

Congress of the United States
Washington, DC 20515

April 21, 2022

The Honorable Richard Glick
Chairman
Federal Energy Regulatory Commission
888 First Street Northeast
Washington, DC 20426

Dear Chairman Glick:

We write regarding the importance of Federal Energy Regulatory Commission's (FERC) work to enhance America's natural gas infrastructure and to urge the Commission to provide the regulatory certainty needed to encourage continued investment in this critical infrastructure.

Natural gas is key to ensuring that the American public has access to reliable and affordable energy. Ensuring the availability of that energy requires a FERC natural gas certificate review process that is clear, consistent, and timely. The Commission issued a notice of inquiry (NOI) to consider revisions to its 1999 natural gas certificate policy statement in April 2018 and reopened that review in February of 2021.¹ We appreciate the Commission's efforts to review the 1999 natural gas certificate policy statement, however, the two new policy statements issued on February 18, 2022, only added significant uncertainty to the durability of FERC's certificate policy review framework.

We were pleased to see the commission acknowledge the concerns of stakeholders and revert back to its long-standing method for reviewing natural gas pipeline applications. Opening the certificate policy statement and interim greenhouse gas policy statement plan to feedback before it is applied to applications will ensure a more rigorous review process to better shape a workable policy. It will also give the Commission the opportunity to address problems with the proposed policy statements raised by stakeholders.

Currently, FERC has a significant backlog of natural gas project applications that have been awaiting a decision while the Commission has been considering these policy changes, with multiple projects pending for more than two years. We are pleased to see the commission acknowledge this and clarify that new rules will not apply to currently pending projects. Stakeholders should have confidence that when they file a FERC certificate application, it will be reviewed under the same standard that it was filed under.

Investment in domestic natural gas infrastructure leads to reliable energy for the American people. We have consistently heard from the North American Electric Reliability Corporation (NERC) as well as the Regional Transmission Organizations (RTOs) and Independent System

¹ *Certification of New Interstate Natural Gas Facilities*, 174 FERC ¶ 61,125 (2021).

Operators (ISOs) that a lack of pipeline capacity is a significant electricity reliability concern. For example, NERC's 2019 Long-Term Reliability Assessment identified fuel constraints as one of the greatest risks to electric reliability in ISO-New England.² NERC notes that additional natural gas-fired electric generation is being added, but regional pipeline capacity is not.

Further, investment in natural gas infrastructure allows us to continue prioritizing a clean and healthy environment. A 2020 report from the Energy Futures Initiative, led by former Energy Secretary Ernest Moniz, emphasized that natural gas generation is essential to keeping energy reliable and affordable while our country continues to invest in renewables.³ Studies like this demonstrate the need for investments in natural gas infrastructure projects to modernize and expand our pipeline and storage infrastructure, including updating existing systems and replacing older machinery with new low- or zero-emissions technology. Additionally, these investments will create the high paying jobs required as our economy continues to recover from the effects of the COVID-19 pandemic. The natural gas construction industry has a median hourly wage of \$27.56—approximately 44% higher than the national average.⁴

FERC must advance essential natural gas projects to meet energy affordability, reliability, and climate needs. We urge you and your colleagues on the Commission in your work to update the 1999 gas certificate policy, to reach a unanimous, bipartisan decision which will provide a stable, thoughtful, and long-lasting basis to build out our nation's essential energy infrastructure.

Thank you for your prompt consideration of this issue.

Sincerely,



Michael C. Burgess, M.D.
Member of Congress



Lizzie Fletcher
Member of Congress

² NERC, 2019 LONG-TERM RELIABILITY ASSESSMENT,

https://www.nerc.com/pa/RAPA/ra/Reliability%20Assessments%20DL/NERC_LTRA_2019.pdf

³ ENERGY FUTURES INITIATIVE, EFI'S PORTFOLIO FOR ACCELERATING THE CLEAN ENERGY TRANSITION: A GUIDE FOR THE BIDEN-HARRIS DEPARTMENT OF ENERGY (DOE) TRANSITION TEAM (2020),

<https://static1.squarespace.com/static/58ec123cb3db2bd94e057628/t/6011a80ac4719d2ad47909fd/1611769880568/EFI+Clean+Energy+Policy+DOE+Biden-Harris+Transition+Team.pdf.pdf>

⁴ BW RESEARCH PARTNERSHIP, ENERGY FUTURES INITIATIVE, & NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS, WAGES, BENEFITS, AND CHANGE: A SUPPLEMENTAL REPORT TO THE ANNUAL U.S. ENERGY AND EMPLOYMENT REPORT (2021),

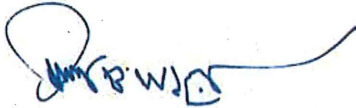
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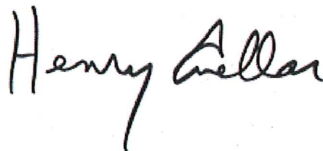
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