



Inside Energy

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RE: Energy lawsuit wastes taxpayer money

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Delaware's Attorney General has filed a lawsuit against conventional energy companies, including Exxon Mobil, claiming they fraudulently covered up their contribution to manmade global warming. The suit is likely to meet the same fate as a similar lawsuit in New York that simply wasted taxpayer money. The New York Times reported¹ the state Supreme Court judge dismissed the case calling the state's case "hyperbolic" after 4 years of investigation of millions of pages of documents.

In introducing the Delaware case, Attorney General Kathleen Jennings exaggerated both the potential damage, and impacts of global warming. The United Nations has created a [Human Development Index](#) (see Figure 1) to describe the relative success of different countries in improving the quality of life of its citizens. The Index includes life expectancy, literacy rates, education, and standard of living as a result of increasing access to electricity. The quality of life is eight times better for a typical developed country than Zimbabwe with the lowest access to low cost, reliable energy.

In the U.S. the Council of Economic Advisors² released a study in October, 2019 estimating the combined innovations of horizontal oil and gas drilling, and hydraulic fracturing is saving a family of four \$2,500 a year in lower energy bills which is especially important to low income households. That is worth about a billion dollars a year just in Delaware. Today's energy prices are the same as a percent of Gross Domestic Product as we paid over twenty years ago³. Rather than suing for damages, we should be recognizing the economic benefits these conventional energy producers are providing to every American.

Jennings makes exaggerated climate change claims about sea level rise, storms, rising temperatures, drought, and lost farm production. The United Nations [Intergovernmental Panel on Climate Change](#) makes predictions based on a series of computer models each with a different level of probability of actually occurring in its Fifth Assessment⁴. Jennings, and co-writer DNREC Secretary Shawn Garvin, report the expectations of the worst case scenario that even the UN scores as a very low probability. Manmade emissions of carbon dioxide were insignificant before 1950, so where possible, we compare pre-1950 data to post-1950 data.

For example, on sea level rise the potential in the worst case is 60 inches in rise, or about four times higher than the most probable case, and the most probable case is running twice as high as actual measurements over the last hundred years. The UN uses a study, "[Sea Level Rise from Late 19th to early 21st Century](#)" 1870-2010 (see Figure 2), of hundreds of tide gauges from around the globe that shows a relatively steady rise of about 7 inches per century with essentially no change in the rate of sea level rise since 1925.

Jennings and Garvin expect to see an additional 30 days a year with a Heat Index over 105 degrees leading to drought. The EPA US Heat Wave Index, 1895-2015 (see Figure 3) shows no trend change over the period despite about a 50% increase in ambient levels of CO₂ since 1950. Heat waves were about 8 times worse in the 1930's compared to the most recent decades.

This also means no loss in farm production. In fact, Dr. Craig Idso, Arizona State University, summarized 1,087 papers showing elevated CO₂ levels enhanced plant productivity up to 2.5 times when



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ambient CO₂ levels were raised up to 8 times the current atmospheric levels (see Figure 4). The enhanced levels also were more resistant to high temperatures, and required less water. Greenhouse growers around the globe often pump in CO₂ at levels 2 to 4 times normal outdoor levels to boost production of vegetable crops. Crop production is likely to increase, not decrease.

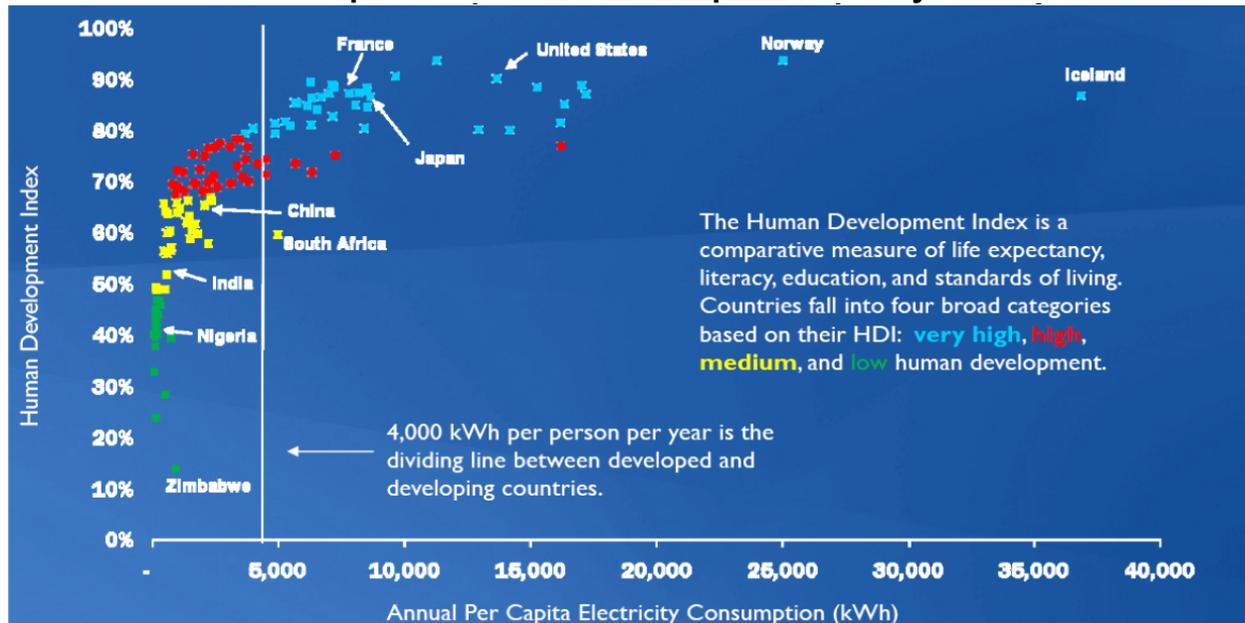
There is no justification for this lawsuit which is most likely a campaign season political stunt.

Notes:

- 1) New York Times, Dec. 10, 2019, “New York Loses Climate Change Fraud Case Against Exxon Mobil”, <https://www.nytimes.com/2019/12/10/climate/exxon-climate-lawsuit-new-york.html>
- 2) Council of Economic Advisors, Oct. 2019, “The Value of U.S. Energy Innovation and Policies Supporting the Shale Revolution”, <https://www.whitehouse.gov/wp-content/uploads/2019/10/The-Value-of-U.S.-Energy-Innovation-and-Policies-Supporting-the-Shale-Revolution.pdf>
- 3) US Energy Information Agency, “US Energy Expenditures” <https://www.eia.gov/todayinenergy/detail.php?id=45076>
- 4) United Nations IPCC, Fifth Assessment, 2014, <https://www.ipcc.ch/assessment-report/ar5/>

Figure 1:

The UN Human Development Index and Per Capita Electricity Use



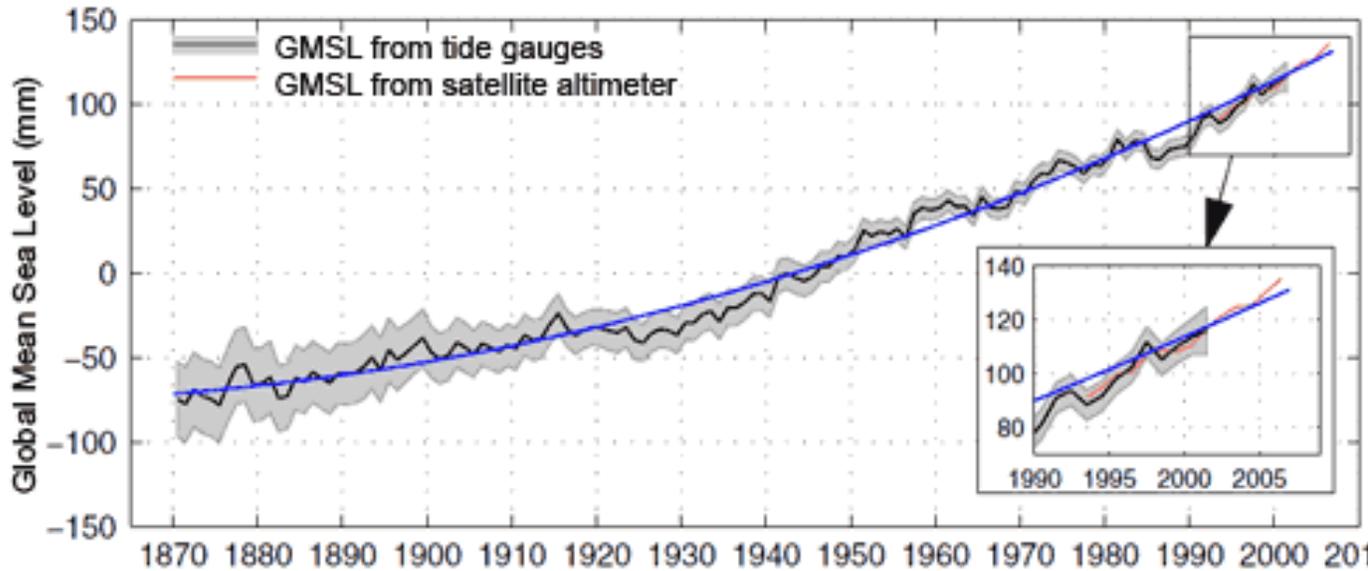
Source: United Nations Development Program, *Human Development Report*, 2012.

Figure 2:



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Source: "Sea Level Rise from Late 19th to early 21st Century", Church & White

Figure 3:
U.S. heat wave index, 1895–2015

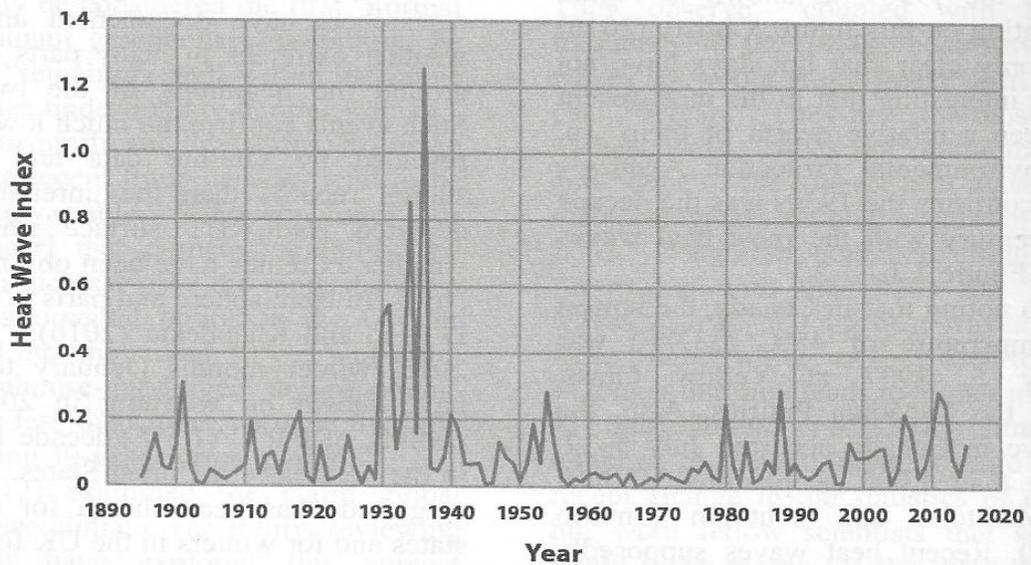


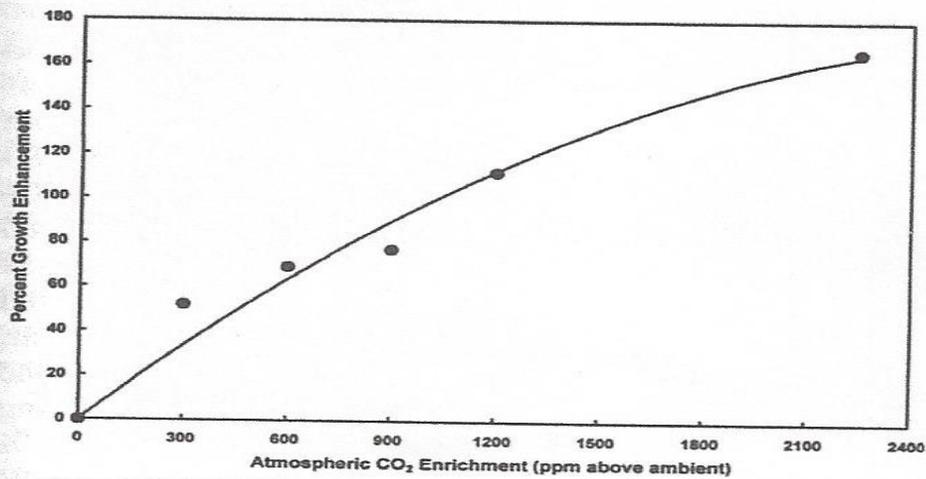
Figure 4:



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Positive impact of CO₂ on plants and trees



Source: NIPCC, 2014, p. 1, Figure 1, citing Idso, 1992.