### DA

#### Congress is on track to make a deal to prevent sequestration cuts now---Obama’s political capital is key to forge a compromise

Weisman 10/1 Jonathan is a writer at the New York Times. “Leaders at Work on Plan to Avert Mandatory Cuts,” 2012, http://www.nytimes.com/2012/10/02/us/senate-leaders-at-work-on-plan-to-avert-fiscal-cliff.html?hp&\_r=0

WASHINGTON — Senate leaders are closing in on a path for dealing with the “

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the deal, deliver the members of his party and sign the bill.”

#### Plan’s massively controversial

Leone 12 Steve is the Associate Editor of Renewable Energy World. “Part 2: Political Reality and the Way Forward for Renewable Energy,” April 3, http://www.renewableenergyworld.com/rea/news/article/2012/04/part-2-political-reality-and-the-way-forward-for-renewable-energy

In Washington, it’s hard enough to craft legislation even in relatively amicable times.

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can be revived? It’s increasingly looking like the answer may be no.

#### Sequestration guts funding for Head Start

Emmanuel 7/26 Adeshina is a writer at the New York Times. "Head Start Fears Impact of Potential Budget Cuts," 2012, http://www.nytimes.com/2012/07/27/us/head-start-fears-impact-of-potential-budget-cuts.html?pagewanted=all

WASHINGTON — Tens of thousands of young children from low-income families could be

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would help rein in an overpriced program whose benefits have not been proven.

#### Head Start's key to economic and racial equality - you have a moral obligation to provide all children a fair shot

Ausley and McMinn 9 Loranne Ausley currently serves as Board Chair of the Florida Healthy Kids Corporation, and as a senior advisor to the Lawton Chiles Foundation and Katie McMinn Campbell Policy Analyst at Progressive Policy Institute Policy Analyst at [Democratic Leadership Council](http://www.linkedin.com/companies/democratic-leadership-council) January 15, 2009 (“Investing in Early Education for Future Growth," http://www.ndol.org/ndol\_ci.cfm?kaid=450020&subid=900201&contentid=254851)

Despite a new national focus on raising education standards and measuring student performance, we

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has access to a good preschool education is a moral and economic imperative.

### CP

#### The United States Supreme Court should rule state restrictions on local solar siting unconstitutional on the grounds that it violates the tenth amendment

#### Courts can effectively rule to invalidate restrictions on all forms of energy production

Simon 7 [Christopher A. Simon - Director, Master of Public Administration, Political Science Department, University of Utah, Professor, Political Science, “Alternative Energy: Political, Economic, and Social Feasibility”]

**THE COURTS**

The institutional power of the federal … in- terpretation and national policy priorities.

#### It’s competitive --- doesn’t remove restrictions, just rules them unenforceable

Treanor & Sperling 93 William - Prof Law at Fordham. Gene - Deputy Assistant to President for Economic Policy. “PROSPECTIVE OVERRULING AND THE REVIVAL OF "UNCONSTITUTIONAL" STATUTES,” Columbia Law Review, Dec 93, lexis

Unlike the Supreme Court, several state courts have … offer a convincing rationale for nonrevival.

### CP

#### The United States federal government should establish a cooperative regulatory regime for the siting of solar power generation including a federal minimum standard for state and local regulation. The United States federal government should delegate regulatory digression to state and local government to experiment above that imposed floor.

#### **Counterplan solves the case and avoids the race to the bottom that the plan creates – their solvency advocate proves**

Pursley & Wiseman 11 – Garrick, Assistant Professor of Law, University of Toledo College of Law, and Hannah, Assistant Professor of Law, University of Tulsa College of Law, “Local Energy”, Emory Law Journal, 60 Emory L.J. 877

The discussion thus far reveals few if any general justifications for claiming that one level

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land-energy law-making authority for distributed renewables in this section.

#### Turns case—3 reasons

Kay 12 (David, Cornell Community and Regional Development Institute, “Energy Federalism: Who Decides?”, July, http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/programs/loader.cfm?csModule=security/getfile&PageID=1071714)

The theory of devolved federalism presents a mirror image of several of these arguments,

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in turn, its roots in ancient republican ideas about “civic virtue”.

#### Federalism is being decided now through energy policy

Kay 12 (David, Cornell Community and Regional Development Institute, “Energy Federalism: Who Decides?”, July, http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/programs/loader.cfm?csModule=security/getfile&PageID=1071714)

Questions about energy production … urban points of consumption. Ii

#### Energy policy is the tipping point—expanding federal policy rebalances federalism and would give them control over all decision

Stein 12 (Amy, Associate Professor, Tulane University School of Law, “THE TIPPING POINT OF FEDERALISM”, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2098176)

As the Supreme Court has noted, “it is difficult to … towards federal authority.

#### Decisions over energy policy decide who has control

Kay 12 (David, Cornell Community and Regional Development Institute, “Energy Federalism: Who Decides?”, July, http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/programs/loader.cfm?csModule=security/getfile&PageID=1071714)

**New Yorkers are “spilling blood”** - in the … the stage for defeat in another.

#### Federal restraint on energy policy prevents a rebalancing of federalism—plan reverses it

Stein 12 (Amy, Associate Professor, Tulane University School of Law, “THE TIPPING POINT OF FEDERALISM”, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2098176)

Given this history, one might expect to … that affect tips from state towards federal authority.

#### American environmental federalism is modeled globally---means their impact is worse

Sovacool 08 (Benjamin, Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization, Adjunct Assistance Professor at the Virginia PI and University in Blacksburg VA, PhD in Science and Technology, Stanford Environmental Law Journal, June, 27 Stan. Envtl. L.J. 397)

Third, other countries continue … signal it sends to the world.

### Solvency

#### Community projects fail due to limited funds – rich investors fill in

Farrell 9/11 1AC Author, John, Institute for Local Self-Reliance senior researcher specializing in energy policy developments that best expand the benefits of local ownership, Crowdfunding helps community power become reality, 11 Sep 2012, http://grist.org/climate-energy/crowdfunding-for-community-power/

Right now, there are two kinds of community-based renewable energy projects,

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project is an illustration, as are several solar projects in this report.

#### The plan jacks up the cost of electricity

Maryniak 7/20, Gregg, Chairman of the Energy and Environmental Systems Track of Singularity University and the Secretary of the X PRIZE, 7/20/2012, Storage, Not Generation, is the Challenge to Renewable Energy, <http://www.forbes.com/sites/singularity/2012/07/20/storage-not-generation-is-the-challenge-to-renewable-energy/?utm_source=dlvr.it&utm_medium=twitter>

If you read newspapers, blogs and other popular reports on renewable energy, you

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nuclear and hydro we will we see a transformation of the energy industry.¶

#### Price increases exacerbate energy poverty.

Melhuish 9—Molly Melhuish, Domestic Energy Users Network, 11/25/09, How does the Emissions Trading Scheme impact on electricity prices? http://issues.co.nz/fairelectricity/How+does+the+Emissions+Trading+Scheme+impact+on+electricity+prices%3F

So what does the ETS mean for households?¶ Essentially, electricity prices will rise

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access subsidized insulation, or afford to buy more energy-efficient appliances.

#### Their author concludes negative – no community spillover – only few citizens will be involved

Hoffman & High-Pippert 5 – Steven M. Hoffman, PhD, Professor of Political Science at the University of St. Thomas in St. Paul, Minnesota, AND\*\*\* Angela High-Pippert, PhD, Director of Women's Studies at the University of St. Thomas, and serves on the ACTC Women's Studies Coordinating Committee, “Community Energy: A Social Architecture for an Alternative Energy Future”, Bulletin of Science Technology & Society 2005 25: 387, http://bst.sagepub.com/content/25/5/387.full.pdf+html

The nature of community energy and the role that such initiatives might play in the

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participate in public policy making or in any sort of sustained political process.

#### Solar loses 80 percent of its potential output to inefficiency

Glennon and Reeves 10, Robert Glennon is a Morris K. Udall Professor of Law & Public Policy at the University of Arizona - Rogers College of Law; PERC - Property and Environment Research Center, Andrew M. Reeves is a graduate student at University of Arizona - James E. Rogers College of Law, December 8, 2010, Arizona Journal of Environmental Law & Policy, Vol. 1, p. 91, 2010 Arizona Legal Studies Discussion Paper No. 10-45, “Solar Energy's Cloudy Future,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1722241>

In addition to concerns over land use, utility-scale solar power presents problems

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make an impact on energy needs. Table 4 helps illustrate these concerns.

#### Solar has massive land needs per megawatt – can’t solve on a large scale

Glennon and Reeves 10, Robert Glennon is a Morris K. Udall Professor of Law & Public Policy at the University of Arizona - Rogers College of Law; PERC - Property and Environment Research Center, Andrew M. Reeves is a graduate student at University of Arizona - James E. Rogers College of Law, December 8, 2010, Arizona Journal of Environmental Law & Policy, Vol. 1, p. 91, 2010 Arizona Legal Studies Discussion Paper No. 10-45, “Solar Energy's Cloudy Future,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1722241>

In addition to water consumption issues, the land use impacts of solar energy are

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Table 2 provides estimates of the land requirements for various types of technologies.

If the applications BLM has received for solar projects in Arizona are any indication,

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the landmass footprints necessary for utility-scale solar power are staggering.86

#### Overcoming storage issues requires massive capital

Heal and Garrett 9, Geoffrey Heal, Professor of Public Policy and Corporate Responsibility; Paul Garrett,Professor of Finance and Economics, Graduate School of Business, Columbia University, 29 October 2009, Can renewable energy save the world?, http://voxeu.org/index.php?q=node/4138

There are other renewable sources of energy – geothermal, wave, tidal, in

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non-renewable sources like nuclear and coal with carbon capture and storage.

#### Raw materials for solar are in short supply

Graedel et al 12, T. E. Graedel, Professor of Industrial Ecology, Professor of Chemical Engineering, Professor of Geology and Geophysics, and Director of the Center for Industrial Ecology, Nedal T. Nassar, Rachel Barr, Matthew Browning, Zhouwei Diao, Elizabeth Friedlander, E. M. Harper, Claire Henly, Goksin Kavlak, Sameer Kwatra, Christine Jun, Simon Warren, Man-Yu Yang,. Criticality of the Geological Copper Family. Environmental Science & Technology, 2012; 46 (2): 1071 DOI: 10.1021/es203535w, http://pubs.acs.org/doi/abs/10.1021/es203535w

Modern technology depends on reliable supplies of a wide variety of materials, but there

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national finances and strategy, and the organization's innovative abilities should restrictions occur.

#### Tons of issues

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Solar energy‘s short-term future, however, is cloudy. The

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solar will never become more than a marginal player on the energy stage.