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COURT HANDS BIDEN PATH ON CLIMATE RULE: Biden's EPA could have significant legal authority to regulate carbon dioxide from power plants now that a federal court vacated one of the Trump administration's biggest climate change rule rollbacks. The split-panel opinion Tuesday from the U.S. Court of Appeals for the D.C. Circuit offers a binding judicial opinion on the statutory scope of EPA's regulatory powers on greenhouse gases, POLITICO's Alex Guillén reports.

Tuesday's ruling expressly rejected the Trump EPA's argument that the Clean Air Act constrains EPA to only those improvements that can be made on-site at coal-fired power plants. Instead, the majority ruled that EPA can consider "beyond the fenceline" options such as generation-shifting, the strategy envisioned under the Obama administration's Clean Power Plan. Clare Lakewood, legal director of the Center for Biological Diversity's Climate Law Institute, said the decision "frees up the new Biden administration to begin working immediately on the science-based greenhouse pollution rules we desperately need to make up for lost time."