



Federal Energy Regulatory Commission
April 19, 2018
Open Commission Meeting
Staff Presentation
Items: C-1

"Good morning Mr. Chairman and Commissioners,

"Item C-1 is a draft Notice of Inquiry initiating the Commission's review of its 1999 policy statement on the certification of new natural gas transportation facilities, referred to as the Policy Statement. The draft Notice of Inquiry seeks information and stakeholder perspectives to help the Commission explore whether, and if so how, it should revise its approach under its currently effective Policy Statement for determining whether a proposed project is required by the public convenience and necessity.

"Specifically, the draft Notice of Inquiry seeks input on whether, and if so how, the Commission should adjust: (1) its methodology for determining whether there is a need for a proposed project, including the Commission's consideration of precedent agreements and contracts for service as evidence of such need; (2) its consideration of the potential exercise of eminent domain and of landowner interests related to a proposed project; and (3) its evaluation of the environmental impacts of a proposed project. Finally, the Commission seeks input on whether there are specific changes the Commission could consider implementing to improve the efficiency and effectiveness of its certificate processes including pre-filing, post-filing, and post-order issuance. The draft NOI encourages commenters to identify, with specificity, any perceived issues with the Commission's current analytical and procedural approaches and to provide detailed recommendations to address these issues.

"The draft Notice of Inquiry notes that, during the pendency of this proceeding, the Commission intends to continue to process natural gas facility matters before it, consistent with the current Policy Statement, and to make determinations on the issues raised in those proceedings on a case-by-case basis. In addition, the Notice of Inquiry states that, in this proceeding, the Commission will consider only generic issues, and will not consider any comments that refer to open, contested Commission proceedings. Should the Commission decide to generally revise its procedures as a result of this proceeding, the draft Notice of Inquiry explains that the Commission will address at that time how and when those changes will be implemented. Finally, the draft Notice of Inquiry states that the Commission will decide any next steps with regard to this review of the Policy Statement after the Commission has reviewed the comments filed in response to this Notice of Inquiry.

"Comments on the draft Notice of Inquiry will be due 60 days after it is published in the Federal Register.

"Thank you. This concludes our presentation. We are happy to answer any questions you may have."