

HEARING ON THE NOMINATION OF CHARLES
W. COOK, JR. TO BE A MEMBER OF THE
BOARD OF DIRECTORS OF THE TENNESSEE
VALLEY AUTHORITY

HEARING
BEFORE THE
SUBCOMMITTEE ON CLEAN AIR
AND NUCLEAR SAFETY
OF THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ONE HUNDRED SIXTEENTH CONGRESS
SECOND SESSION
DECEMBER 9, 2020

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

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HEARING ON THE NOMINATION OF CHARLES W. COOK, JR. TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY

WEDNESDAY, DECEMBER 9, 2020

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY,
Washington, DC.

The committee, met, pursuant to notice, at 9:45 a.m. in room 106, Dirksen Senate Office Building, Hon. Mike Braun (chairman of the committee) presiding.

Present: Senators Braun, Whitehouse, Boozman, Wicker, Ernst, Carper.

Senator BRAUN. Good morning. This hearing of the Clean Air and Nuclear Safety Subcommittee is called to order.

Today we will be hearing from Bill Cook, whom President Trump has nominated to the Board of Directors of the Tennessee Valley Authority. Mr. Cook, I would like to welcome you here today. If confirmed, you will be tasked with ensuring that the TVA's broad strategy goals and objectives are adequate for ratepayers in the region, and that TVA pursues an agenda that is in the best interests of the United States.

This morning we are honored to be joined by Senator Wicker, who wanted to be here today to introduce the President's nominee. Senator Wicker, you may proceed.

OPENING STATEMENT OF HON. ROGER F. WICKER, U.S. SENATOR FROM THE STATE OF MISSISSIPPI

Senator WICKER. Thank you very much, Mr. Chairman.

Fellow members of the EPW committee, it is my great privilege and honor today to introduce and enthusiastically endorse Charles William "Bill" Cook of Oxford, Mississippi, to serve on the Board of Directors of the Tennessee Valley Authority.

TVA is very important to the entire Nation, because it is our largest public utility. It is especially important to my home State of Mississippi. In fact, my hometown of Tupelo, Mississippi, is proudly known as America's first TVA city. One of our most iconic landmarks is the sign at the crosstown intersection which proudly proclaims that.

TVA utilities are located in 36 of Mississippi's 82 counties and serve more than 346,000 households in our State. The service area

covers 15,500 square miles, about one-third of the entire State and about 18 percent of TVA's territory.

TVA has made significant contributions to my State's economic development. Between 2015 and 2020, TVA created or maintained nearly 25,000 jobs in Mississippi and invested \$3.4 billion in our economy. TVA's partnerships with customers and communities have helped produce quality jobs and sizable investments in new and existing companies in Mississippi, like Cooper Tire and Steel Dynamics.

TVA's innovative programs and financial support have been crucial during the pandemic. This year, TVA has provided \$1 billion in credit support to local power companies to make sure the lights could stay on for ratepayers across the valley. In the current year, TVA even lowered their rates. It also created the Community Care Fund to support non-profits assisting local communities during the pandemic. Through this program, TVA has matched \$340,000 to aid families and businesses in Mississippi during this difficult period.

TVA's ability to adapt and deploy powerful tools is a testament to their commitment to improving the lives of residents across the Tennessee Valley.

Which brings me to today's business: I wholeheartedly support President Trump's nomination of Bill Cook for this position. He brings a wealth of private sector experience that would serve him well and serve us well on the TVA Board of Directors. Having spent 30 years in the telecommunications and broadband infrastructure industry, Mr. Cook understands the resources that communities need to prosper in the 21st century.

He currently serves as President of Cook Consulting in Oxford, Mississippi. Cook Consulting provides guidance on telecommunications issues. He has acquired a wide range of expertise, having served as a senior director of engineering and construction, director of project management, vice president of network development, and CEO for various companies throughout his career. He knows what he is doing, and when he speaks up as a member of the TVA Board, people will understand that he knows what he is talking about. His experience will provide TVA with an invaluable perspective.

I want to congratulate Bill on his nomination, and look forward to working with him and with you, Mr. Chairman, and other members of this committee, to confirm him, I hope, before the end of the month.

Thank you, again, Mr. Chairman, for the opportunity and taking me out of order to introduce my good friend, Mr. Cook, to the committee. Thank you, sir.

**OPENING STATEMENT OF HON. MIKE BRAUN,
U.S. SENATOR FROM THE STATE OF INDIANA**

Senator BRAUN. Thank you, Senator Wicker.

Today, we are reviewing the nomination of Mr. Cook to be a member of the Board of the TVA. Mr. Cook brings with him a long career developing broadband infrastructure in both urban and rural areas. In a State like Indiana, which does not have the footprint of TVA there, Kentucky does, south of us, broadband is prob-

ably the issue I hear most for rural States. It is a skill set that is particularly relevant today as the Country continues to recover from the economic consequences of COVID-19 and as Congress looks at ways to address the underlying economic disparities brought to the forefront this year.

TVA is an organization created to provide for and help stimulate general economic development in the Tennessee Valley. While the agency was largely successful at achieving its core mission, history shows that without clear objectives and a board pursuing innovation, the TVA could fall behind, negatively impacting its ratepayers and the Nation. It is the responsibility of the TVA Board of Directors to set these goals and objective for the agency.

In previous hearings, I have noted my desire to see the TVA continue to serve its dual mandate, a utility representing the people of the Tennessee Valley and for investment in innovation for the Nation as a whole. In many cases, the TVA is achieving this mission. For example, just this year, the utility secured the Nation's first early site permit for an advanced nuclear reactor at the utility's Clinch River site. I am on another subcommittee of this committee as well, that has actually talked about that. That may be the baseload generator of the future. We need to see that the TVA has led the way on that.

Advanced nuclear technology is a principal bipartisan interest of this subcommittee and the EPW committee as a whole. Just last week, the full committee approved the American Nuclear Infrastructure Act, a bill designed to, among other things, capitalize on the investments TVA has already made, and to provide Federal support for commercialization of this next generation technology. I think a lot hinges upon it, and TVA is at the forefront.

Mr. Cook, I look forward to working with you to advance America's investment in advanced nuclear technology.

Before I conclude, I want to briefly mention one of the challenges TVA has recently faced. As you know, in August, President Trump removed two board members after the utility announced a plan to replace American workers with foreign contractors. Many of these foreign workers were applying under H1B visas. The President met with some of the workers whose jobs would be terminated. In that meeting, he stated clearly that H1Bs should be used for top, highly paid talent to create American jobs, not as an inexpensive labor program to replace American jobs.

I wholeheartedly agree with the President's sentiment and look forward to working with you to ensure that the TVA is representing both the interests of the Tennessee Valley and the U.S. as a whole.

Now I would like to recognize Ranking Member Senator Whitehouse for his opening statement. He comes to us via Zoom.

**OPENING STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM THE STATE OF RHODE ISLAND**

Senator WHITEHOUSE. Thanks, Chairman Braun. Thank you for chairing this hearing, and thank you for your kind words about our American Nuclear Innovation Act, which I hope we can get passed into law like the two previous nuclear innovation bills we have worked on in this committee.

Thank you, Mr. Cook, for being here, for being willing to take this position. Thank you, Senator Wicker, for a wonderful introduction, and also for your help getting our anti-doping bill passed into law just a few days ago.

I admire the good work of the Nation's largest public utility. Throughout the pandemic and through its economic fallout, the Tennessee Valley Authority has worked hard to help customers purchase cheaper and cleaner energy during a challenging time.

Earlier in 2020, the TVA grid managed to provide reliable, low-cost power without any of its coal plants running. In August, the Authority took another important step by establishing a \$200 million pandemic relief credit aimed at shrinking utility bills for customers across the region. Today, thanks to the Authority's decreased reliance on coal power, nearly two-thirds of the area's energy comes from carbon-free sources.

I would like to emphasize two important points in our discussion here today. First, the Authority must remain a non-partisan and independent regulator. Any nominee confirmed to the Board must be guided by the facts and the interests of TVA's ratepayers, not political or special interest pressure. I hope to hear a strong commitment from our nominee that his regulatory decisions would reflect those priorities.

Second, I want to hear a commitment from the nominee that he will work to ensure that the Authority will not fall victim to the fossil fuel industry's long campaign against climate action and clean air regulations. As the Nation's largest public utility, providing electricity to nearly 10 million Americans, the Authority must continue to lead the push toward clean, inexpensive, reliable, and renewable energy in our Country.

Mr. Cook, you are a lover of the outdoors. The example of your educator grandparents should provide you good direction in this new role. I look forward to hearing from you.

Thank you, Chairman.

Senator BRAUN. Thank you, Senator Whitehouse.

Mr. Cook, I will now recognize you for 5 minutes for your opening statement. I want to remind you that your full written testimony will be part of the record. You may proceed.

STATEMENT OF CHARLES W. COOK, JR., NOMINEE TO BE A MEMBER OF THE BOARD, TENNESSEE VALLEY AUTHORITY

Mr. COOK. Thank you. Chairman Braun, Ranking Member Whitehouse, and members of the committee, my name is Charles William Cook, also Bill Cook.

I am extremely honored to have been nominated by President Trump to serve on the board of directors of the Tennessee Valley Authority. I would like to thank Senator Wicker, Senator Hyde-Smith from my home State of Mississippi, who not only recommended me to the President but have been extremely supportive throughout this process.

Also I want to thank my family, friends, and business associates, past and present, who have been extremely supportive and are watching this hearing today.

I was fortunate enough to grow up in a small town in north Mississippi, where I was taught values and an exceptional work ethic.

As I earned my rank of Eagle Scout with the Boy Scouts of America in Bruce, Mississippi, I developed a love for the outdoors, the necessity for service within my community, and an appreciation of sound leadership. During the years since, I have spent many days boating on the Tennessee River and hiking through forests and trails along its banks.

My paternal grandparents were educators, and they instilled in me a strong sense of conservation, to seek knowledge and truth, to keep an open mind and to always apply myself. Thus, I owe my successes in life to my family and to my community.

I often recall elder family members telling me stories about how vital the Tennessee Valley Authority is to the region. It was because of the TVA's affordable electricity, environmental stewardship, and its commitment to economic development that all resulted in such a positive impact on the successes of the region.

My entire career has been developing, building, and operating telecommunications infrastructure. I have secured rights of ways in real estate, negotiated contracts, designed, constructed, and operated networks in most of the larger cities in our great Country and throughout some of its most remote areas.

About 9 years ago, I founded a company based in northern Virginia, the world's largest data center market. As CEO of SummitIG, I not only executed on a vision of the future of cloud connectivity, but I built an amazing team and network, which is now one of the most unique pieces of digital infrastructure in the world.

My management style is one of common sense, fiscal responsibility, and commitment to customers through exemplary customer service.

After being away from my home State for several years, I made a decision to return to Mississippi just over 12 years ago. Two of the primary drivers to return to my beloved State were to be back among the people and cultures of the region, and my commitment to service. I believe that if one has the ability to serve, it is their duty to serve. Thus, it is an honor to be considered for this position.

TVA is vital to the seven States it serves, and especially with its commitment to affordable, reliable electricity, its contributions to innovation and economic development. Electrical infrastructure would be a key driver for future development throughout the region and across our Country. As technologies evolve and expand, the demand for reliable energy will continue to grow at a rapid pace.

I strongly believe the Tennessee Valley Authority has a unique opportunity to be a leader in creating solutions to meet this demand and creating jobs throughout the region as part of its role of economic development. With the growing needs for digital infrastructure, including 5G deployments, bandwidth connectivity, cloud computing, cyber security, data storage and processing, and the emerging development of electric and autonomous vehicles, TVA must continue its pursuit of excellence as these demands and opportunities will drive key areas of our economy.

TVA will play an important role in expanding the necessary infrastructure to deliver these services. I have been outspoken in the

telecommunications industry, stating that electrical infrastructure and corridors are ideal for expanding broadband services.

The mission of TVA to harness the potential of the rich resources of the Tennessee Valley region to make life better for its residents is especially needed today, as it was when the TVA was created nearly nine decades ago. As a Mississippian, I embrace this mission.

Through collaboration of industry and education, TVA is in a prime position to meet the growing demands of tomorrow, making communities within the region prosper and enjoyable. Balance is the key to success. TVA has a balanced portfolio of power generation capabilities, and must continue its pursuit of innovation.

If confirmed, I will immediately commit to work with other board members, TVA's management to provide strategic direction, drive for continued fiscal accountability, and maintain focus on affordable rates, values, and efforts necessary to operate the complex demands and future needs of the entities and those it serves.

Thank you for your time and consideration. I look forward to answering your questions.

[The prepared statement of Mr. Cook follows:]

**Statement of Charles W. Cook, Jr.
Nominee to the Tennessee Valley Authority Board of Directors
U.S. Senate Environment and Public Works Committee
Subcommittee on Clean Air and Nuclear Safety
December 9, 2020**

Chairman Braun, Ranking Member Whitehouse, and members of the committee, my name is Charles William (Bill) Cook, Jr., and I am extremely honored to have been nominated by President Trump to serve on the Board of Directors of the Tennessee Valley Authority.

I would like to thank Senators Wicker and Hyde-Smith, from my home state of Mississippi, who not only recommended me to the President, but have been extremely supportive throughout this process.

I was fortunate to grow up in a small community in north Mississippi where I was taught values and an exceptional work ethic. As I earned my rank of Eagle Scout with the Boy Scouts of America in Bruce, Mississippi, I developed a love for the outdoors, the necessity for service within my community, and an appreciation of sound leadership. During these years and since, I have spent many days boating on the Tennessee River and hiking through forests along its banks. My paternal grandparents were educators and they instilled within me a strong sense of conservation, to seek knowledge and truth, to keep an open mind, and to always apply myself. Thus, I owe my successes in life to my family and to my community. I often recall elder family members telling me stories about how vital the Tennessee Valley Authority is to the region, and it was because of the TVA's affordable electricity, environmental stewardship, and its commitment to economic development that all resulted in a such positive impact on the successes region.

My entire career has been developing, building, and operating telecommunications infrastructure. I have secured rights-of-way and real estate, negotiated contracts, designed,

constructed, and operated networks in most of the larger cities in our great country and through some of its most remote areas. About nine years ago, I founded a new company based in Northern Virginia, the world's largest data center market. As CEO of SummitIG, I not only executed on a vision for the future of cloud connectivity, but I built an amazing team and network, which is now one of the most unique pieces of digital infrastructure in the world. My management style is one of common sense, fiscal responsibility, and commitment to customers through exemplary customer service.

After being away from my home state for several years, I made the decision to return to Mississippi just over twelve years ago. Two of the primary drivers to return to my beloved state were to be back among the people and cultures of the region and my commitment to service. I believe that if one has the ability to serve, it is their duty to serve, thus it is an honor to be considered for this position. TVA is vital to the seven states that it serves, and especially with its commitment to affordable, reliable electricity, its contributions to innovation, and economic development.

Electrical infrastructure will be a key driver for future development throughout the region and across our country. As technologies evolve and expand, the demand for reliable energy will continue to grow at a rapid pace. I strongly believe the Tennessee Valley Authority has a unique opportunity to be a leader in creating solutions to meet this demand and creating jobs throughout the region as part of its role in economic development. With the growing needs for digital infrastructure including 5G deployments, bandwidth connectivity, cloud computing, cybersecurity, data storage and processing, and the emerging development of electric and autonomous vehicles TVA must continue its pursuit of excellence as these demands and opportunities will drive key areas of our economy. TVA will play an important role in expanding the necessary infrastructure to deliver these services. I have been outspoken in the

telecommunications industry stating that electrical infrastructure and corridors are ideal for expanding broadband services.

The mission of TVA to harness the potential of the rich resources of the Tennessee Valley region to make life better for its residents is especially needed today as it was when the TVA was created nearly nine decades ago. As a Mississippian, I embrace this mission. Through collaboration of industry and education, TVA is in a prime position to meet the growing demands of tomorrow, making communities within the region prosper and enjoyable. Balance is the key to success. TVA has a balanced portfolio of power generation capabilities and must continue its pursuit of innovation.

If confirmed, I will immediately commit to work with the other board members and TVA's management team to provide strategic direction, drive for continued fiscal accountability, and maintain focus on affordable rates, values and efforts necessary to operate the complex demands and future needs of the entity and those it serves.

Thank you for your time and consideration. I look forward to answering your questions.

Senate Committee on Environment and Public Works
Subcommittee on Clean Air and Nuclear Safety
Hearing entitled, “Hearing on the Nomination of Charles W. Cook, Jr. to be a Member of the
Board of Directors of the Tennessee Valley Authority.”
December 9, 2020
Questions for the Record for Charles Cook

Chairman Braun:

Earlier this year, the TVA announced plans to replace as many as 200 of the highly skilled Americans employed by TVA in technology-based jobs with foreigners working under H-1B visas.

I agree with President Trump’s statement that “H-1Bs should be used for top, highly paid talent to create American jobs, not as an inexpensive labor program to destroy American jobs.”

Mr. Cook, in your testimony, you discuss your commitment to service in local communities.

1. In this spirit of service, do you believe that it is TVA’s responsibility to create, whenever possible, high-paying jobs for American citizens in the Tennessee Valley community?
Yes.
2. As a member of the Board of Directors, how would you use your position to ensure that American workers are offered opportunities to serve their region at the TVA?
I would work with the other Board members and management team to continue TVA’s mission of economic development in the region. Also, I would seek collaboration between TVA and universities/trade schools across the region to educate and train the workforce of tomorrow, and ultimately strengthen the regional economy and keep our fair share of emerging talent here within the region.

Ranking Member Whitehouse:

3. As TVA continues to shut its polluting resources down, it has seen its energy costs go down. Earlier in 2020 the TVA grid was able to provide reliable, low-cost power without any of its coal plants running. Has the TVA grid performed adequately during this pandemic?
To the best of my knowledge, it has.

Have renewables and other clean energy resources been able to cover TVA energy demand during this time?

Not yet being on the Board of the TVA, I do not have the exact data, however nuclear, hydro, and solar all contribute a significant and growing volume of energy resources of the TVA.

4. The most up-to-date levelized cost of energy estimates favor wind and solar over fossil fuel-based generation, yet wind and solar accounted for only 3% of TVA’s 156 TWh of

FY2020 energy generation. In addition to lower costs for ratepayers, what do you foresee as the benefits of transitioning greenhouse gas-emitting sources of energy such as coal and natural gas to renewable and other non-emitting sources?

I do not know that transitioning from coal and natural gas to renewable and other non-emitting sources necessarily and immediately mean lower costs for ratepayers. From my understanding thus far, the cost of renewable power sources has continued to become more competitive over time and could likely trend in this direction moving forward. If I am confirmed to the Board, I commit to learning more about this subject, and I will do my part to ensure that one, TVA continues to operate a balance of generating capabilities within its portfolio, and two, continues to pursue innovative methods for creating energy that are renewable, reliable, and affordable.

Are there improvements to TVA grid infrastructure that you see as important for enabling it to provide affordable renewable energy to the communities it serves in the years and decades to come?

Again, not yet being on the Board, I do not have the data to fully answer this question. Yet, TVA has recently had some significant success with renewable energy (i.e. solar for Google data centers) and if confirmed, I would work with the other Board members and the management team to continue its momentum in pursuit of greater renewable strategies and offerings.

Senator Sanders:

5. Do you acknowledge that climate change is driven primarily by human activity, specifically the burning of fossil fuels such as coal and natural gas?
I believe in climate change. Furthermore, I believe that human activity, specifically the burning of fossil fuels contributes greatly to climate change.
6. President Trump has suggested in the past that climate change is a hoax. Do you believe that climate change is a hoax?
No.
7. During this hearing, you stated that “more has to be done in the future” in terms of expanding the TVA’s renewable energy resource portfolio. The TVA currently generates 45 percent of its electricity from coal or natural gas. According to both the U.S. Global Change Research Program’s Fourth National Climate Assessment and the United Nation’s Intergovernmental Panel on Climate Change, we must aggressively transition away from fossil fuel resources to renewable sources of power if we are to avoid the worst impacts of climate change. Furthermore, according to Lazard’s 2019 Levelized Cost of Energy report, renewables like solar and wind are the cheapest forms of new energy generation.

Given that the use of fossil fuels is a primary driver of climate change, which will significantly worsen the quality of life for the people of the Tennessee Valley and that TVA can reduce ratepayers’ energy expenses by switching to renewables, please outline

your specific plan, including an aggressive timeline, for upholding the TVA's mission by eliminating use of fossil fuels and transitioning to renewable sources of power.

As I do not possess the information and facts contained in these reports, nor have I had an opportunity to listen to TVA's position on the elimination of fossil fuels and transitioning to renewable sources of power, I cannot address the referenced material nor TVA's timeline. However, I acknowledge that more should be done as electric utilities, and specifically TVA, progress with new technologies and a necessary prioritization of environmental goals.

Should I be confirmed as a member of TVA's Board, I would first assess the findings of various reports and TVA's plan for expanding its renewable energy resource portfolio. Next, I would immediately challenge TVA's management to increase its innovation in technology and other areas that will most likely drive the economy of the future. I would be happy to follow-up with you and your staff on the progress of TVA's expanding renewable energy portfolio and the anticipated timeline.

8. Since August, the TVA has persuaded more than 80% of the power companies that distribute the electricity it generates to agree to 20-year contracts – a much longer time frame relative to past agreements. These agreements will prevent TVA's customers from leaving TVA for cheaper, renewable sources of electricity for the next two decades. If confirmed, will you commit to opposing these 20-year contracts?

I have not read these contracts to fully understand whether there are penalties should a customer with a 20-year contract decide to leave before the end of the term. If confirmed, I would be interested in getting briefed by the management team on why TVA decided to offer 20-year contracts and what effect they may have on renewable sources of electricity moving forward. In addition, I would look forward to hearing from TVA's customers on the benefits they have found from entering into these agreements with TVA.

Senator BRAUN. Thank you, Mr. Cook.

Before we have members asking questions, I have to ask you these routine questions. Do you agree, if confirmed, to appear before this committee or designated members of this committee, and other appropriate committees of the Congress, and provide information subject to appropriate and necessary security protection, with respect to your responsibilities?

Mr. COOK. Yes, I do.

Senator BRAUN. Do you agree to ensure that testimony, briefings, documents, and electronic and other forms of information are provided to this committee and its staff, and other appropriate committees of jurisdiction in a timely manner?

Mr. COOK. Yes, I do.

Senator BRAUN. Do you know of any matters which you may or may not have disclosed that might place you in any kind of conflict of interest if you are confirmed?

Mr. COOK. No, I do not.

Senator BRAUN. Thank you. I appreciate the responses.

I will now recognize myself for 5 minutes of questions. As I noted during my opening statement, the Tennessee Valley Authority serves a dual mandate, operating not only as a utility for the people of the Tennessee Valley, but also as a hub for investment and innovation. Electrical infrastructure has long been important to fostering new development opportunities, not only in the Tennessee Valley, but across the U.S.

As you mentioned in your testimony, this is especially true today, as society becomes more dependent on next generation digital infrastructure. As a 30-year veteran of the telecommunications and broadband infrastructure industries, how do you believe TVA should prepare to meet these new demand opportunities for residents of the Tennessee Valley? Weight in a bit on what you are seeing in rural Tennessee and in the TVA footprint in terms of how broadband is progressing.

Mr. COOK. Certainly, thank you.

I certainly believe that the economy of today will not be the economy of tomorrow. I think it is very important that the TVA continues with its innovative efforts to capitalize on investments that it has made, and continue to make additional investments in the area of not only the production of electricity but also in other aspects of distribution and transmission of the same.

With regard to broadband, broadband has become an essential service, just like electricity. While a lot of areas have broadband, there are even more areas, certainly rural and remote areas, that lack broadband connectivity. As I stated in my opening statement, I believe the electric utility corridors are some of the best infrastructure for being able to enable broadband. You have a core set of service that is already there, and it is very difficult to get private capital to go and build and not understand what the exact return on the investment would be. I see broadband as being an essential service today.

Senator BRAUN. Have you found that your REMCs in and around the area, is there development within the TVA footprint already on broadband? Or are you basically starting from scratch like many rural areas are?

I know in Indiana, we have several counties and electric utilities that are two to 3 years into it and making good progress.

Mr. COOK. Yes. We are starting to see the electric cooperatives, certainly in Mississippi, start to make some of those investments. I think it is wise, and I think that over time, there should be encouragement and collaboration from TVA with those electrical cooperatives to enhance their offering.

Senator BRAUN. I think you are going to find, especially with the largest utility in the Country, that is the No. 1 issue challenging rural America, maybe along with work force development. Earlier, I asked you about the role of electrical infrastructure, how it plays into economic development. Last month, this important relationship was made evident when TVA announced a partnership with Origis Energy to supply renewable solar power to two Google data centers in the TVA footprint through its Green Invest Program.

Before starting your own consulting firm in Mississippi, you spent nearly 7 years as CEO of SummitIG, a network solutions company that works to extend data center connectivity in one of our Nation's largest data center hubs. How might you leverage your experience in the data infrastructure industry to further TVA's efforts to attract companies seeking to meet sustainability goals?

Mr. COOK. Thank you. While the TVA region is vast, as you know, it has some of the best, lowest power rates in the entire Nation. I think the companies that live and thrive and operate in the world of data centers should be taking a much closer look at the TVA region for placing their facilities. It provides an enormous amount of economic development to the area. I believe that connecting those facilities, both with critical infrastructure being electric power and broadband connectivity, TVA is poised to really make a difference, both for those companies and for the region that it serves.

Senator BRAUN. Good. I think the Nation will be watching.

I now recognize Senator Whitehouse for his questions.

Senator WHITEHOUSE. Thank you, Chairman. Again, Mr. Cook, thank you, and welcome to our committee.

The TVA has shown that it can continue to shut polluting resources while cutting energy costs go down, and seeing the liability maintained. At the same time, the local community, through the Nashville Carbon Competitiveness Report, has urged that if TVA does not push hard on reducing emissions and renewable energy, that it will put Nashville at a competitive disadvantage in years ahead. On a third front, you have major utilities like Duke, Dominion, Xcel, Southern Company, and National Grid, setting net zero emissions targets.

What do those three things tell you about the role for renewables in TVA's future?

Mr. COOK. Definitely, renewables are part of the future. There is no doubt about it. It seems that TVA has made strides with developing some of these renewable sources for generating electricity. To your point, I believe that more has to be done in the future.

Senator WHITEHOUSE. Chairman Braun and I have worked together on nuclear innovation issues. One of the reasons that we are working hard on this issue is that there is really no mechanism we

have right now for disposing of nuclear waste. TVA has three nuclear facilities that have spent nuclear fuel sitting at those facilities.

As we work on developing nuclear innovation and next generation nuclear power plants, there are two ways we can go. We can focus on technologies that require the creation of new nuclear fuel, and create new nuclear waste, or we can focus on technologies that promise to repurpose the existing nuclear waste and turn it into positive fuel and carbon free energy.

I am hoping that in your role on the board, if these decisions come before you, you will understand the added value of nuclear innovation technologies that give us the chance to burn through and re-use the nuclear waste, rather than just have it sit there and where it's actually added to that pile. Could you comment on that?

Mr. COOK. Senator, I find that fascinating, with the use of nuclear energy and how it is produced. If I am confirmed, I look forward to getting more educated on nuclear power and nuclear waste. To your point, with regard to what happens with that waste, I think there has to be a balance. I think the process today for which nuclear waste is disposed, but that is part of the opportunity for TVA, to come up with that innovation with what to do with that waste.

Senator WHITEHOUSE. Yes. The process right now is that it sits at your facilities. If it could be repurposed, that would be an entirely new opportunity. I urge you to bear that in mind as a priority, not only as a general purpose priority, but also a specific way to help TVA deal with the nuclear waste that is sitting on its sites right now.

Mr. COOK. You have my commitment.

Senator WHITEHOUSE. Thank you. Will you commit to making regulatory decisions that are best for TVA ratepayers to not being influenced by political pressure when making regulatory decisions, and to supporting the safety of the natural world in your decisions on which we all depend?

Mr. COOK. Yes.

Senator WHITEHOUSE. Thank you, Mr. Cook. Those are all the questions I have. I yield back to the Chairman.

Senator BRAUN. Thank you, Senator Whitehouse.

Senator CARPER.

Senator CARPER. Thanks, Mr. Chairman.

Mr. Cook, welcome. I enjoyed talking with you earlier this week. Thank you for joining us today.

My wife and I are the parents of two Eagle Scouts, and we revere what they have learned in that role about service and about this planet that God has given us and the obligation to protect it and the creatures that inhabit it.

Mr. Chairman, I am going to be real honest with you and our colleagues. This nine-member panel, this important nine-member panel, there are currently five with the dismissal by the President recently of two sitting members of the panel, there are now five people serving on the panel. We have two nominees we have reported out, I think they are awaiting Senate action, nominated by this President. We have Mr. Cook, and we have another nominee that we have recently received. If they are all confirmed, we will

have nine members of the panel, all nominated by Donald Trump, all nine. There is no requirement for any kind of political balance on this panel. I think there should be.

We have a number of panels, in the Federal Government and also in State government, where there must be a majority of no more than, say, of either party. I am just concerned; I am concerned with a utility this large having all nine members of the board overseeing the utility nominated by a President who is dismissive of the idea of climate change and global warming. That is a troubling factor for me. It does not disparage at all Mr. Cook or his abilities and capabilities. I find it troubling.

Mr. Cook, with that as a little bit of context, as you noted before, President Trump supposedly cared about the labor work force at TVA when he fired two TVA board members for plans to outsource information technology jobs to workers outside this Country.

I would just ask, with that in mind, before being nominated, were you asked about your views on outsourcing? Did you take a pledge to keep TVA union jobs within the State of Tennessee by this Administration?

Mr. COOK. I was not. I was not asked, there was no prior conversations with the Administration whatsoever regarding really anything.

Senator CARPER. Thank you. If you did not offer or take such a pledge, could you pledge for us today to vote against outsourcing TVA jobs and to support local union workers?

Mr. COOK. Most likely, I would want to do what is in the best interests of the TVA if confirmed, with other board members, and recommendations of the management.

Senator CARPER. I have said this, my colleagues will verify I have said this time and time again, TVA is expected to be a leader, an industry leader, when it comes to clean energy, energy efficiency, and to safety. Good progress has been made toward that goal. Last year, TVA reported it was on target to reduce carbon emissions by 70 percent from 2005 by 2030. Yet today only 3 percent of its portfolio comes from wind and solar energy.

I would just challenge TVA to go further, both on investments in renewable energy and on carbon reduction. This is really a yes or no questions, but if confirmed, do you commit to continuing clean energy investments and ensuring TVA is a national leader in technological innovation and environmental stewardship?

Mr. COOK. Yes, I do.

Senator CARPER. Thank you. If confirmed, what is one thing, just give us an example of one thing that you would do to ensure that TVA invests in cleaner air, clean renewable energy, and energy efficiency. Give us one good example.

Mr. COOK. Certainly. Well, as a resident of the TVA region, clean air, clean water, are very important to me and to my family, and I believe all the others within the TVA, including visitors who visit the area. I think that some of the renewable technologies continue to evolve, particularly with solar power. As we have seen with recent installments to support the Google facility, I think TVA must continue its record of innovation and come up with additional innovative ways to not only support one customer, but to be able to push that throughout its grid.

Senator CARPER. Let's go back and talk a bit more about climate change if we could. I do not know if you have ever been to Delaware. Delaware was the first State to ratify the Constitution. We are real proud of that. We just commemorated that anniversary on Monday of this week, December 7th, Delaware Day.

We are also the lowest-lying State in America. Our State is sinking and the waters around us are rising. That is not a good combination. Federal agencies continue to make dire reports about the threat posed by climate change. We see it every day in my State. Last year, the Government Accountability Office, known as GAO, issued its High Risk List on risks to our Nation's economy. The GAO reported this Administration is walking away from the growing threat of climate change and we will be poorer for it. Specifically, GAO found that this Administration's actions, such as revoking former President Obama's Federal Flood Risk Management Standard, and this is a quote from GAO, "potentially increases the Federal Government's fiscal exposure to climate change."

My question would be, do you agree with the conclusions of the issued Fourth National Climate Assessment and GAO's reports that State our economy is at risk if we do not take action to address climate change? If not, why not?

Mr. COOK. Senator, I have not read that report, and I am unsure of the findings of it. I am happy to look into that, and report back to you. Yes, I do believe in climate change, and I think that there is responsibility and accountability by TVA and all others to take this matter seriously.

Senator CARPER. Thank you. I will say with respect to climate change, some people here have termed global warming, I can think of one in particular, who when he thinks of it, he thinks the word hoax. Hoax. I can think of another person, soon to be President of the United States, when he hears the term global warming, the one thing he thinks of is jobs. We have discussed many times in this committee, in adversity lies opportunity, and the adversity of climate change and global warming is actually a great opportunity to create jobs, good-paying jobs. I would ask that you keep that in mind.

Last question would be on coal ash. Do I have any more time? I am actually over my time, Mr. Chairman.

Senator BRAUN. Go ahead.

Senator CARPER. Thanks so much.

According to TVA's own reporting, the 7 million tons of coal ash that were spilled in 2008 from the Kingston Fossil Plant contained high levels of toxic heavy metals that are known to cause cancer, liver damage, and neurological complications, among other health problems. A Federal jury in the U.S. District Court for the Eastern District of Tennessee found that the contractor used by TVA to clean up the Kingston coal ash spill, Jacobs Engineering Group, did not adhere to worker safety or health requirements, potentially causing sickness and death. During the trial, there was troubling testimony from workers that called into question TVA's conduct during and after the cleanup efforts.

Here is my question. If confirmed, will you commit to us to ensuring TVA will be a good actor and be transparent to the employees and their families that are impacted by this particular issue?

Will you commit for us to ensuring that TVA's employees and those contracted by TVA do work in a safe environment at all times? Will you commit for us, please, to doing all you can to ensure that TVA cleans up its current coal ash sites?

Mr. COOK. Yes, I will.

Senator CARPER. Thank you very much. Thanks, Mr. Chairman.

Senator BRAUN. Thank you, Senator Carper.

It is certainly not without precedent for the entirety of the TVA board to be appointed by one President. President Obama nominated a total of 14 persons to the TVA during his presidency. Further, from 2012 to 2017, a period of 5 years, the entirety of the TVA board was made up of nominees appointed by President Obama. The Senate EPW committee approved every single one of his nominees by unanimous consent.

Senator BRAUN. Not to end on a point-counterpoint, I want to maybe assuage the concerns of Senator Carper. I really do believe we have crossed a threshold. I was part of it a year ago when we started the first Senate Climate Caucus. I am a fellow Eagle Scout, earned it back in high school, started an ecology club back then. It was so popular we had two of them. Very anecdotal, but look where it does lead someday.

I think the concern about the health of Mother Nature is broad and growing. You can see that in the short time, we have two bipartisan bills, the Growing Climate Solutions Bill, that helps tree farmers and egg farmers actually capitalize on voluntary markets out there. Chris Coons and I have sponsored the Trillion Trees Act. May be low-hanging fruit, but I think we are on the journey to changing the dynamic that has been in place.

Whether you are going to take maybe more of a government approach or whether you are going to tap the ingenuity and enterprise of the private sector through innovation and technology, it is clear that we are going into a new dimension. It sounds like you do reflect that concern. For me, it is something to look at with optimism.

Any other questions from any members? Seeing none, members may also submit followup written questions for the record by 4 p.m. on Friday, December 11th. The nominee should respond to those questions by 4 o'clock on Thursday, December 17th, if there are any questions.

I want to thank you for your willingness to appear before this subcommittee today. I enjoyed the conversation.

This hearing is adjourned.

[Whereupon, at 10:25 a.m., the hearing was adjourned.]