

Coalition of Conservative Groups File for Rescission of FERC Order 1920 Citing DEI, ESG and Xcel Energy Wildfires

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 **The Institute for
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 **CEA**
Christian Employers Alliance

 **The Center to
Protect
Ranchers**

Coalition of Conservative Policy, Business and Ranching Groups File for Rescission of FERC Order 1920 Citing ESG, DEI and Xcel Energy Wildfires

MAY 15, 2025 | UPDATES

 **The Institute for
Legislative
Analysis**

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The Institute for Legislative Analysis, Center to Protect Ranchers and the Christian Employers Alliance have all **filed rescission requests** with the Executive Office of the President, Office of Management and Budget (OMB) and the U.S. Department of Energy to fully repeal the draconian regulations on the utility sector imposed by the Biden administration.

Order 1920 was issued last year by the Federal Energy Regulatory Commission (FERC) and nationalized the radical DEI and ESG frameworks of utility companies at the direct expense of families and businesses. Even worse, these regulations divert resources away from critical infrastructure maintenance to entirely unnecessary renewable energy initiatives. The Smokehouse Creek wildfire ignited in February of 2024 by utility company Xcel Energy – the largest fire in Texas history – is a stark reminder of the consequences of ESG-driven operating models.

“While Biden implemented countless draconian policies during his four-year regulatory assault on America, this little-known FERC regulation may in fact be the most damaging and costly to everyday Americans”, said **Ryan McGowan, CEO of the Institute for Legislative Analysis**. “We look forward to working closely with the Trump administration to repeal and replace Order 1920 with a new framework that eliminates Biden’s politicized initiatives and instead restores the focus on lowering utility rates and strengthening grid resiliency.

“Access to reliable and low-cost power is essential to every business operation”, added **Margaret Luculano, President of the Christian Employers Alliance**. “Not only does Order 1920 require Christian business owners to needlessly swallow higher utility costs, it forces them to finance woke DEI and ESG policies that don’t align with their faith-based values. Our members are outraged, and we will be working with President Trump’s team to develop a new framework restoring common sense to utility regulations.

“Xcel Energy based its operating model off a radical DEI and ESG framework, and the results speak for themselves – the triggering of the largest fire in Colorado history followed by the largest fire in Texas history”, noted **Bram Browder, Director of the Center to Protect Ranchers**. “Countless ranchers who lost everything are still waiting a year later to be made whole by Xcel. They will not stand by idly as these devastating policies are imposed nationwide through Order 1920”.

View rescission filings of the Institute for Legislative Analysis and Center to Protect Ranchers [here](#)

View rescission filings of the Christian Employers Alliance [here](#)

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The Institute for Legislative Analysis

press@limitedgov.org – 300 Independence Ave SE Washington, DC 20003 – (301-542-2399)

CPR Rescission Filing with the Trump Administration – OMB – 2025-06316

Repeal of Federal Regulations Advancing Xcel Energy's ESG Agenda at the Expense of Ranchers

Filing Details:

Department of Energy – Federal Energy Regulatory Commission (FERC)
Title 18 – Part 35

Filing Entity:

Center to Protect Ranchers – Institute for Legislative Analysis

Rescission Type:

Final Rule
FERC Order 1920-A

Filing Date:

May 12, 2025

Short Summary of the Justifications for the Rescission:

The Center to Protect Ranchers (CPR), the only national conservative organization dedicated exclusively to safeguarding the rights and livelihoods of ranchers, strongly urges the immediate repeal of Order 1920 due to its reckless financial, operational, and public safety consequences. It mandates massive new expenditures on renewable energy transmission infrastructure – much of which is unnecessary – without regard for the fiscal, logistical, or safety realities faced by utilities, rural landowners, or public utility commissions (PUCs). These expenditures will be passed directly to ratepayers through higher electric bills, disproportionately harming rural Americans.

A particularly urgent concern is that the rule's push for new, long-distance transmission lines will come at the expense of maintaining existing infrastructure. Ratepayers cannot sustain large increases in their monthly utility bills, therefore, every dollar allocated to new renewable projects is a dollar diverted from other critical maintenance activities like vegetation management, line inspections, or hardening aging equipment—many of the very issues linked to catastrophic wildfires.

The dangers of such neglect are no longer theoretical. Xcel Energy offers a disturbing example of the potential outcomes. The utility has been directly implicated in both the **2021 Marshall Fire in Colorado** and the **2024 Smokehouse Creek Fire in Texas**. The former the largest wildfire in Colorado history, and the latter the largest wildfire in Texas history – burning over 1.2 million acres and killing an estimated 12,000 head of cattle. Xcel’s infrastructure failures were at the center of both events. Yet, during the same timeframe, the utility shifted significant focus and capital toward ESG-driven investments in renewable energy and politically motivated initiatives, as documented in its own ESG reports and press releases.*

Contained within Xcel’s releases are details on how federal funds for wildfire mitigation and grid resiliency were directed toward solar, battery, and microgrid projects in “communities of color”, such as Minneapolis—communities likely chosen for socio-political reasons under their ESG framework.** Xcel’s allocation of resources highlights what happens when energy policy is guided by ideological mandates rather than solely operational realities and public safety. Order 1920 exacerbates this very dynamic by embedding decarbonization and equity considerations directly into regional transmission planning. It institutionalizes the diversion of resources away from high-risk areas and essential maintenance. Despite an entire year passing since the Smokehouse Creek fire, ranchers continue to suffer in the aftermath due to the failure of Xcel to pay claims and make ranchers whole. Rescinding this rule is essential to protecting energy reliability and ensuring another catastrophic wildfire event such as Smokehouse Creek is not repeated.

* <https://corporate.my.xcelenergy.com/s/about/report/document-library>

**<https://corporate.my.xcelenergy.com/s/about/newsroom/press-release/xcel-energy-receives-100-million-department-of-energy-grant-to-boost-wildfire-mi-MCFENTYYL2FNAATFMYQTRRAHB7JQ>

Background for the Regulation being Rescinded:

Order No. 1920 was finalized by the Federal Energy Regulatory Commission (FERC) in **May 2024** and is widely viewed as the most consequential regulatory overhaul of the electricity transmission system since **Order No. 1000**, which was issued in 2011. Like its predecessor, Order 1920 addresses regional transmission planning and cost allocation, but it goes far beyond Order 1000 in scope, prescriptiveness, and ambition.

Spanning more than **1,300 pages**, Order 1920 requires transmission providers to develop **20-year regional planning horizons** that account for specific forward-looking policy objectives, including state and federal decarbonization laws, corporate emissions goals, electrification trends in buildings and transportation, and anticipated generator retirements. These are not mere considerations—they are required categories for analysis in long-term scenario planning, which will shape the next generation of energy infrastructure investments.

The regulatory framework was justified on the grounds of increasing grid reliability and improving resilience. However, it quickly became apparent that the real effect would be to mandate new high-voltage transmission lines to accommodate intermittent renewable energy, often generated far from where demand exists. These lines are expensive, slow to build, environmentally disruptive, and in many cases, redundant or unjustified based on local needs. The rule has been championed by progressive groups like the League of Conservation Voters, which claimed it would “vastly expand transmission to meet the increasing demand for clean energy.” But conservative lawmakers and organizations saw the rule as a de facto national green energy mandate. **Congressman Chip Roy (R-TX)**, a member of the House Freedom Caucus, led efforts to block its implementation. In July 2024, he introduced **House Amendment #1115** to an appropriations bill that would have defunded Order 1920, citing its role in forcing “everyday Americans to subsidize transmission lines so renewable developers can reap the benefits of billions in federal subsidies.” Although the amendment failed by a narrow vote of **209–213**, it exposed deep partisan division and the growing grassroots opposition to the order.

In **November 2024**, FERC issued **Order No. 1920-A**, a follow-up that provided modest procedural clarifications but left the core mandates intact.

A critical failing of Order 1920 is that it **does not seriously consider safety risks**, including the increased wildfire threat that comes from deferred maintenance and expanded infrastructure footprints. The only mention of wildfires in the rulemaking docket came from **NARUC**, which warned that “some wildfires have been linked to deferred transmission maintenance of aging infrastructure.” But this issue was not explored in depth, no risk assessment was conducted, and no fire-related mitigation requirements were integrated into the rule. This omission, in light of

recent utility-sparked disasters, reflects a dangerously narrow focus in the Commission’s planning priorities.

Reason for the Rescission:

This rule represents a dangerous acceleration of centralized planning and ideological policymaking in the utility sector—policies that are not only economically harmful but now proven to be deadly.

At the heart of CPR’s opposition is the growing epidemic of wildfires ignited by neglected utility infrastructure. From California to Colorado to Texas, the largest and most destructive fires in recent history have been directly traced to aging power lines and failed equipment—fires that could have been prevented with more aggressive maintenance and system modernization. Ranchers are often the first victims: their lands are vast, exposed, and rural utility infrastructure often traverses them. The 2024 **Smokehouse Creek Fire**, caused by Xcel Energy, burned over 1.2 million acres, destroyed thousands of ranching operations, and killed **more than 12,000 cattle**, representing one of the worst agricultural disasters in American history.

In the aftermath, CPR conducted a comprehensive investigation into Xcel Energy’s operational priorities. The findings are disturbing. Rather than solely prioritizing grid reliability and safety, Xcel has aligned its wildfire mitigation programs with the **United Nations Sustainable Development Goals (SDGs)**, which emphasize climate action, equity, and clean energy transitions. Xcel openly describes its ESG strategy as the lens through which it makes investment decisions.*

What this reflects is a growing pattern: under the guise of “resilience” and “clean energy,” utilities are being incentivized to pursue politically favorable projects that check ESG boxes but fail to address actual threats to life, property, and infrastructure. Order 1920 formalizes this misdirection by requiring long-term transmission planning to incorporate seven specific policy categories—including decarbonization laws, electrification goals, corporate climate pledges, and other public policy factors. The result is a pipeline of projects driven not by engineering necessity or local demand, but by federal and state climate mandates and corporate ESG agendas.

As utilities like Xcel chase decarbonization metrics, ratepayers are left footing the bill. Electricity prices have surged, and the burden falls hardest on low-income families and communities of color. Meanwhile, utility executives are rewarded with multimillion-dollar bonuses for hitting emissions targets—creating a perverse system of wealth transfer from working-class Americans to elite corporate leadership, enabled by government regulation

*https://xcelnew.my.salesforce.com/sfc/p/#1U0000011ttV/a/8b000002eZMc/H3nOPBe1ht.Cegh_a0ItFkdW6bakvxV5Kh3OCzBC.NU

CPR believes energy policy must be rooted in reality. It must prioritize **reliability, affordability, safety, and technological neutrality**. Ranchers, landowners, and rural communities are on the front lines of these failures, and they deserve a voice in reshaping the regulatory framework. Rescinding Order 1920 is the first, essential step.

Returning temporarily to **Order 1000** may be imperfect, but it is significantly less dangerous. At least under that framework, competitive bidding was preserved, and utilities were not required to embed such radical ideological factors into infrastructure planning. Upon repeal of Order 1920, CPR calls on the Trump Administration to develop a **balanced, transparent, and practical approach** to transmission planning. That framework must:

- Focus on upgrading and maintaining existing systems,
- Maintain the elimination of right of first refusal (ROFR) to preserve competition,
- Treat all energy sources equally,
- And prevent politicized state regulatory schemes from overriding public safety and economic stability.

Until that happens, ranchers will remain in danger—not only from natural disasters, but from misguided energy policy imposed from above.

Text of the Relevant C.F.R. Provisions as it will Exist after the Rescission:

Regulatory Policy will Revert to FERC Order No. 1000 - Transmission Planning and Cost Allocation

Respectfully Submitted,

A handwritten signature in black ink, reading "Bram Browder". The signature is written in a cursive, flowing style.

Bram Browder
Director, Center to Protect Ranchers

Filing Details: Department of Energy – Federal Energy Regulatory Commission (FERC) Title 18 – Part 35	Filing Entity: Christian Employers Alliance – Center for Biblical Business
Rescission Type: Final Rule FERC Order 1920-A	Filing Date: May 12, 2025

Short Summary of the Justifications for the Rescission

The **Christian Employers Alliance (CEA)**, a national organization committed to protecting the freedom of Christian business owners to operate according to their faith and conscience, strongly urges the immediate rescission of **Order 1920** due to its harmful economic, operational, and ideological implications. The order mandates massive new investments in renewable transmission infrastructure that impose extreme financial burdens on ratepayers – especially small and mid-sized business owners who are already struggling with rising energy costs.

These costs are not incidental – they are the direct result of a federal transmission directive that prioritizes speculative green energy targets over economic realism, public safety, and grid reliability. The costs will be passed down to ratepayers through higher electricity bills, directly affecting the bottom line of energy-intensive businesses such as manufacturers, processors, and service providers across the country.

These costs are not incidental – they are the direct result of a federal transmission directive that prioritizes speculative green energy targets over economic realism, public safety, and grid reliability. The costs will be passed down to ratepayers through higher electricity bills, directly affecting the bottom line of energy-intensive businesses such as manufacturers, processors, and service providers across the country.

Worse still, by focusing on long-distance transmission projects meant to serve intermittent renewable generation, the order diverts critical resources from maintaining aging infrastructure. Businesses cannot function without reliable power. Every dollar siphoned toward politically motivated projects – many of which fulfill Environmental, Social, and Governance (ESG) agendas – is a dollar that could have gone to preventing wildfires, repairing lines, or reinforcing substations.

The consequences of this misplaced focus are already evident. Utility company **Xcel Energy**, for instance, has been implicated in catastrophic wildfires in **Colorado (2021)** and **Texas (2024)** – events that caused extensive property damage and business disruptions. During the same period, Xcel's corporate reports show a heavy adherence to its ESG and DEI initiatives.* For example, Xcel's releases detail how federal funds for wildfire mitigation and grid resiliency were directed toward solar, battery, and microgrid projects in “communities of color”, such as Minneapolis – communities likely chosen for socio-political reasons under their ESG framework.**

This ideology-driven misallocation of resources is institutionalized under **Order 1920**, which embeds **decarbonization, equity, and climate policy compliance** directly into mandatory regional transmission planning. This risks transforming the grid from a public utility into a vehicle for ideological social engineering. CEA believes this is a dangerous precedent – one that imposes economic harm while promoting **ideological frameworks (ESG/DEI) that often conflict with the faith-based values and conscience rights** of Christian employers.

The CEA's Center for Biblical Business is a leading voice on this issue and working to educate lawmakers on the consequences of ESG-driven utility policy through our economic freedom initiative – one of CEA's five core pillars. The path forward must not be dictated by politically fashionable metrics, but by the needs of those who rely on affordable, safe, and dependable electricity to sustain their businesses and communities.

Background on the Regulation Being Rescinded

Order No. 1920, finalized by the **Federal Energy Regulatory Commission (FERC)** in May 2024, represents one of the most sweeping changes to electric transmission policy in decades. It mandates that transmission providers adopt 20-year planning horizons with specific required inputs – namely, state and federal **climate laws, electrification targets, corporate decarbonization goals**, and other forward-looking policy mandates.

These are not optional considerations. They are required drivers of infrastructure investment under the order, which means utilities must now structure their long-term planning to align with the ideological priorities of policymakers and multinational corporations. The transmission lines proposed under this framework are expensive, slow to build, frequently redundant, and often fail to serve the real power needs of businesses and communities.

Supporters of the rule, such as the **League of Conservation Voters**, tout it as a green energy mandate. Opponents, including **Rep. Chip Roy (R-TX)**, rightly view it as a federal power grab designed to subsidize large renewable developers at the expense of ordinary Americans and small

business owners. In July 2024, Rep. Roy introduced an amendment to block the rule – though narrowly defeated, the vote revealed serious bipartisan concerns over its cost and overreach.

Order 1920-A, issued in November 2024, only compounded these issues by leaving the core mandates untouched.

Notably absent from either version of the rule is a serious evaluation of wildfire risk, deferred maintenance, or system reliability. The only mention of wildfires in the rulemaking docket came from NARUC, which warned that “some wildfires have been linked to deferred transmission maintenance of aging infrastructure.” But this issue was not explored in depth, no risk assessment was conducted, and no fire-related mitigation requirements were integrated into the rule. This omission, in light of recent utility-sparked disasters, reflects a dangerously narrow focus in the Commission’s planning priorities.

Reason for the Rescission

Christian employers are already under pressure from rising energy costs, ESG-driven corporate mandates, and regulatory hostility toward faith-based values. Order 1920 compounds all of these threats. It burdens them with unaffordable electricity bills, undermines the reliability of the grid, and institutionalizes ideological agendas that marginalize or contradict their deeply held beliefs.

The Christian Employers Alliance is especially concerned with the **ideological underpinnings of Order 1920**, which mirror the growing trend in the corporate and regulatory sectors to embed **ESG (Environmental, Social, and Governance) and DEI (Diversity, Equity, and Inclusion)** priorities into otherwise technical infrastructure decisions. In practice, this means that Christian-owned businesses are being compelled – through rising rates and distorted market incentives – to financially support initiatives that often contradict their moral framework and religious convictions.

For example, Xcel Energy’s own ESG documents proudly cites how their wildfire mitigation plan aligns with the **United Nations Sustainable Development Goals**, including climate action and social change initiatives. At the same time, critical infrastructure that had been neglected ultimately contributed to the **largest wildfire in Texas history** – one that destroyed homes, businesses, and livelihoods. These misplaced priorities are exactly the type of trade-offs that Order 1920 would codify across the national grid.

At the heart of this rule is a shift from **technological neutrality and reliability** to **political and ideological engineering**. It is not the role of the federal government to force businesses to conform

to progressive environmental ideologies, nor should utility planning be driven by climate scorecards or social equity mandates.

CEA calls for the immediate repeal of Order 1920 and a return to a **balanced, transparent, and practical framework** for electricity transmission – one that:

- Focuses on maintaining and modernizing existing infrastructure,
- Avoids discriminatory or ideological mandates,
- Preserves market competition through the continued elimination of right of first refusal (ROFR),
- Respects conscience rights and religious liberty,
- And ensures that utilities serve the needs of their customers, not corporate climate agendas.

Until such reforms are enacted, Christian employers will remain vulnerable – economically, operationally, and ideologically – to a grid system hijacked by progressive politics. Rescinding Order 1920 is the first, necessary step to restore energy policy to its rightful purpose: serving the people who rely on it every day.

*Sources:
*<https://corporate.my.xcelenergy.com/s/about/report/document-library>
**<https://corporate.my.xcelenergy.com/s/about/newsroom/press-release/xcel-energy-receives-100-million-department-of-energy-grant-to-boost-wildfire-mi-MCFFNTYYL2FNAATFMYQTRRAHB7JQ>

Text of the Relevant C.F.R. Provisions as it will Exist after the Rescission:

Regulatory Policy will Revert to FERC Order No. 1000 - Transmission Planning and Cost Allocation

Respectfully Submitted,

Margaret Iuculano

Margaret Iuculano
President, Christian Employers Alliance



KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

FOR IMMEDIATE RELEASE

August 15, 2025

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Attorney General Ken Paxton Announces Investigation into Utility Companies Connected to the Devastating Smokehouse Creek and Windy Deuce Fires

AUSTIN – Attorney General Ken Paxton has announced an investigation into several utility companies connected to the devastating Smokehouse Creek and Windy Deuce Fires.

In 2024, Smokehouse Creek and Windy Deuce Fires affected more than 1 million acres in the Texas Panhandle, destroying hundreds of homes and causing massive ecological damage. Power facilities operated by utility companies in the area caused and contributed to the outbreak. Some of these companies may have acted negligently by failing to conduct necessary infrastructure maintenance and possibly prioritizing environmental, social, and governance ("ESG") or diversity, equity, and inclusion ("DEI") agendas over safety.

"It is unconscionable that utility companies might have sacrificed infrastructure maintenance, public safety, and the well-being of our Texas communities for radical ESG and DEI goals," said Attorney General Paxton. "If any companies connected to these devastating fires have violated Texas law, they will be held accountable. We will not stop fighting for those who were victimized by these fires."

The Office of the Attorney General has issued civil investigative demand letters to Xcel Energy, Osmose Utilities Services, and Southwestern Public Services Company for documents related to the Smokehouse Creek and Windy Deuce Fires in order to ascertain if any Texas laws were violated.

FOR IMMEDIATE RELEASE

Conservative Coalition Applauds Texas A.G. Ken Paxton's Investigation into Utility Giant Xcel Energy

August 15, 2025 – Washington, D.C. — The Institute for Legislative Analysis (ILA), the Christian Employers Alliance (CEA), and the Center to Protect Ranchers (CPR) applaud Texas Attorney General Ken Paxton for [launching an investigation into Xcel Energy](#), a Fortune 500 utility. The investigation focuses on the role of Xcel's Diversity, Equity, and Inclusion (DEI) and Environmental, Social, and Governance (ESG) policies in contributing to the devastating 2024 Smokehouse Creek Fire, as well as the company's ongoing failure to provide timely compensation to impacted victims.

The Smokehouse Creek Fire – the largest wildfire in Texas history – follows the 2021 Marshall Fire in Colorado, which has also been linked to Xcel Energy. Over the past decade, most of the largest U.S. wildfires have been tied to utilities operating under similarly politicized DEI and ESG governance models. These include the tragic Los Angeles fire earlier this year ([ESG: Southern California Edison](#)) and the Maui fire ([ESG: Hawaiian Electric](#)), the deadliest U.S. wildfire in over a century.

"Ranchers are typically the most severely impacted by wildfires," **said Bram Browder, Director of the Center to Protect Ranchers**. "This investigation is critical not only to exposing the real-world consequences of Xcel's radical DEI and ESG frameworks, but also to holding the company accountable for promises made over a year ago to compensate victims. Many of these ranchers lost generational farms — they simply can't wait any longer."

The Attorney General's investigation **follows the recent introduction by the U.S. Congress of [H.R. 4603, the FAIR Act](#)** — a landmark utility reform bill that directly challenges Xcel's operating model and seeks to eliminate DEI and ESG mandates across the energy sector.

"We thank Attorney General Paxton for his leadership in standing up against DEI and ESG," **said Ryan McGowan, CEO of the Institute for Legislative Analysis**. "We look forward to working with members of Congress and the Trump Administration to pass the FAIR Act and protect ratepayers in every state from being forced to subsidize radical political ideologies through their monthly utility bills."

"Christian employers should take the lead in holding business leaders and government officials accountable," **said Margaret Iuculano, President of the Christian Employers Alliance**. "Xcel Energy's preoccupation with ESG initiatives is wasteful, abusive, and poor stewardship of God-given natural and financial resources. Our national network of Christian leaders will be working closely with President Trump and members of Congress to enact the FAIR Act and prevent future wildfire tragedies."

For press inquiries or to interview ranchers impacted by the fire, contact: press@limitedgov.org

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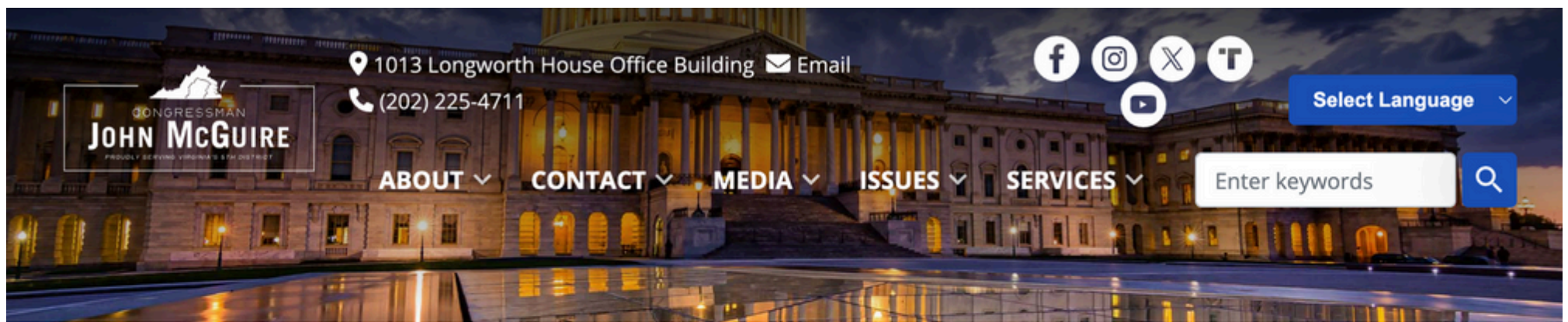
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Congressman John McGuire Introduces FAIR Act to Protect Ratepayers, End Cronyism, and Prioritize Public Safety

August 20, 2025 | [Press Release](#)

WASHINGTON, D.C. — U.S. Representative John McGuire (VA-05) introduced the *Fair, Affordable, and Inclusive Rates Act (FAIR Act)* — legislation to ensure electric utility rates remain focused on delivering safe and affordable energy to all Americans, especially working families and rural households disproportionately impacted by rising utility costs.

“Energy is not a playground for political agendas or corporate greenwashing,” said Congressman McGuire. “The *FAIR Act* restores fairness to our utility system by protecting ratepayers from costly and dangerous distractions that are driving up bills, enriching executives, and putting entire communities at risk. I am proud to introduce this legislation.”

A Public Safety and Environmental Emergency

The FAIR Act is a direct response to mounting evidence that utilities are diverting billions of dollars into ideologically driven ESG and DEI initiatives at the expense of basic maintenance, infrastructure safety, and wildfire prevention.

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Ending Greenwashing, Confronting Real Environmental Threats

The FAIR Act prohibits state regulators from approving rate hikes if utilities engage in speculative ESG policies or discriminatory DEI practices that are not directly tied to public safety, environmental compliance, or delivering service.

The bill does ban alternative energy investment or environmental compliance -it ensures such policies are scientifically justified, financially sound, and legally required, not politically fashionable.

Putting Working People First

The FAIR Act also addresses bipartisan concerns around cronyism and utility abuse of public trust. While many families are facing 20%-40% rate hikes, utility executives are collecting record bonuses -often for meeting ESG or DEi benchmarks that don't improve safety or service quality.

A Call for Oversight

The FAIR Act ensures that every community -especially historically underserved communities -is protected from unjustified rate increases and deceptive programs that distract from meaningful reform. It restores neutrality, transparency, and public trust to our energy system, reaffirming the government's duty to regulate in the interest of the people -not partisan ideologues or corporate shareholders.

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September 19, 2025



TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

September 19, 2025

Xcel Energy

Robert C. Frenzel, Chief Executive Officer

Adrian Rodriguez, President

414 Nicollet Mall
Minneapolis, Minnesota 55401

Dear Mr. Frenzel and Mr. Rodriguez,

As someone who has been in touch with ranchers and landowners in the Panhandle who are still struggling with the aftermath of the Smokehouse Creek Fire, I want to speak up loud and clear. I've heard too many stories from those on the ground who've lost cattle, fences, and grazing land—and now, to make matters worse, they're being offered lowball settlements that fall far short of compensating them for the losses caused by the Smokehouse Creek Fire. That's not right.

Our range and livestock experts estimate the first-year forage loss at a minimum of \$250 per acre burned.

This is a conservative figure that accounts for the lost feed and the lengthy grazing recovery process ahead. And that's just the start of the economic challenges these ranching families are facing, such as fencing costs, lost hunting leases, and more. In total, estimates put the costs above \$123 million, making the fires the costliest agricultural disaster on record, a disaster that Xcel Energy played a significant role in causing.

My office is closely monitoring this situation. We expect Xcel Energy to take responsibility, deliver fair compensation, and not attempt to pass the buck to subsidiaries, partners, or lawyers who may seek to exploit Texas landowners.

Texas Attorney General Ken Paxton and I stay in regular contact with the Panhandle community. We're working together to ensure this process remains transparent and fair. These Texans are proud and resilient, but that doesn't mean they should be taken advantage of.

It's time for Xcel Energy to stop stalling and start being honest. Pay these ranchers what they're owed, in full and in good faith. Anything less is an insult to Texas values and to the families who feed this nation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sid Miller", is written over a white rectangular background.

Sid Miller
Texas Agriculture Commissioner

September 19, 2025

NEWSROOM



COMMISSIONER SID MILLER
TEXAS DEPARTMENT OF AGRICULTURE



OPINION: ACTION OVER EXCUSES: COMMISSIONER MILLER DEFENDS TEXAS RANCHERS AGAINST ENERGY GIANT (9/19/2025)

An Editorial by Texas Agriculture Commissioner Sid Miller September 19, 2025 I've always put one thing above all: protecting the hardworking men and women who keep our state running. Right now, they're under attack, not from foreign competitors or federal regulators, but from the devastation caused by wildfires and the delays and denials by those who should be stepping up.

Let's start with the land itself. Forage isn't just grass. It's the very currency of ranching. Every acre that burns isn't just a charred field, but years of lost nutrition for cattle, higher feed bills, and families watching their livelihood's foundation turn to ashes. Forage is what transforms pasture into protein. To put an arbitrarily low per-acre number on it is like pricing a diamond by the ounce - it misses the point entirely. When forage burns, the loss echoes season after season.

Now consider fencing. A ranch without it is like a bank without security. It's just not practical. Fences protect the herd, the pasture, and the years of hard work that Texans have put into building their operations. But when miles of fencing are lost to fires, federal "relief" programs only cover a small fraction of the costs. Washington's temporary solutions can't fix problems this deep. Every mile of burned wire isn't just a line on a map; it's a rancher's chance to protect their cattle, rotate pastures, and make a living.

As ranchers struggle to rebuild, the very company being investigated for negligence is moving slowly. Think about it: when a storm knocks out the power, the utility company rushes to restore service because every hour makes the damage worse. They know delaying only causes more harm. But when it comes to settling wildfire claims, we don't see the same sense of urgency. Xcel's own quarterly reports show they've chosen to settle the simplest claims while leaving those most devastated in limbo. Every day that passes is like adding salt to an open wound, deepening the loss.

That's why I support Attorney General Ken Paxton's investigation into possible negligence by power companies in the Smokehouse Creek and Windy Deuce fires. These blazes scorched over a million acres in the Panhandle, wrecked hundreds of homes, and left lasting ecological damage that will take years to recover from. The Attorney General has already issued civil investigative demands to Xcel Energy, Osmose Utilities Services, and Southwestern Public Services Company. The question is straightforward: did these companies put off critical maintenance, cut corners, or even put corporate agendas like ESG and DEI talking points ahead of basic safety? If they did, Texans deserve to know. And if they broke the law, they need to be held accountable.

Whether or not an investigation happens, Xcel has a responsibility it can't shirk. The company pledged to make ranchers whole again. That promise wasn't tied to anything. It was an absolute commitment. Ranchers can't rebuild their fences with corporate press releases. They can't graze their cattle on promises that go unfulfilled. Promises don't replace barbed wire, and they don't buy hay.

As Commissioner, I have a constitutional and ethical obligation to serve the interests of Texas producers and consumers. Close to a million acres of this state have been damaged by these fires. Every acre lost isn't just a rancher's concern - it's a consumer's issue too. When pastures burn, it drives up feed costs, beef prices, and grocery bills. Texans are already feeling the impact of rising food prices. If we don't address this crisis, it will only make things worse. Families who don't own a ranch will still feel the pinch at the checkout line.

Here's my message: Xcel, stop making things worse. Keep your promises. Make our ranchers whole again. Repair the fences. Rebuild the forage. Respect the people who work hard to put food on our tables and keep our state prosperous. In Texas, we judge a company by whether it keeps its word, not by its quarterly earnings. And our ranchers have been waiting for nearly a year and a half since the fire. They've waited too long. The land will heal, but the memory of their neglect won't be so easily erased away.

Xcel should know better than to mess with Texas, but I will always have rural Texans' back. I'm confident your company will keep its word and do the right thing, but you're on the clock and I'm watching.