



Written by [James Murphy](#) on April 16, 2020

Rhode Island Climate Lawsuit Is Nothing but a Money Grab

Pretending to hold big energy companies “accountable” for their role in global warming, the State of Rhode Island is currently involved in a lawsuit against several energy companies. The suit seeks to hold “big energy” solely responsible for the so-called climate crisis. But damning evidence has surfaced which may show that the cash-strapped state isn’t looking to punish climate offenders — but for a big payday.



An *amicus curiae* brief filed by Energy Policy Advocates (EPA), an energy policy watchdog group, contains evidence that state officials were looking for a “sustainable funding stream” for the state’s depleted coffers, rather than climate-change justice.

In 2018, Rhode Island Attorney General Peter Kilmartin [brought suit](#) against 14 energy producers in the state, including Chevron, ExxonMobil, British Petroleum, and Royal Dutch Shell, alleging that the companies created a public nuisance by not “[Disclosing] known harms associated with, and knew or should have known of the dangers associated with the extraction, promotion and sale of their fossil fuel products.”

In July of 2018, Kilmartin claimed that “Rhode Island is especially vulnerable to the effects of climate change that is now on our doorstep with sea-level rise and an increase in severe weather patterns, as seen by the extensive damage caused by storms in the past several years, including Super Storm Sandy and the floods of 2010.”

But the [brief](#) filed by EPA contends that the state’s ambitions were not so pure, and possibly their real intention in filing the suit was to do an end-run around voters and gain alternate funding for desired state spending on environmental projects.

“Energy Policy Advocates (EPA) has obtained emails and handwritten and typewritten notes under public records laws that are highly relevant to this proceeding. These two sets of notes each purport, independently, to record the assertion by a senior State of Rhode Island official that the objective of this litigation is to obtain a “sustainable funding stream” for the State’s spending ambitions, having failed to convince the voters’ elected representatives to provide one.”

The “senior State of Rhode Island official” was the state’s Director of the Department of Environmental Management Janet Coit, who was speaking at a policy forum for climate activists. Two different sets of notes record Coit saying the same thing about the suit: In a nutshell, the legislature would not provide funding for climate change projects, so the bureaucracy was reduced to attempting to gain funding by suing the energy companies.

Handwritten notes by Carla Frisch of the Rocky Mountain Institute, which can be read [here](#) (relevant portion bottom of Page 9), state: “RI- Gen Assembly [Democrat] but doesn’t care on env/climate,” and



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that the state was “looking for sustainable funding stream” and was reduced to “suing big oil for RI damages in state court.”

And if you’re inclined to believe that Ms. Frisch merely misheard or didn’t understand what Director Coit was saying on the subject, the Energy Foundation’s Katie McCormack was at the same event and heard pretty much the same thing. McCormack’s notes, which can be read [here](#) (relevant portion on Page 15 under the sub heading “Janet”) were transcribed this way:

Assembly very conservative leadership — don’t care about [environment]

If care, put in the budget

Priority — sustainable funding stream

State court against oil/gas.

So, two separate sources have Rhode Island’s top environmental official admitting that the State’s lawsuit is a bureaucratic ploy to gain funding that the state’s elected legislature would not provide for environment/climate change projects.

The Rhode Island suit is just one of several climate-change lawsuits being brought by states and municipalities against the one entity which might provide them a big payday — namely, big oil. [New York State](#), New York City, [Massachusetts](#), San Francisco, Oakland, and others have filed suit against the oil companies with little success thus far.

Much of what these lawsuits are about is getting court recognition as to the validity of anthropogenic climate change. As more courts simply parrot the claim that global warming is caused by man and nothing else is responsible, climate alarmists believe it lends credibility to their claims.

But the Rhode Island suit shows another, more cynical, aspect of these lawsuits. The suits are also about money — pure and simple.

Ironically, the lawsuits could be compared to oil companies searching for oil. The various lawsuits are like the drills, prodding and digging to see where the riches are contained — they all know it’s there somewhere. Sooner or later one of these states will find the right combination of judge, jury, and disinterested attorneys and they will strike it rich.

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