

# NRG Energy

## Detailed assessment of NRG Energy’s corporate industry association review

May 2022

This document outlines a detailed breakdown of InfluenceMap’s assessment of the company’s corporate disclosure on industry association lobbying, using the traffic-light assessment framework summarized below. Further details on the assessment methodology is available in the Appendix, and on our website [here](#).

| Key | Explanation  |
|-----|--|
|     | Has broadly met investor expectations in this area.  |
|     | Has made some progress on investor expectations in this area, but with significant deficiencies. |
|     | Has fallen short of investor expectations in this area.  |

A summary of NRG Energy’s disclosures on industry associations is shown below. NRG Energy has undertaken one review of its industry associations to date. The Review Score represents InfluenceMap’s overall assessment of the quality of the company’s industry association review process, where 100 would indicate that a company has met investor expectations for all criteria related to the review process.

| Date of Review    | Review Score |
|-------------------|--------------|
| Q4 2021 (No Date) | 43 / 100     |

This assessment focuses solely on NRG Energy’s disclosure on industry associations and climate lobbying, which can be [found here](#). This assessment does not include an analysis of the company’s direct climate policy engagement, which can be found on InfluenceMap’s online profile of NRG Energy [here](#).

Applying the traffic-light framework outlined above, the table below summarizes the company’s performance under the seven indicators which form InfluenceMap’s assessment. A more detailed breakdown, along with examples of best practice evidenced by other companies to date, can be found on the following page.

| Disclosure & Transparency               | Policy Alignment Process     |
|---|------------------------------|
| <b>Corporate climate positions</b>      | <b>Identify &amp; Assess</b> |
| <b>Industry group climate positions</b> | <b>Monitor &amp; Review</b>  |
| <b>Alignment assessment method</b>      | <b>Act</b>                   |
| <b>Framework for misalignment</b>       |                              |

## NRG Energy's Company Scorecard

The tables below highlight, for each indicator, the criteria for companies to meet investor expectations, NRG Energy's assessment, and examples of better practice by companies to date. While InfluenceMap did not find an example of best practice across the entire industry association review process, some companies have demonstrated better practice under specific metrics under the 'Disclosure & Transparency' and 'Policy Alignment Process' assessments.

### Disclosure & Transparency

#### Corporate climate policy positions and influencing activities

**To meet investor expectations under this indicator:** The company has to disclose a detailed and clearly referenced breakdown of its own climate policy positions and influencing activities beyond 'top-line' climate statements. This includes descriptions of the company's positions and policy engagement activities on specific items of regulation and legislation which are material to the company's operations, business sector, and/or the region(s) in which it operates.

|                      |  |
|----------------------|--|
| <b>NRG Energy</b>    | NRG Energy's industry association review detailed some of the company's climate policy positions and influencing activities, however these were limited to top-line statements. The company referenced its Climate Change Principles as a representation of its positions, for which it provided a link, and disclosed its support for the goals of the Paris Agreement. NRG also disclosed its operational climate-related commitments. However, NRG Energy did not disclose its position on, or engagement with, specific items of regulation and legislation. |
| <b>Best Practice</b> | <i>Shell</i> has disclosed six detailed climate policy positions in its 2021 review including net-zero emissions and carbon pricing. Shell's 2020 update also outlined the company's position on specific climate policies including the EU Green Deal and methane regulation in the EU and US. The 2021 review also includes a clear reference to a list of climate policy positions and live advocacy updates on Shell's corporate website.  |

#### Industry association climate policy positions and influencing activities

**To meet investor expectations under this indicator:** The company has to disclose a detailed and accurate account of the climate policy positions and influencing activities of each industry association actively engaged on climate change policy, including descriptions of positions and policy engagement activities on specific items of regulation and legislation beyond 'top-line' statements.

|                      |   |
|----------------------|---|
| <b>NRG Energy</b>    | NRG Energy has disclosed the top-line positions of its industry associations on climate-related policy. However, the company has not disclosed details regarding their engagement with specific items of regulation and legislation. As such, the company has overlooked evidence of negative engagement by key industry associations (e.g. <i>Business Roundtable</i> ).   |
| <b>Best Practice</b> | No companies have met investor expectations in this area, although <i>BASF</i> and <i>Shell</i> exhibit current leading practice. Both companies have disclosed a detailed account of all key industry associations' climate policy positions, and a summary of their influencing activities. However, they appear to overlook detailed negative lobbying by a number of industry associations identified by InfluenceMap's database. |

### Alignment assessment method

**To meet investor expectations under this indicator:** The company has to: (1) disclose a clear and detailed framework for assessing alignment with its industry associations across all relevant areas of policy engagement; (2) consistently apply this framework across *all* industry associations; and (3) provide a clear and detailed explanation behind each evaluation.

|                      |  |
|----------------------|--|
| <b>NRG Energy</b>    | NRG Energy has disclosed a clear and detailed framework for assessing alignment, assessed against NRG’s Climate Change Principles and the goals of the Paris Agreement. NRG also provide a clear explanation of what constitutes a finding of alignment or misalignment, designating four categories that include ‘Explicitly Aligned’, ‘Implicitly Aligned’, ‘No Position’, and ‘Explicitly or Implicitly Not Aligned’. NRG Energy has also provided a detailed explanation behind the evaluation of each industry association. |
| <b>Best Practice</b> | <b>BASF</b> has also disclosed a clear explanation of its alignment assessment method along with a clear and detailed explanation of how it has been applied to each industry association. The company also provided specific alignment indicators for EU climate policy such as the EU ETS to assess the alignment of key European industry associations.   |

### Framework for addressing misalignment

**To meet investor expectations under this indicator:** The company must disclose a clear and detailed framework for addressing misalignments with its industry associations including escalation steps and clear deadlines for industry associations which do not amend misaligned practices.

|                      |  |
|----------------------|--|
| <b>NRG Energy</b>    | NRG Energy has disclosed a clear and detailed framework for addressing potential cases of misalignment, including escalation steps. The company states that it will communicate directly with misaligned associations’ leadership to request that it reconsiders its position and accelerates its path towards alignment. NRG states it will also consider disassociating from the association, or alternatively remain a member while advocating for climate policies in line with the Paris Agreement. However, the framework does not include clear deadlines for industry associations which do not reform misaligned practices. |
| <b>Best Practice</b> | <b>BHP</b> has disclosed clear and detailed steps for addressing potential misalignment, including an escalation strategy and clear timelines attached. The company states it will communicate material differences, request that the industry association develop a position or refrain from advocacy in certain areas, and review the membership if there has been no action within 12 months.   |

## Policy Alignment Process




| Identify & Assess   |  |
|---|--|
| <p><b>To meet investor expectations under this indicator:</b> The company has to identify all cases of misalignment with its industry associations and the Paris Agreement in line with InfluenceMap’s <i>database</i> on corporate lobbying.</p> |  |
| <p><b>NRG Energy</b></p>  | <p>NRG Energy has not identified any cases of explicit or implicit misalignment with its industry associations. InfluenceMap analysis indicates that SSE has membership to one industry association with climate policy engagement potentially misaligned with the Paris Agreement (<i>Business Roundtable</i>). NRG Energy described Business Roundtable as ‘Explicitly Aligned’ in its industry association review. InfluenceMap analysis finds that Business Roundtable has lobbied against ambitious US climate policy. For example:</p> <ul style="list-style-type: none"> <li>■ <i>Business Roundtable</i>: In 2021, strongly opposed the US Build Back Better Act and pushed back on revenue provisions likely needed to pay for the climate provisions.</li> </ul> |
| <p><b>Best Practice</b></p>   | <p>No companies have met investor expectations in this area. InfluenceMap analysis indicates that all companies have missed key cases of misalignment with industry associations lobbying counter to the goals of the Paris Agreement.</p>   |

| Monitor & Review   |  |
|--|--|
| <p><b>To meet investor expectations under this indicator:</b> The company has to publish a review of industry associations on an annual basis, commit to do so at least once a year, or commit to disclose regular updates on its review and alignment process. Updates should accurately report on relevant material and on-going lobbying activities of potentially misaligned industry associations, as well as the company’s alignment and engagement with the industry association concerning these activities.</p> |  |
| <p><b>NRG Energy</b></p>   | <p>NRG Energy has committed to publish an annual industry association review, in which the company will update its progress on industry association engagement in the event of differences in policy or advocacy positions.</p>  |
| <p><b>Best Practice</b></p>  | <p><i>Shell</i> has published full industry association reviews in 2019 and 2021. In April 2020, Shell also published an update on the nine associations with some misalignment found in 2019 including actions taken within each association, key changes to the associations’ climate positions and detailed next steps. Shell has committed to publish its next update in 2022.</p> |

| Act                         |  |
|-----------------------------|--|
|                             | <p><b>To meet investor expectations under this indicator:</b> The company has to show evidence of action to address all cases of misalignment with its industry associations and the Paris Agreement, in line with InfluenceMap’s <i>database</i> on corporate lobbying. The investor expectations outlined by <i>PRI</i>, <i>IIGCC</i> and <i>Ceres</i> include several steps companies can take to address misalignment. Steps should include terminating memberships or taking specific action to reform the detailed and material lobbying activities undertaken by misaligned organizations.</p>  |
| <p><b>NRG Energy</b></p>    | <p>NRG Energy has shown limited evidence of action to address cases of misalignment. The company identified cases of ‘Implicit Alignment’ and ‘No Position’ with some of its industry associations, and stated that it will engage with the leadership of any misaligned groups in order to reconsider their positions and discuss pathways towards implicit or explicit alignment. However, the company has not disclosed steps to address specific cases of potential misalignment with the Paris Agreement identified by InfluenceMap’s database (see Identify &amp; Assess).</p>   |
| <p><b>Best Practice</b></p> | <p>No companies have met investor expectations in this area by showing evidence of action to address all cases of misalignment identified by InfluenceMap’s database, although some companies have made more progress. <i>Total</i> announced in January 2021 that it had decided not to renew its membership to the American Petroleum Institute due to divergences on climate positions. <i>BHP</i> suspended its membership to Queensland Resources Council in 2020 following its ‘Vote Greens Last’ advertising campaign and outlined detailed actions to be taken at four "partly aligned" industry associations. <i>Chevron</i> has not left any industry associations but has disclosed its engagement on specific climate change policy issues with seven industry associations, including details of the results of this engagement. Similarly, <i>General Motors</i> has disclosed that it has not financially contributed to advocacy campaigns against the Build Back Better Act by the Business Roundtable and US Chamber, and has publicly advocated a supportive position to ensure its stance is differentiated from them.</p> |

# Appendix A: Methodologies for Assessment



## Scoring Disclosures and Policy-Alignment

| Key   | Explanation  |
|---|--|
|  | Has broadly met investor expectations in this area.  |
|  | Has made some progress on investor expectations in this area, but with significant deficiencies. |
|  | Has fallen short of investor expectations in this area.  |

## Assessing Disclosures

Since BHP’s 2017 industry association review, around 40 major global corporates have delivered similar, specific disclosures on their industry association links in response to investor pressure. This positive momentum is undermined, however, if the resulting disclosures are of poor quality.

In its *‘Investor Expectations on Corporate Climate Lobbying’* report, the PRI highlights the need for disclosure on the company’s positions and activities on climate change policy engagement, as well as the positions and activities of the industry groups it supports. The PRI further requests information on the governance processes and actions taken to ensure alignment between these activities and the company’s stated climate goals. *IIGCC* and *Ceres* articulate similar expectations, also requiring companies to disclose a material impact assessment of lobbying by an organization that opposes their public position. InfluenceMap uses the following assessment criteria to test the clarity, accuracy and scope of information provided by companies against four key issues.

| Disclosure Item  | Score   | InfluenceMap’s Assessment Criteria  |
|--|---|---|
| <b>Corporate climate policy positions and influencing activities</b> |  | The company has disclosed a detailed and clearly referenced breakdown of its own climate policy positions and influencing activities beyond ‘top-line’ climate statements. This includes descriptions of the company’s positions and policy engagement activities on specific items of regulation and legislation which are material to the company’s operations, business sector, and/or the region(s) in which it operates.   |
|  |  | The company has disclosed a breakdown of its own climate policy positions and influencing activities. However, the company’s description of its positions and policy engagement activities on specific items of regulation and legislation lacks detail, and/or the company has not disclosed its position and engagement activities on key items of regulation and legislation which are material to its operations, business sector, and/or the region(s) in which it operates. |

|   |  |   |
|---|--|---|
|   |  | The company has made no attempt to disclose its climate policy positions and influencing activities, or the company’s disclosure is limited to a brief overview of its ‘top-line’ climate statements and operational commitments without reference to specific items of regulation and legislation.   |
| <b>Industry association climate policy positions and influencing activities</b> |  | The company has disclosed a detailed and accurate account of the climate policy positions and influencing activities of each industry association actively engaged on climate change policy, including descriptions of positions and policy engagement activities on specific items of regulation and legislation beyond ‘top-line’ statements.   |
|   |  | The company has disclosed an account of the climate policy positions and influencing activities of each industry association actively engaged on climate change policy, beyond ‘top-line’ statements. However, the disclosure lacks detail on positions and policy engagement activities on specific items of regulation and legislation, and/or does not disclose evidence of negative climate lobbying by one or more of its industry associations. |
|   |  | The company has not disclosed the climate policy positions and influencing activities of each industry association actively engaged on climate change policy, and/or the company’s disclosure is limited to a brief overview of ‘top-line’ climate statements without reference to specific items of regulation and legislation.  |
| <b>Alignment assessment method</b>  |  | The company has: (1) disclosed a clear and detailed framework for assessing alignment with its industry associations across all relevant areas of policy engagement; (2) consistently applied this framework across <i>all</i> industry associations; and (3) provided a clear and detailed explanation behind each evaluation.   |
|   |  | The company has disclosed a framework for assessing alignment with its industry associations but the disclosure lacks detail regarding <i>one</i> of the above steps (1-3).   |
|   |  | The company has not disclosed a framework for assessing alignment with industry associations, or it has disclosed a framework but the disclosure lacks detail regarding <i>more than one</i> of the above steps (1-3).  |
| <b>Framework for addressing misalignment</b>                                    |  | The company has disclosed a clear and detailed framework for addressing misalignments with its industry associations including escalation steps and clear deadlines for industry associations which do not amend misaligned practices.  |
|   |  | The company has disclosed a clear and detailed framework for addressing misalignments with its industry associations including escalation steps, but there is no clear deadlines for industry associations which do not amend misaligned practices  |
|   |  | The company has not disclosed a framework for addressing misalignments with its industry associations, or the company has disclosed a framework but the steps are ambiguous and lack sufficient detail.   |

## Assessing Policy Alignment Process

As well as transparent disclosures on industry group links and lobbying activities, the investor expectations communicated by IIGCC, CERES and the UN PRI also set out the need for robust processes to ensure alignment between the company’s stated policy positions and the positions and lobbying activities of their industry groups. These processes consist of the following three elements:

| Alignment Process | Score  | InfluenceMap's Assessment Criteria  |
|-------------------|--------|---|
| Identify & Assess | Green  | The company has identified all cases of misalignment with its industry associations and the Paris Agreement in line with InfluenceMap's <i>database</i> on corporate lobbying.  |
|                   | Yellow | The company has not identified key cases of misalignment with the Paris Agreement in line with InfluenceMap's <i>database</i> on corporate lobbying. Companies are scored in this category if they miss up to three cases of "potential" misalignment (industry associations with Organization Scores 51-75 in InfluenceMap's database).  |
|                   | Red    | The company has not identified key cases of misalignment with the Paris Agreement in line with InfluenceMap's <i>database</i> on corporate lobbying. Companies are scored in this category if they miss one case of misalignment (industry associations with Organization Scores 0-50) or more than three cases of "potential" misalignment (industry associations with Organization Scores 51-75 in InfluenceMap's database).  |
| Monitor & Review  | Green  | The company has published a review of industry associations on an annual basis, has committed to do so at least once a year, or is/has committed to disclose regular updates on its review and alignment process. Updates should accurately report on relevant material and on-going lobbying activities of potentially misaligned industry associations, as well as the company's alignment and engagement with the industry association concerning these activities.  |
|                   | Yellow | The company has committed to publish an update to its review of industry associations but not an annual basis or not specified a timeframe.   |
|                   | Red    | The company has not committed to any follow-up processes as part of its review of industry associations.  |
| Act               | Green  | The company has shown evidence of action to address all cases of misalignment with its industry associations and the Paris Agreement, in line with InfluenceMap's <i>database</i> on corporate lobbying. The investor expectations outlined by <i>PRI</i> , <i>IIGCC</i> and <i>Ceres</i> include several steps companies can take to address misalignment. Steps should include terminating memberships or taking specific action to reform the detailed and material lobbying activities undertaken by misaligned organizations.  |
|                   | Yellow | The company has shown some evidence of action to address cases of misalignment with its industry associations and the Paris Agreement, but has not addressed key cases of misalignment or "potential" misalignment identified by InfluenceMap's <i>database</i> on corporate lobbying, i.e. industry associations with Organization Scores 0-75 in InfluenceMap's database. The investor expectations outlined by <i>PRI</i> , <i>IIGCC</i> and <i>Ceres</i> include several steps companies can take to address misalignment. Steps should include terminating memberships or taking specific action to reform the detailed and material lobbying activities undertaken by misaligned organizations.           |
|                   | Red    | The company has shown no or limited evidence of action to address cases of misalignment with its industry associations and the Paris Agreement, missing key cases of misalignment or potential misalignment identified in InfluenceMap's <i>database</i> on corporate lobbying, i.e. industry associations with Organization Scores 0-75. The investor expectations outlined by <i>PRI</i> , <i>IIGCC</i> and <i>Ceres</i> include several steps companies can take to address misalignment. Action will be scored under this category if it does not include terminating memberships or taking specific action to reform the detailed and material lobbying activities undertaken by misaligned organizations. |

To assist this assessment, InfluenceMap will be applying its database on corporate and industry group climate change lobbying. This tracks in real-time the detailed climate policy lobbying of around 300 companies and 100 industry associations globally, allowing like-for-like comparisons of organizations' positions on climate policy that are compared to a benchmark of Paris-aligned climate policy. This system can track the evolution of corporate and industry group climate lobbying positions over time.