect as early as August and October. Fact sheet: <http://politico.pro/1dYIzaG>

Speaking of solar: The Solar Energy Industries Association turns 4-0 today, for which the group is promoting a "National 'Shout Out For Solar' Day." <http://bit.ly/1mce1FU>

THE POSTMAN ALWAYS RINGS TWICE: From ME's mailbag:

Fracking: The California Council on Science and Technology must ensure that an assessment it is performing at the request of the Bureau of Land Management on fracking "is accurate and based on a fair and evenhanded review of existing studies, reports, and other information that reflect on all points of view, including the oil and natural gas industry," House Majority Whip Kevin McCarthy, Oversight and Government Reform Chairman Darrell Issa and other Republicans write: <http://politico.pro/1jr08no>

W.Va. chemical spill: Reps. Henry Waxman and Paul Tonko want Freedom Industries to hand over documents on the health and environmental risks of the chemical that spilled into West Virginia's Elk River this month. "We are concerned that when all is said and done, taxpayers will be left to pay for any long-term costs of cleaning up contamination from your Elk River facility," they write: <http://1.usa.gov/1dZamrB>

Heating oil: Waxman also wants the Energy and Commerce Committee to maintain its jurisdiction over legislation related to heating oil: <http://1.usa.gov/1ehx62g>

QUICK HITS

— Duke Energy wants to pay less for solar power generated by homeowners and businesses. AP: <http://bit.ly/1dZYV2G>

— Climate change is threatening the winter Olympics, researchers say. Huffington Post: <http://huff.to/1issjCo>

— Sen. Joe Manchin wants the facility that leaked chemicals into a West Virginia river to be torn down and remediated. Huffington Post: <http://huff.to/LOp8XB>

— An NRDC-backed poll finds the majority of Hispanics in the U.S. want the president to act on climate change. The Hill: <http://bit.ly/1ehxdLm>

— Another poll finds Kansans support the state's renewable energy standard. Topeka Capital-Journal: <http://bit.ly/LNIEEK>

— A New Jersey Honda dealer has become "grid neutral." Auto World News: <http://bit.ly/1bkRajo>

THAT'S ALL FOR ME. Have a great weekend.

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