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July 2024

E-Newsletter

Beat the Heat!

It feels like summer just started and, at the same time, it's almost over for the kiddos. Back to school will be here before we know it! One thing's for sure, the summer heat will last long into the fall months. We haven't had much of a reprieve from the high temperatures this summer and it doesn't look like it will be letting up any time soon. Make sure you do your best to stay cool and hydrated when out and about!

Once every four years, the Olympics comes around and it's a great way to bring the country together as we watch our most elite athletes compete on the world's stage! Did you know many modern Olympic Torches have typically burned propane throughout the relay? The modern torch was introduced during the 1928 Olympic Games in Amsterdam. Since then, the design of the torch has evolved, along with the fuel that powers the symbolic flame. Everything from gunpowder to olive oil was used to fuel the Olympic torch's flame. The first liquid fuels were introduced at the 1972 Munich games. Torches since that time have carried liquid fuels — they are stored under pressure as a liquid but burn as a gas to produce a flame. Liquid fuel is safe for the runner and can be stored in a lightweight canister. This year, in particular, for the first time in the history of the Olympics, the torch is powered by Biopropane. Biopropane is a type of renewable LPG made of feedstock of biological origin, vegetable oils and waste residues, thus reducing significantly the carbon footprint of the Olympic flame. It's another way that showcases how propane is a fuel for our future!

If you have any questions, please don't hesitate to contact the LPGA office at 225-763-8922.



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2024-25 Calendar of Events

September 2024: Third Quarter Board of Directors Meeting, Date and Location TBD.

October 7, 2024: National Propane Day!

November 7-8: State Leadership Summit, Washington, DC.

December 15: NPGF Scholarship Applications Open.

December 2024: Fourth Quarter Board of Directors Meeting, Natchitoches, LA-Date TBD.

February 15, 2025: NPGF Scholarship Applications Deadline

April 4-6, 2025: Southeastern Propane Expo, Charlotte Convention Center-North Carolina.

June 8-10, 2025: NPGA Propane Days, Hilton Washington DC Capitol Hill.

June 29-July 1, 2025: APGA-LPGA Annual Summer Convention, Perdido Beach Resort-Orange Beach, Alabama.

Learn All About PEP

As you know, there has been a demand for shorter, more modular training for employees in the propane industry.

We, at PERC, are excited to announce that the new PERC Education Program (PEP) is here and ready to use.

PEP is task specific, customizable, and fulfills the training needs for you, your employees, and others across the industry.

As with any new program, we know you are bound to have questions. Answers to most of them can be found on propane.com/PEP, including FAQs, a comparison chart of CETP to PEP content, a brochure, a PowerPoint, and a flyer on becoming a PEP Recognized Instructor, amongst others. You can also register for our next webinar on September 12th to learn about how to create your own learning paths from PEP content.

We're excited about this new program, and we look forward to working with you as we roll PEP out industry wide. If you have any questions, don't hesitate to reach out through email at learning@propane.com or by phone at 202-452-8975.

2024 APGA/LPGA Summer Convention



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Groundbreaking U.S. Supreme Court Decision Sharply Limits the Power of Federal Regulatory Agencies

In a major decision Friday, June 28, 2024, the United States Supreme Court in *Loper Bright Enterprises v. Raimondo* sharply limited the power of federal regulatory agencies to interpret Congressional statutes, finding that courts may not defer to an agency's interpretation of the law simply because a statute is ambiguous. In doing so, the 6-3 Supreme Court majority overturned the *Chevron v. Natural Resources Defense Council* case and decades-old legal precedent that required courts to defer to the expertise of federal administrators in interpreting laws passed by Congress. *Chevron* required courts to defer to the agency if it had offered "a permissible construction of the statute," even if it was not "the reading the court would have reached if the question initially had arisen in a judicial proceeding."

As Chief Justice John Roberts wrote, the *Chevron* framework was "unworkable" and "fundamentally misguided" and allowed federal agencies to change course even without direction from Congress.

This decision will spur extensive legal challenges to regulations issued by federal agencies across industries all across the country. Going forward, the Supreme

Court's decision will only afford federal agencies a diminished level of deference by courts in an agency's interpretation of laws, where courts will only follow agency interpretation after independently evaluating an agency's thoroughness, validity, and consistency in interpreting statutes. Former U.S. Solicitor General Paul Clement, who argued in favor of overturning *Chevron*, remarked that "the Court's decision puts to rest an interpretive methodology that has seriously distorted how the political branches operate for far too long. Courts should ask what the law means, not whether it is ambiguous, and in close cases, the tie should go to the citizen, not the government. We are gratified that the Court restored the constitutionally mandated separation of powers."

The propane industry is governed by an extensive network of federal regulatory agencies whose actions and regulations will be impacted by this ruling. Our legal and regulatory team will continue to analyze the decision and its impact on our industry and the regulations that govern it. Questions? Contact Director of Regulatory Affairs and Associate General Counsel Kate Gaziano at kgaziano@npga.org.



Save the Date!

APGA/LPGA Summer Convention

Perdido Beach Resort

June 29-July 1, 2025

Plan Now to Prepare for Winter's Worst Challenges

Even as the nation contends with searing heatwaves of historical proportions, summer will soon turn to fall and bring chilly November blasts. That means now is the time to prepare for the hectic winter heating season ahead.

Autumn's arrival should bring the industry's focus to early tank fill programs on the farm and getting ready for grain drying season. To effectively plan for grain drying, propane marketers need to understand what is happening with the growing corn crop right now.

The U.S. Department of Agriculture has reported that corn planting was down 5% from 2023 levels, with 90 million acres of corn in the ground. Despite the drop in corn acres planted, rain delayed corn planting in many areas. As a result, corn moisture could be higher with normal weather patterns through the harvest.

"Farmers will need ample supplies of propane to dry corn if they are faced with a short harvest season before winter," said Mike Newland, director of agriculture business development for PERC. "While much of the nation is experiencing drying conditions, it will be important for producers to monitor weekly crop moisture levels and plan their grain drying fuel supplies accordingly."

PERC's Grain Drying Demand Model tracks the growing corn crop compared to the previous 22 years of data for each state and local service area to provide insight into what could happen during harvest season for grain drying gallons. This tool is only available to the propane industry, and is a real benefit to planning, as it tracks the corn crop every week from the time of planting until harvest.

As always, planning will be essential for grain dryers to run, for livestock buildings to be ready for cooler weather that is coming quickly, and for happy, warm customers all winter long.

Transitioning into the colder winter months, not only are early fill programs vital for residential and commercial customers, but so is early communication to them and your employees on best practices for situations involving snow, ice, tank maintenance, storage, and what to do if you they are out of gas. Take the time now to make sure your employees are prepared for the busy season and to avoid weather or incident-related injuries.

As a whole, industry supply is well positioned going into the crop drying season and the winter draw. That should help marketers assess storage and firm up supply contracts that provide maximum flexibility against the unknown.

Last winter was relatively free of supply disruptions. But given the uncertainties of pipeline, rail and truck distribution during a typical winter, marketers are advised to plan for both the expected and unexpected. Arrange both a primary and backup supplier. Identify multiple supply points in case one is somehow compromised.

Given the additional challenges of industry-wide driver shortages – and the new emergency driver training requirements that extend the time it takes to onboard new hires – early fills of customer tanks are more critical than ever. Fill tertiary storage early and often while pipeline capacity is available and demand is calm. Remember, pipeline infrastructure is not intended to be the sole source of supply during peak demand.

Now is the time to communicate with customers about the best early fill strategies. Let them know how and when to contact you using PERC's free, downloadable outreach materials on propane.com.



Get Ahead of Grain Drying Demand

Despite a drop in total corn acres planted this spring, rain delayed planting in many locations. As a result, corn moisture could be higher even with normal weather patterns and temperatures through autumn. With PERC's online tools, you can help your farm customers plan their propane grain dryer needs ahead of harvest.

▶ Scan below to quickly compare crop moisture levels, year-over-year.



Electricity Prices on the Rise

According to finalized data from the U.S. Energy Information Administration, the average residential price of grid electricity in the U.S. increased 10.1% between 2021 and 2022. Further, the average commercial price of electricity rose 10.6% over that same period of time. The 10.1% residential and 10.6% commercial increases reflect the largest year-over-year electric price increase in each customer category in at least a decade.

More worrisome, policy-driven electrification efforts, which are being pursued in states across the country, will require additional investments in generation, distribution, and transmission infrastructure to produce more electrons and ensure their safe movement across the bulk electric system. All of this is embedded in the rate base passed along to utility customers, and puts upward pressure on retail electricity prices.

Fast Facts:

- 2022 Average U.S. Residential Electricity Price: 15.04 cents per kWh
- 2022 Average U.S. Commercial Electricity Price: 12.41

cents per kWh

- 2022 Average U.S. Industrial Electricity Price: 8.32 cents per kWh

Propane is a clean, efficient, and cost-effective fuel to power countless residential and commercial building applications. For more information on the numerous benefits of using propane to power buildings, visit the Home Use and Business Use sections of PERC's website. For more information, contact NPGA's Director of State Affairs, Jacob Peterson, at jpeterson@npga.org.



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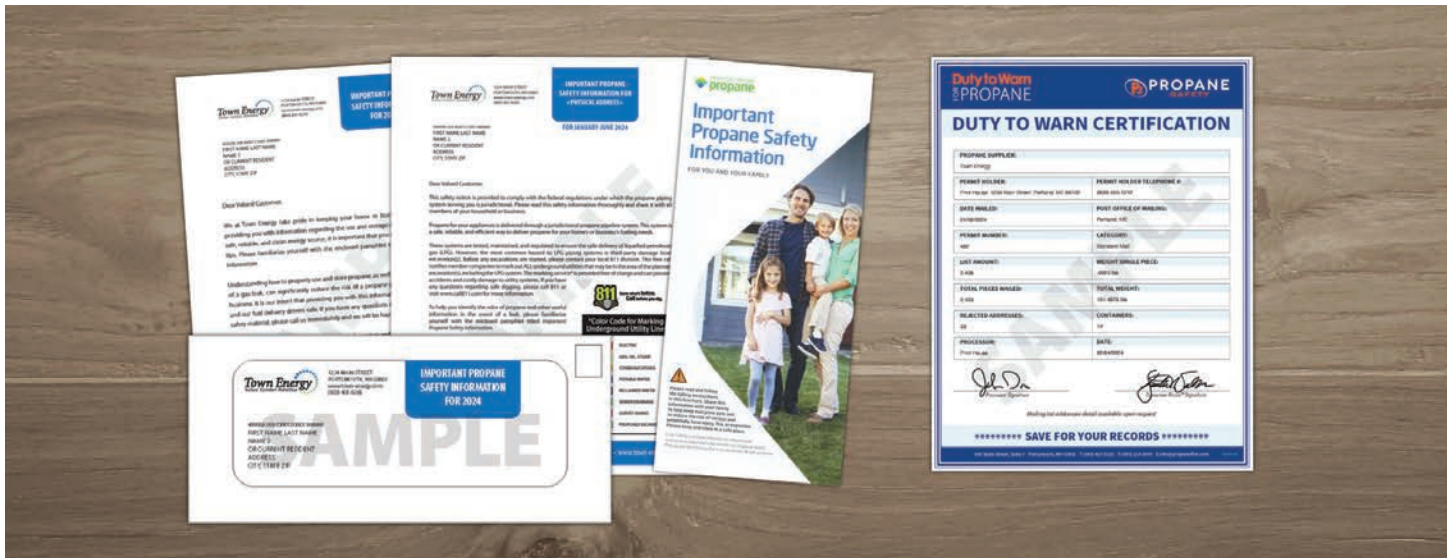
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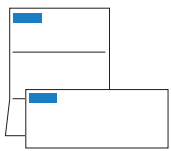
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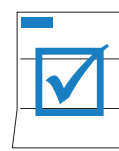
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