



Thomas C. Platt: He had it Easy

Back around the turn of the 20th century, New York's Republican machine was run by Senator Thomas Platt, whose ability to bridge factional gaps gave him the title of "The Easy Boss." Even though President Obama has attempted the same thing, he will have no such luck.

Witness, for example, the states — virtually all with Republican leadership — which have sued the administration over the EPA's quite mild and moderate Clean Power Plan. It's tyranny, they say. It's commandeering, they cry. It's a violation of their constitutional order!

[It's also really easy to do:](#)

The 27 states challenging Obama's Clean Power Plan in court say the lower emissions levels it would impose are an undue burden. But most are likely to hit them anyway.

Already, Arkansas, North Carolina, Oklahoma and South Dakota appear to be meeting the CPP's early targets. And changes in the power market, along with policies favoring clean generation, are propelling most of the rest toward timely compliance, according to researchers, power producers and officials, as well as government filings reviewed by Reuters.

"We are seeing reductions earlier than we ever expected," U.S. Environmental

Protection Agency Administrator Gina McCarthy said in an interview. "It's a great sign that the market has already shifted and people are invested in the newer technologies, even while we are in litigation."

None of this matters, of course, to the Right. As I have argued before, climate change is a purely ideological issue for the Republican Party, [a sort-of second-best effort to recreate the "three-legged stool" that buttressed American conservatism in the Age of Reagan](#). Note the irony of how the ideology works: Republicans who normally insist that the free market can work magic suddenly can't *imagine* how we can achieve emissions reductions.

I am wondering what these findings will do to the litigation. After all, if states are already on pace to hit the targets, then it is hard for them to argue injury-in-fact, which means that they don't have standing under *Lujan*. Of course, all you need is *one* state, and in any event, I wouldn't be surprised if a couple of states start regulating fiercely — say a special tax on renewables — just to make sure that they won't hit the targets. The GOP: the party of the free market unless it helps the environment.

