

# Superior Court dismisses lawsuit against DNREC challenging Delaware's participation in Regional Greenhouse Gas Initiative

**DOVER** – Delaware Superior Court Judge Richard F. Stokes has  dismissed a lawsuit that challenged Delaware's participation in the Regional Greenhouse Gas Initiative (RGGI), a cooperative program among nine states that reduces carbon dioxide emissions from power plants and funds energy efficiency and renewable energy programs in RGGI states, including Delaware.

The lawsuit, *Stevenson, et al. v. Delaware Department of Natural Resource and Environmental Control, et al.*, was brought in December 2013 by David T. Stevenson, R. Christian Hudson, and John A. Moore, who claimed that the state's participation in the program caused an increase in their electric bills. Judge Stokes issued his decision dismissing the suit June 26, stating that the plaintiffs, after more than four years of litigation, had failed to demonstrate that RGGI affected their electric bills.

"We are pleased the Court's decision allows Delaware to continue with this market-based, environmentally-conscious and cost-effective collaboration that reduces harmful greenhouse gas emissions and supports a clean energy economy," said Department of Natural Resources and Environmental Control Secretary Shawn M. Garvin. "RGGI is vital in supporting energy efficiency, renewable energy, and clean transportation programs that save Delawareans energy and money. RGGI helps us provide for our energy needs while reducing our contributions

to climate change.

“DNREC is pleased to continue our involvement with RGGI, and also to be the state agency that directs the benefits this landmark regional initiative brings to the people of Delaware,” Secretary Garvin said.

Delaware has participated in the Regional Greenhouse Gas Initiative since its inception in 2008, and is one of nine current member states along with Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. RGGI sets a cap on overall carbon dioxide emissions, and sells emissions allowances to electricity generators through a competitive auction.

In June 2008, the Delaware General Assembly approved Delaware’s participation in RGGI through Senate Bill 263, which also mandated that Delaware use RGGI proceeds to fund programs that promote energy efficiency, renewable energy, and low-income programs. These programs help residents, businesses, local governments, and non-profits lower their energy use and costs, support cleaner air quality, and through rebates and incentives also have helped over 750 Delaware drivers in buying electric vehicles for their transportation needs.

The Superior Court’s decision can be found on the State of Delaware website at <https://courts.delaware.gov/Opinions/Download.aspx?id=275020> .

**Media contact:** Michael Globetti, DNREC Public Affairs, 302-739-9902

Vol. 48, No. 175