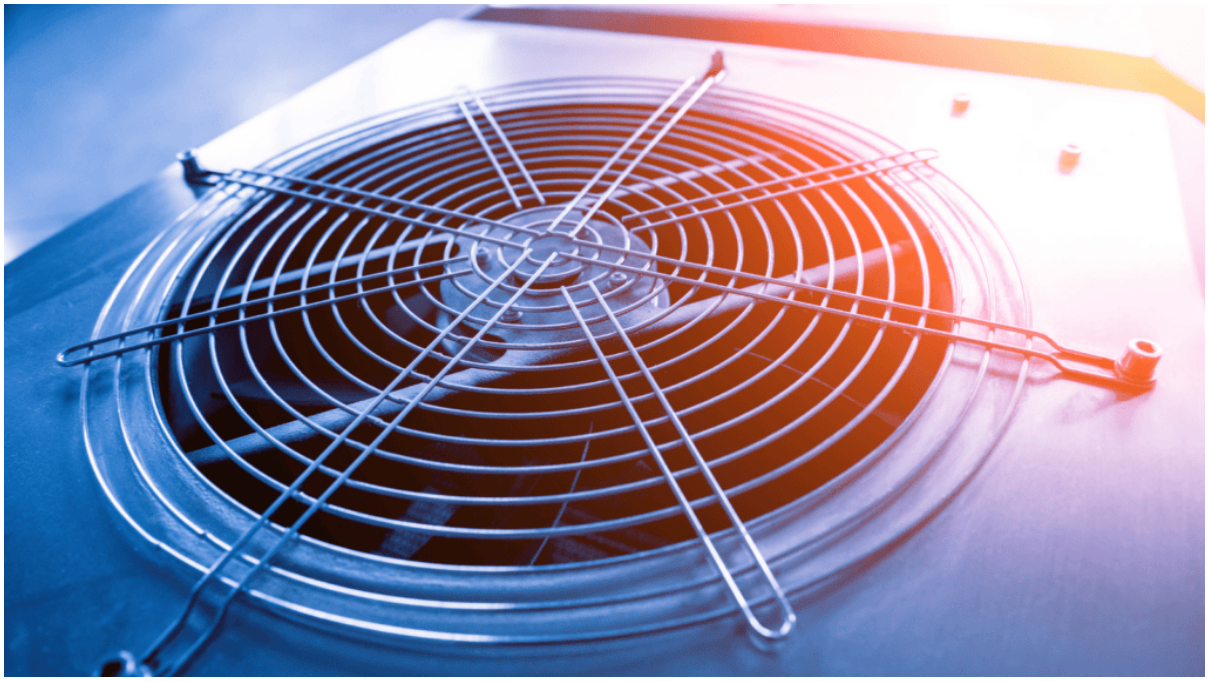
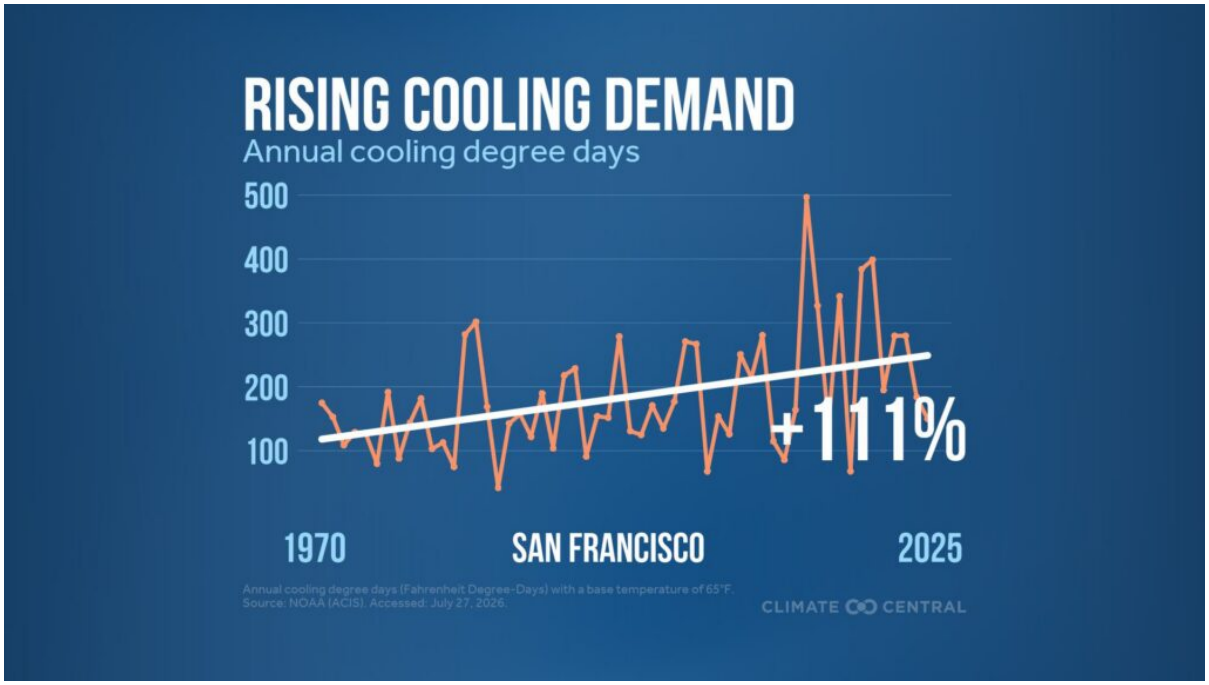


Every time I walk by my mailbox these days I dread receiving my electricity bill for this summer, because it's been hellishly hot and I know our bill is going to be higher than usual.

I try to tell myself the good news: After installing an energy-efficient heat pump this year, our home has been cooler — and safer. Sweltering in your house is not just uncomfortable; it makes you cranky, leads to poor sleep, and in extreme situations can kill you. Extreme heat is one of the biggest killers from climate change in the US.

Still, we're paying more to stay cool. Have you heard of "cooling degree days"? That's a temperature-based metric used to estimate the demand for energy to cool buildings. These days have increased nearly everywhere — in 97% of the 241 major U.S. cities since 1970 — according to **Climate Central**. For example, annual cooling degree days have gone up 21% in Sacramento and a whopping 111% in San Francisco.

I'm not the only one sweating higher bills. Americans paid $217 on average for electricity last month — an all-time record, says Heatmap News. Residential electricity costs nationwide are up almost 40 percent in the last 5 years, according to PowerLines, for several reasons, including climate change.



Credit: Climate Central

So stabilizing, or bringing down, the cost of electricity will increasingly factor into political campaigns. In fact, energy affordability and data center opposition are among the most potent political messages in 2026.

We saw that last week here in California. **Xavier Becerra**, California's likely next governor, unveiled his "power hour" proposal to give lower-income families two hours of free electricity each day when solar generation is at its peak — a move that could reduce grid strain. The idea is to encourage folks to run appliances and charge devices during the afternoon, say 1 – 3pm, when the grid is loaded up thanks to solar energy and other sources.

If that sounds familiar, that might be because the **Clean Power Alliance** has already been working on a "Power 8 Hours" program (also called the Time of Use or TOU-Smart Pilot) that would allow select ratepayers to use electricity at no charge from 8 am- 4pm every day. This pilot program is not only more robust than a two-hour freebie, but it also starts this October, before we even vote for the next governor.

In any case, this 'power hour' platform "signals that Becerra is "trying to tap into a similar vein as his Republican opponent Steve Hilton: widespread frustration with California's high electricity costs," **Noah Baustin** writes for POLITICO. Becerra

rolled out the proposal on stage at POLITICO's The California Agenda: Sacramento Summit.

Fox News called this a "half-baked idea," and Hilton called it an "insultingly stupid gimmick" because it would mean people had to come home from work and do their laundry. Hilton meanwhile says his plan to lower costs is to crank up natural gas power stations.

It's easy to see how Becerra's power hour could be helpful to recalibrate Californians' energy use. But it also isn't really a solution to the affordability crisis. "It's not going to have that big an effect on people's bills," Haas Faculty Director **Severin Borenstein** told POLITICO, "but I think it would be somewhat helpful, and it would encourage people to move their consumption out of times when the grid is strained." In other words, it's a good idea that could be relatively easy to implement, but what else you got? It's now 2 months until the general election so let's hope that Becerra and Hilton talk in greater detail about their energy and environment platforms.

I'll note too that Becerra floated his power hour proposal without mentioning the role climate change has played in increasing our cooling demand needs or climate's partial role in rising electricity rates. Climate change is showing up in our energy bills, especially during extreme heat events, so why not say so?

Welcome to The Drain, a roundup of climate and environmental news from Legal Planet. Our song of the week is "Heartland" by Willie Nelson who shows up below for his fight against data centers. My climate playlist is now 500+ songs (on Spotify and Apple Music).

SOLAR + DATA CENTER POLITICS

"Don't mess with solar," my UCLA Law colleague **Jonathan Zasloff** writes. **The Invest in Tomorrow Coalition PAC**, backed by solar power executives and other renewable energy supporters, recently spent $2 million to help unseat conservative Republican Rep. Andy Ogles of Tennessee over Trump's vocal support. Ogles was the third Republican this year to lose a race after being targeted by the super PAC.

POLITICO called it "an aggressive new political action committee" that had "claimed

its biggest and clearest win yet." The Washington Examiner called it "the green energy group disrupting GOP primaries."

In Michigan's primary races, data center opponents prevailed. Inside Climate News identified "a wave of at least 14 anti-data center candidates — for Congress, the state legislature and attorney general — who defeated pro-data center opponents in both parties' primaries."

In North Carolina, a group called North Carolina Connects has been running ads on TV, radio and social media promoting the economic benefits of data centers. **Lisa Sorg** at Inside Climate News reports that the Data Center Coalition backing these ads is a powerful trade group that includes Amazon, Microsoft and Google and other companies that build, support and operate the facilities.

In Kentucky, Democratic Gov. Andy Beshear issued an Aug. 6 executive order that directs the state Energy and Environment Cabinet to deny air quality permits for any data center project that worsens the environment.

In West Virginia, Republican Gov. Patrick Morrisey unveiled a seven-point framework for building data centers in his state and blunting local opposition, following through on a 2025 law that removes local control over that sector in favor of statewide standards meant to attract hyperscalers.

The emissions related to running data centers are a drop in the bucket compared to the emissions *enabled* by the fossil fuel industry's use of AI, according to a new peer-reviewed study covered here by HEATED. "Specifically, they found that Big Oil's use of AI to produce more oil and gas could create 3.3 to 13.3 times more climate pollution than powering AI's data centers."

Molly Taft at WIRED dives deep into the plans for several forthcoming power plants being built specifically to power data centers and found that they could have big implications for the environmental impact of artificial intelligence—and the future of the US grid. Taft reports that these plants are designed much less efficiently than gas-fired power plants that are connected to the electric grid.

A Financial Times analysis of 60 of the largest planned data centers being built in the US by Amazon, Microsoft, Google and Meta finds that they could together produce 101.5mn tonnes of carbon dioxide emissions a year once fully operational. "That would be equivalent to about 7% of US power-sector emissions in 2025 — the

annual emissions of 27 coal plants…"

OpenAI has made a huge deal for a new data center campus in Ohio with SB Energy that is partly backed by Nvidia — a project expected to become one of the largest artificial-intelligence hubs to date, the WSJ reports. The facility will consume 10 gigawatts of electricity, about as much power as New York City demands on a summer day, Robinson Meyer notes.

Ezra Klein devotes an episode of his NYT podcast to the data center backlash: "What is big and ugly and has united Republicans and Democrats at a time when it has felt nothing could? A.I. data centers."

Willie Nelson is speaking out against data centers. "The last thing we need is a loud, water thieving, light polluting, data center anywhere near our town (or any others for that matter)," Nelson told his Instagram followers.

EL NINO + EXTREME WEATHER

Get ready to hear the adjective "super" a lot. A super El Niño is now 95% likely to develop. And the strengthening El Niño could bring the highest sea levels ever recorded to the California coast this year, raising the risk of widespread and damaging flooding. That's just the start of the potentially significant impacts, including a particularly wet winter in California.

El Niño's burst of heat, boosted by climate change or not, is arriving at a moment when global temperatures are already at record highs, **David Gelles** writes at NYT.

"We've never seen ocean temperatures in the eastern tropical Pacific as warm as they are today in the region that matters for El Niño," UC climate scientist **Daniel Swain** said during a recent town hall with State Senator Mike McGuire. Swain likened the combination of long-term warming from human activity and the short-term cyclical warming from El Niño to "putting an exclamation point" on this warming.

Heatmap News called it a "turbo-boost." In the modern era, the warmest El Niño ever measured was in 2015 when ocean temperatures peaked at 3.1 degrees C in November and December of that year, **Robinson Meyer** writes. "Yet the Pacific is already more than 2.6 degrees Celsius."

Zeke Hausfather, a climate research lead at Stripe and a research scientist at Berkeley Earth, joined Heatmap's Key Shift podcast to discuss what forecast models are saying about this El Niño, why it gives us a glance at the future, and whether climate change itself is accelerating.

The contiguous United States cooked during its hottest month ever last month, according to the National Oceanic and Atmospheric Administration. AP reports that "July averaged 76.89 degrees Fahrenheit across the Lower 48 states, eclipsing the Dust Bowl's July 1936 by an eighth of a degree."

At least 70 deaths across the U.S. were linked to the heat domes that covered much of the country in July, according to an analysis by The Washington Post.

In Maryland, the state health department's dashboard showed 52 Marylanders have died of heat-related causes since May, up from the 50 reported a week earlier, Inside Climate News reports. "The latest count surpassed every full season shown in state data going back to 2021."

U.S. adults are more likely to say extreme heat has affected their lives — had a "major impact" or "minor impact" on their travel or vacation plans, electricity bills, their sleep, their family's outdoor activities — according to a new poll from The Associated Press-NORC Center for Public Affairs Research.

MEDIA

The Associated Press is starting to work with digital content creators (as opposed to traditional reporters) on some climate stories in the hopes of reaching new audiences." In hopes of bringing some of that powerful storytelling to readers of The Associated Press, AP's Climate team will be working with various content creators this year," AP climate editor **Peter Prengaman** wrote recently on LinkedIn. A video story on massive seaweed blooms, or sargassum, by **Summer Dean**, is the first such collaboration.

National winners of the 2026 Edward R. Murrow Awards were announced and they included some notable climate stories. Grist picked up two Murrows: "Overall Excellence for Small Digital Organization" celebrating the whole newsroom's efforts during an extremely challenging year for journalism and climate policy as well as "Hard News for Small Digital Organization" for **Sachi Mulkey**'s report on the Trump Administration's attacks on science during his first 100 days. Separately, an award for "Environment and Agriculture Web Coverage" went to WUFT, public media in Gainesville, Florida.

NPR won 38 Murrow awards including one for “California Wildfire Investigations: Using Firefighter Broadcast and Electricity Data to Reveal New Truths,” a joint story with KCRW.

Sammy Roth over at Climate-Colored Goggles announced the contest winners who wrote some of the best “dream headlines for 2036.” He asked readers to craft headlines they hope to see in ten years and then hundreds voted on some of his favorites. First place? “Exxon declares bankruptcy, CEO Darren Woods faces climate damages trial,” submitted by Ali Wines.

How can journalists cover solar geoengineering “without getting caught between hype and alarm?” The Alliance for Just Deliberation on Solar Geoengineering together with Solutions Journalism Network trainer **Yessenia Funes**, is hosting a free, interactive two-hour session designed exclusively for journalists and media professionals on Sept 1. (Yessenia Funes has a diary-style climate newsletter titled “Possibilities.”)

The Current takes a look at NPR’ ending its standalone climate desk and highlights how partnerships are helping the network continue important coverage. (I’m quoted.)

At the LA Times, investigative reporter **Jack Dolan** has been writing the daily “Essential California” newsletter and twice last week he led with climate topics like beach erosion and wildfires. “If you plan to head north to escape climate change, think again,” Dolan writes about how wildfires and heat domes have changed his mind about the Pacific Northwest being his climate change Plan B. “The Upper Midwest, Vermont and New Hampshire look pretty good for now, “ according to the U.S. Climate Vulnerability Index, a data project from the Environmental Defense Fund and Texas A&M University.

LITIGATION

Thirty-eight organizations filed briefs supporting Exxon and Suncor at the Supreme Court. A **Consumer Watchdog** investigation found 25 of them — 66% **—** received funding from fossil fuel companies, fossil fuel billionaires, or foundations and dark-money networks that financed climate denial and opposition to climate accountability for decades. Explore the data here.

Young people who brought, and settled, a youth climate lawsuit against Hawaii now

meet regularly with the state's Department of Transportation to offer input on strategies to transition away from fossil fuels as part of that landmark settlement. Yale Climate Connections spoke with one of the plaintiffs turned youth advisors.

LOS ANGELES + CALIFORNIA

Laura Klivans at KQED has a great story about how one LA contractor found a greener, cheaper way to keep mobile home residents safe from dangerous summer heat — installing heat pumps for free. Ben Shamoon won over customers by canvassing trailer parks in the San Fernando Valley and then worked with families who lived in close proximity allowing him to buy in bulk and work more efficiently to complete projects faster. "The approach maximized incentives from a state program — aimed at supercharging heat pump adoption — to improve homes at no cost to owners."

Smartcities Dive reports that the California High-Speed Rail Authority may run out of money by December 2027 if it cannot borrow against the expected $1 billion per year funding from the state's cap-and-invest program through 2046, according to a report from the Office of the Inspector General for the High-Speed Rail Authority.

The California Department of Pesticide Regulation said last week that all manufacturers of pesticide products containing paraquat have voluntarily agreed to withdraw the product from the market.

ENERGY

A POLITICO analysis finds that while the Trump administration wiped out hundreds of billions in clean-energy tax breaks, roughly $600 billion in congressionally approved spending has so far escaped the wrecking ball.

NextEra Energy, the world's largest publicly traded electricity company, used to promote itself as a renewable energy leader but has "systematically erased or downplayed its clean energy messaging" since Trump 2.0, Inside Climate News reports.

U.S. production of "natural gas" is set to climb again due to expanded drilling in the Permian and Haynesville basins. It is set to average 122.5 billion cubic feet per day in 2026, surpassing the previous record of 118.5 billion cubic feet per day set last year, according to a forecast just released by the U.S. Energy Information

Administration.