



State of West Virginia
Office of the Attorney General
John B. McCuskey
Attorney General

October 23, 2025

The Honorable Doug Burgum
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

The Honorable Christopher A. Wright
Secretary
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

The Honorable Lee Zeldin
Administrator
Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Secretaries Burgum and Wright and Administrator Zeldin,

We write to urge you to put the safety, security, and economic interests of Americans first by declining to send a delegation to the upcoming United Nations' Conference of the Parties meeting in Brazil (COP-30). Now, more than ever, America needs to take a strong stance against the anti-coal, anti-gas and anti-oil policies that the COP promotes—policies driven by adverse actors and propped up by often contested climate theory.¹ If the United States participates in COP-30, it would serve only to legitimize such unsound science and policies.

¹ INT'L. ENERGY AGENCY, FROM TAKING STOCK TO TAKING ACTION 3, 14 (Sept. 2024).

Our nation is facing an unprecedented energy reliability and affordability crisis.² In the midst of this crisis, electric demand continues to outpace supply, with projections for 2025 and 2026 showing that demand levels will continue to reach record highs.³ Innovation has fueled this demand. America is poised to lead the charge in developing artificial intelligence—but we need consistent and cost-effective electric generation to continue to rapidly expand data centers and other tech-focused facilities.⁴

Coal, natural gas, and oil can solve that crisis; they have long supported American prosperity and security by providing affordable, safe, and reliable energy generation.⁵ President Trump has repeatedly recognized this reality. We applaud his efforts to enact common-sense policies to remove regulatory barriers and to support infrastructure development for traditional energy sources. Those policies will lower energy costs, increase reliability, power innovation, and foster American energy independence.⁶

But at a time when demand for energy is greater than ever, the prior administration embraced COP policies that dismantled—rather than supported—coal, oil, and gas production. The COP and other international actors favor less reliable and more expensive renewable energy sources, and that preference has proven harmful to American energy stability.⁷

The COP’s policy initiatives disregard the realities of renewable energy generation. Solar and wind power have significant reliability issues, and they are more expensive than traditional energy sources.⁸ Coal, gas, and oil can generate power as necessary to meet demand. Solar and wind cannot.⁹ Even in ideal weather and geographic conditions, solar and wind power generation is unreliable—cloud coverage and wind speeds are consistently varied and impossible to predict.¹⁰ America cannot afford to entrust the future of its electric grid on energy sources that operate only when the wind blows or the sun shines.

At the international level, the data speaks for itself. Countries that primarily rely on solar and wind energy have more expensive electricity.¹¹ And overreliance on renewable energy generation destabilizes the electric grid and heightens the risk of dangerous and costly blackouts. Just earlier

² *Declaring a National Energy Emergency*, Exec. Order No. 14156, 90 Fed. Reg. 8433, 8433-37 (Jan. 29, 2025).

³ See Scott Disavino, *US power use to reach record highs in 2025 and 2026, EIA says*, REUTERS (October 7, 2025 5:22 p.m. EST), bit.ly/3VTvn1I.

⁴ U.S. DEPT. OF ENERGY, *EVALUATING THE RELIABILITY AND SECURITY OF THE UNITED STATES ELECTRIC GRID* 1 (July 2025).

⁵ The White House, *Fact Sheet: President Donald J. Trump Strengthens the Reliability and Security of the United States Electric Grid* (Apr. 8, 2025), bit.ly/3VTg4G1; see also U.S. Dept. of Energy, *The Economic Benefits of Oil & Gas*, <https://bit.ly/3VXmDri> (last visited Oct. 14, 2025).

⁶ *Unleashing American Energy*, Exec. Order No. 14154, 90 Fed. Reg. 8353, 8353-59 (Jan. 29, 2025); *Reinvigorating America’s Beautiful Clean Coal Industry and Amending Executive Order 14241*, Exec. Order No. 14261, 90 Fed. Reg. 15517, 15517-20 (April 8, 2025).

⁷ Diana Furchtgott-Roth, *Restoring America’s Energy Renaissance*, THE HERITAGE FOUNDATION (May 30, 2023), <https://bit.ly/47iotJK>.

⁸ See James Taylor, *Affordable, Reliable, And Clean: an Objective Scorecard to Assess Competing Energy Sources*, THE HEARTLAND INSTITUTE 7 (April 2025), bit.ly/3J03Sk9.

⁹ See Kerry Jackson and Wayne Winegarden, *The Cost of Going Green*, PACIFIC RESEARCH INSTITUTE 6 (April 2025), <https://bit.ly/4q7EgTi>.

¹⁰ See Taylor, *supra*, at 7.

¹¹ Bjørn Lomborg, *Solar and Wind Power are Expensive*, FRASER INSTITUTE (March 25, 2025), <https://bit.ly/4ofq48Y>.

this year, a large-scale blackout in Spain and Portugal left millions of people without power, all because traditional energy was not there to support the grid.¹²

COP-aligned policies have also already caused serious problems at the state level. Since California adopted a net-zero emissions target in 2018, for example, Californian consumers have paid more for less reliable energy. Estimates show each California household will pay up to \$20,182 over the next twenty-five years to fund the state's transition to renewable energy.¹³ And even while costs have risen, the reliability and stability of California's electric grid has suffered.¹⁴

But consumers in States that enact policies targeting traditional energy production are not alone in seeing increased costs from renewable generation. Driven by policies adopted in Minnesota, for instance, Xcel Energy has sought to decrease its use of coal and to supplant it by developing infrastructures to produce solar power.¹⁵ Xcel's policy-driven transition from coal to solar has come at a cost to its 97,000 North Dakotan consumers, who have had rates increase by around 12% in the past year (and may face more rate increases in the coming months).¹⁶

Cost and reliability aside, increased reliance on renewable energy also endangers America's national security and energy independence. Renewable energy generation relies heavily on materials procured outside of the United States, with China supplying many of the materials needed for renewable generation.¹⁷ So renewable energy requires the United States to become only further entangled with hostile interests. And wind and solar also face the very real threat of cyberattacks, opening the door for foreign attackers to undermine the security and stability of our grid.¹⁸

Renewable energy sources also present both known and (currently) unknown hazards for which the COP fails to account. For instance, damage to wind turbines can lead to the spread of toxic debris in nearby areas. Just last year, six beaches in Nantucket closed to swimmers after an offshore wind blade broke and fell into the water, causing fiberglass shards and other hazardous debris to wash up on the shores.¹⁹ Photovoltaic solar panels are fire hazards—an especially concerning reality given that solar panels are most often viable in wildfire-prone areas.²⁰ Lithium battery energy storage of wind and solar generated power likewise carries serious fire risks and environmental hazards; the extreme difficulty of containing lithium-generated fires only

¹² Paige Lambermont, *Spanish blackout should serve as a warning*, COMPETITIVE ENTERPRISE INSTITUTE (May 27, 2025), <https://bit.ly/3VZLR8v>.

¹³ See Jackson and Winegarden, *supra*, at 26.

¹⁴ *Id.*

¹⁵ Jeff Beach, *Xcel's coal exit an issue in North Dakota electric rate case*, NORTH DAKOTA MONITOR (Oct. 6, 2025 5:00 a.m. EST), <https://bit.ly/48nTRYu>.

¹⁶ *Id.*

¹⁷ Int'l Energy Agency, *Clean energy supply chains vulnerabilities* (2023), <https://bit.ly/4n264Wn>.

¹⁸ Robert Walton, *Renewable energy, microgrids face growing cyber threats: FBI*, UTILITY DIVE (July 3, 2024), available at <https://bit.ly/4q3jFPQ>.

¹⁹ See Jackson and Winegarden, *supra*, at 9, 20-21; see also Brian Bushard, *Blown Away*, NANTUCKET MAGAZINE (Aug. 30, 2024), <https://bit.ly/43kevoL>.

²⁰ See generally Nur Aliah Fatin Mohd Nizam Ong, et al., *Fault tree analysis of fires on rooftops with photovoltaic systems*, 46 J. BUILDING ENG'G 103752 (April 1, 2022), <https://bit.ly/4h6gfaY>; see also U.S. Dept. of Energy, *Solar Photovoltaic Hardening for Resilience – Wildfire* (last visited Oct. 14, 2025), <https://bit.ly/3VZddvv>.

exacerbates those risks.²¹ Consider the fire that broke out at the Moss Landing battery storage plant in California early this year: around 1,500 people had to be evacuated, and noxious gases were emitted into the surrounding areas.²²

Equally as alarming are the COP's climate-finance proposals, which seek to require the American people to pay billions of dollars to fund COP objectives globally.²³ The prior administration wasted taxpayer dollars that could have been put toward fostering American energy independence and reliability on the COP's global aims.²⁴ America should not now feel compelled to spend additional taxpayer dollars to appease adverse interests.

Sending a delegation to COP-30 would do little more than lend credibility to the COP's policies. Yet we should not permit international actors to dictate our energy and environmental choices; the federal government (alongside States) should be making those calls. And while we understand the hope that participating might allow for an "honest dialogue" about the realities of climate change,²⁵ we're less hopeful. These kinds of international meetings and the like have already been used as justification for more aggressive climate-related impositions at the international level.²⁶ On the other hand, by refusing to participate in COP-30, America will safeguard its national security, energy independence and economic interests.

We urge this administration to continue to putting America first by declining to participate in COP-30.

Sincerely,

A handwritten signature in black ink, appearing to read "John B. McCuskey". The signature is fluid and cursive, with a long horizontal stroke at the end.

John B. McCuskey
West Virginia Attorney General

²¹See EPA, *Battery Energy Storage Systems: Main Considerations for Safe Installation and Incident Response* (last visited Oct. 14, 2025), <https://bit.ly/3KKf1Gc>; see also U.S. Fire Admin, *Risks and Response Strategies for Lithium-ion Battery Fires* (last visited Oct. 14, 2025), <https://bit.ly/46IJqgN>.

²² Olga R. Rodriguez & Isabella O'Malley, *Smoke from fire at California lithium battery plant raises concerns about air quality*, ASSOCIATED PRESS (Jan. 17, 2025 9:35 p.m. EST), <https://bit.ly/4mWJEG0>.

²³ United Nations, *Introduction to Climate Finance* (last visited Oct. 14, 2025), <https://bit.ly/4hbykVe>.

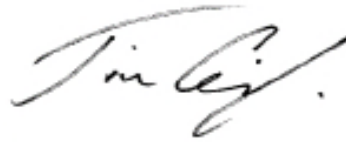
²⁴ U.S. Dept. of State, *COP 29 Update: U.S. International Public Climate Finance* (Nov. 18, 2024), <https://bit.ly/4mYmGOH>.

²⁵ John Ainger & Ewa Kurkowska, *US Weighs COP30 Climate Summit Attendance for 'Honest Dialogue'*, BLOOMBERG (Sept. 12, 2025 1:45 p.m. UTC), <https://bit.ly/4qech4o>.

²⁶ See, e.g., *Obligations of States in Respect of Climate Change*, Advisory Opinion ¶ 288 (July 23, 2025), <https://bit.ly/3J7duJP> (citing "COP decisions" and other COP-related matters as evidence of purported customary international law requiring nations to participate in aggressive anti-energy measures).



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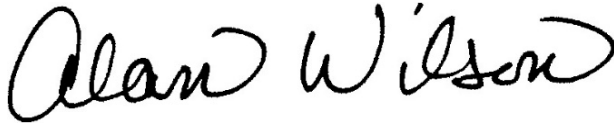
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