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## City Light ratepayers can't be billed for city's emissions reduction efforts

By **Warren Cornwall**

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Seattle's effort to cut greenhouse gases was dealt a blow by the state Supreme Court today, in a ruling that says Seattle City Light can't bill ratepayers for work to offset its contributions to global warming.

In a divided 5 to 4 ruling, the court rejected the utility's program, which was a linchpin to its effort to be the first major utility in the country with no negative impact on climate change through the production of gases like carbon dioxide.

It's also an important part of Mayor Greg Nickel's much-publicized bid to get Seattle to meet the goals of the international Kyoto climate change treaty.

The court decision was closely followed by environmental groups, which sided with Seattle in briefs filed with the court.

Seattle City Light declared itself "carbon neutral" in 2005 — which means the utility had completely cancelled out its emissions of greenhouse gases. But the utility still gets some of its electricity from sources that spew these gases, such as a natural gas-fired power plant in Oregon.

To overcome that, the utility relied on paying other polluters, such as King County, the state and DuPont, to pollute less. Those payments were tacked onto customers electric bills.

These payments were used to make up for the utility's own pollution. Seattle City Light has paid King County's bus system and the state ferry system hundreds of thousands of dollars to use biodiesel, a plant-based fuel. The utility also paid DuPont \$650,000 to cut its emissions of a greenhouse gas.

But the court followed in the steps of a previous ruling that ratepayers money couldn't be used to pay for Seattle street lights. While it might be a good thing to fight global warming, the majority wrote, it's a goal that's a general public benefit, not one closely tied to the utility's main job of providing electricity.

Justice Richard Sanders, who sided with four other justices against Seattle City Light, went even further in a separate opinion.

"City Light's program of paying others not to emit greenhouse gases has about as much effect on global warming as making a bonfire out of ratepayers' hard-earned dollars," he wrote.