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COMMITTEE ON THE JUDICIARY

HOUSE PERMANENT SELECT
COMMITTEE ON INTELLIGENCE

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
(U.S. HELSINKI COMMISSION)

February 10, 2026

TVA Board of Directors
Board Services
400 West Summit Hill Drive WT 7
Knoxville, TN 37902

Dear Board Members,

I am writing to express serious concern regarding the recent issuance of Supplemental Environmental Impact Statements (SEISs) for the Kingston and Cumberland Fossil Plants. I am deeply concerned by both the substance of these proposals and the process by which they have been advanced. This process was conducted without public notice or opportunity for comment, which undermines the deliberate transparency that the National Environmental Policy Act (NEPA) is designed to ensure.

Just two years ago, TVA made clear commitments, through duly noticed NEPA processes and formal Records of Decision, to retire the Kingston and Cumberland coal plants and transition to replacement generation. Those decisions followed public engagement, hundreds of public comments, and a clear acknowledgement of the economic, environmental and reliability risks associated with aging coal infrastructure. The new SEISs effectively reverse those commitments by proposing to operate coal units alongside new gas generation at both sites, and in Kingston's case, to abandon previously approved on-site solar entirely.

Equally troubling is how these changes were presented to the public. TVA appears to have prepared and finalized these supplemental reviews without meaningful public notice, public meetings, or an opportunity for public comment specific to the new proposed alternatives. The practical effect of this approach is to take the "public" out of public power. Communities that were told clearly and repeatedly that coal retirements were moving forward are now learning after the fact that those plans are being abandoned.

Beyond process concerns, I am also alarmed by the financial implications for ratepayers across the Tennessee Valley. Continuing to operate aging coal units while simultaneously constructing and operating new gas facilities is not a least-cost outcome. These coal plants are expensive to maintain, require significant ongoing capital investments to comply with environmental requirements, and expose TVA customers to fuel price volatility. Even more troubling, these plants are not only unsafe for surrounding communities but also for the workers

because of deferred maintenance. The SEISs themselves acknowledge that continued coal operation negates previously anticipated emissions reductions and requires substantial additional maintenance, wastewater treatment and infrastructure upgrades. Those costs do not disappear. They are passed on to families, small businesses and local power companies already facing affordability pressures.

TVA's statutory obligation is to provide reliable power at the lowest feasible cost while acting as a responsible steward of public resources. This abrupt decision to reverse course undermines confidence in TVA's planning process and raises serious questions about whether these decisions are being driven by short-term political pressure. Even worse, these changes will have long-term implications for public health, environmental stewardship, and the economic future of the Tennessee Valley.

Given that these matters are scheduled for consideration at the February 11 Board meeting, I respectfully request TVA to postpone any vote until a full and open public engagement process has occurred. The TVA was built for the people of the Tennessee Valley, by the people of the Tennessee Valley. To keep TVA public, stakeholders such as local communities, environmental advocates, and elected officials must review and comment on proposals before decisions are made.

It is imperative that you restore transparency to this process. Thank you for your attention to this critical matter. I look forward to your response and to working together to ensure a sustainable energy future for the Tennessee Valley, and the TVA.

As always, I remain,

Most sincerely,

A handwritten signature in blue ink that reads "Steve Cohen". The signature is written in a cursive, flowing style.

Steve Cohen
Member of Congress

CC: President & CEO Don Moul