

April 5, 2018

Federal Energy Regulatory Commission
888 First Street, N.E.
Washington D.C. 20426

RE: Time for FERC to Represent People over Pipelines: Implementing a Public Interest Pipeline Review Process, Giving Proper Priority to People, Environment, Climate and Future Generations.

Dear FERC Commissioners

As a federal agency, the Federal Energy Regulatory Commission (FERC) has a duty to respect the law and respect the people of the United States of America. As citizens and residents who have experienced and witnessed the FERC decision making process and been impacted by its biased outcomes, we find FERC wanting in these obligations.

FERC Chairman Kevin McIntyre announced on December 21, 2017 that FERC would be reviewing both its 1999 Pipeline Policy Statement and its policies on certification of natural gas pipelines. And yet, over three months later, we have no idea how, when or even if this review is actually proceeding and to what degree, if any, the public will be given the opportunity to be involved.

Given that we are unaware of when or how the public can and should give input into this review process, we are taking the liberty of ensuring our voices are heard by volunteering our demands with regards to this review process and the reforms that must come out of it.

- 1) *It is Time that FERC Implement a Pipeline Review Process that Prioritizes the Public Interest Over the Goals of the Pipeline Industry. This Means Giving Proper Priority (i.e. Highest Priority) to People, the Environment, Protection Against Climate Changing Emissions and Protection of Future Generations in Both the FERC Review and Decision-making.*
- 2) *Review and Reform of FERC's Pipeline Review Process Must Begin with a Series of No Less than Six Public Hearings Held in Affected Communities, and 90 Days for Written Comment, So FERC Can Learn How the Current Process Is Failing and the Public Interest Reforms that Are Needed.*
- 3) *FERC Must Mandate a Legitimate Demonstration of "Need" for a Proposed Pipeline/Infrastructure Project that is Verified by Unbiased Experts, Is Not Comprised of Contracts to Supply Gas to the Pipeline Company Itself or Any of Its Business Counterparts, and Is Not/Cannot be Supplied by Renewable or Existing Energy Sources.*
- 4) *There Must Be a Prohibition on FERC Issuing (a) Certificates of Public Convenience or Necessity, (b) Notices to Proceed with Any Aspect of Construction, Including Tree Felling, and/or (c) Approval for Exercise of Eminent Domain, Until Such Time as an Infrastructure Project Has Secured All State, Federal and/or Regional Permits, Dockets and/or Approvals. This Includes a Prohibition on Conditional FERC Certificates.*

- 5) *FERC Must End Its Strategic Practice of Failing to Affirmatively Grant or Deny Rehearing Requests, But Instead Issue Responses that Provide FERC More Time for Consideration (i.e. a Tolling Order), and as a Result Prevent Pipeline Challengers from Bringing a Legal Challenge in the Courts while FERC Grants the Pipeline Company the Power of Eminent Domain and Approval for Construction.*
- 6) *FERC Must Prohibit the Practice of Hiring Third-Party Consultants to Assist in the FERC Review Process who Have Any Business Contracts (Past, Present or Future) with a Pipeline Company Seeking FERC Approval, and Must Prohibit FERC Commissioners or FERC Staff from Working on or Deciding upon Any Pipeline or Infrastructure Project in which They or a Family Member Have a Direct or Indirect Financial or Employment Interest.*
- 7) *FERC Must End the Practice of Using Segmentation, Allowing Pipeline Companies to Break Up Projects into Smaller Segments in Order to Undermine a Full and Accurate Review of Community and Environmental Impacts.*
- 8) *FERC Must Commit to a Full and Fair Implementation of the National Environmental Policy Act, Including Full and Fair Evaluation of Climate Change Impacts; Induced Fracking/Drilling Operations; Costs of Construction, Operation and Maintenance (not Just Benefits); Health and Safety Impacts; the Full Array of Community, Business and Environmental Impacts that Will Result; and that All Inaccurate, Missing, False or Misleading Data and/or Information Identified by FERC and/or Public Commenters Are Fully, Completely and Accurately Addressed.*
- 9) *FERC Must End the Practice of Allowing Pipeline Companies to Secure a 14% Rate of Return on Equity on All New Pipeline Projects In Order to Ensure the Public Does Not Bear the Burden of Flawed Projects and to Ensure that FERC Does not Incentivize Inappropriate and/or Unwarranted Pipeline/Infrastructure Construction.*

In conclusion, if FERC is serious about wanting a full, fair, and properly informed decision-making process for fracked gas pipelines, compressors, LNG export, storage and related infrastructure projects, it will commit to the process and substantive asks laid out in this letter.

To see the full text of the letter that will be submitted:
<http://bit.ly/PublicInterestPipelineReviewSignOn>