



FERC Podcast Transcript

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Chairman Kevin J. McIntyre discusses his views on energy and his goals as Chairman

Mary O’Driscoll: Welcome to Open Access, the podcast of the Federal Energy Regulatory Commission. Today, we’re sitting down with new FERC Chairman Kevin McIntyre, who was confirmed by the Senate in November and sworn into office on December 7. Chairman McIntyre's arrival marks the first time since October 2015 that FERC has operated with a full, five-member Commission. So, Mr. Chairman, welcome to FERC.

Kevin McIntyre: Thank you. I am so delighted to be here at FERC, and so pleased at the warm and gracious welcomes I've been receiving from my fellow commissioners, and the Commission’s excellent staff.

Mary O’Driscoll: OK, first question. Who are you? Your biography tells us you've been a FERC practitioner for many years, but to a lot of people out there, you’ve pretty much flown below the radar. Why don’t you tell us a little bit about yourself.

Kevin McIntyre: I think that’s a fair impression and what's more, I think that flying below the radar, as you say, has been a function of what my role has been in private practice where, typically, I and my law firm colleagues were retained not to land our client in the headlines, but in most instances just to serve as a forceful advocate – and I hope an effective one – without doing that. But yes you are right. I have been a practitioner before the Commission for many years – about 30, which is hard for me to believe – and so I do come to this job with a pretty deep understanding of the agency and its mission.

Mary O’Driscoll: OK, now you're the chairman of the first full Commission in two years and it’s an interesting group: You’re a former practitioner, you have two former senior staffers from Capitol Hill, a former industry executive and a former state regulator. For FERC, it doesn't get much more diverse than that. So how do you expect to work your colleagues?

Kevin McIntyre: Well, I see that diversity of background is a real strength for the

Commission. We all do bring our different perspectives: state, congressional, industry, private practice. And I already am benefiting from that array of different experiences and perspectives of my colleagues. They're not bashful about sharing it with me.

Mary O'Driscoll: You joined FERC during an interesting time – something about a NOPR from DOE on grid resilience? We know that's on your plate since you asked for and received a 30-day extension of time to consider what FERC's response would be, but what else is on your agenda as chairman?

Kevin McIntyre: Well, you reference the DOE proposal for grid resilience rulemaking, it would be hard to miss that on FERC's to-do list. It is, to state the obvious, a very important matter, and I've been benefiting already from the hard work done on it by the commissioners and staff who had it long before I arrived last week.

But it's not going to surprise anyone to hear that, yes that's one of the key matters that I have been working on from my earliest moments here. That said, it is far from our only front-burner item the Commission is working on – a lot of very important cases and issues ranging from applications for pipeline projects, cybersecurity matters, a rulemaking on electricity storage, evaluation of commission policy on utility rates of return, and lots more. And all of it is very important stuff. And everyone here knows that we can't allow any of it to fall by the wayside while we work on the DOE proposal. And so we will not do that.

We have our monthly open meeting coming up next week. We have a full agenda for that. Fortunately, the famous backlog that built up during the period when the Commission didn't have a quorum has largely been resolved. And here I really need to credit the fact my predecessors in the Chairman role, Commissioners LaFleur and Chatterjee, and Commissioner Powelson – they get all the credit for the resolution of the backlog. I did not. And since then, the work keeps pouring in. The Commission is a creature of its governing statutes and has no choice but to act, and so as a result, the reality and the spirit that prevail around here are upward and onward.

You ask about my own agenda. As a matter of good governance, I would like to see us move in the direction of making FERC more transparent in how we do our business. As a practitioner I know firsthand what it's like to wonder when on earth the Commission is going to make a decision on a given matter, and I think we

owe it to stakeholders and to the public itself to be as transparent as we can possibly be about what to expect. I hope to move our policies and practices more that direction.

Mary O'Driscoll: Finally, Mr. Chairman, the DOE proposal has raised all sorts of questions about how FERC-regulated markets operate. What's your view of FERC regulated markets and how are they operating?

Kevin McIntyre: I certainly agree with your characterization of the DOE's grid resilience proposal raises some really interesting market issues that, as I referenced, we are working on now. But energy markets and market issues are a big part of many areas of the FERC's jurisdiction, and that has been the case for years and is central to so much of what the Commission does simply because the market forces are widely recognized as benefiting consumers. They are not the only thing that counts by any means. We have lots of other important jobs here – liability issues about new infrastructure, and so on. But markets are pretty important.

Mary O'Driscoll: Mr. Chairman, thank you so much for joining us today. We look forward to your next appearance on Open Access.

Kevin McIntyre: As do I. Thank you.

Craig Cano: FERC is an independent regulatory agency that oversees the interstate transmission of electricity, natural gas and oil, reviews proposals to build interstate natural gas pipelines and liquefied natural gas terminals, and oversees the licensing of nonfederal hydropower projects. FERC protects the reliability of the high voltage interstate transmission system through mandatory reliability standards and it monitors interstate energy markets to ensure that everyone in those markets is playing by the rules. Unless otherwise noted, views expressed in these podcasts are personal views and do not necessarily express the views of individual commissioners or the Commission as a whole. The podcast is a production of the Federal Energy Regulatory Commission Office of External Affairs, Leonard Tao, director. We will be updating our posts when we've got news, so be sure to check out our website, www.ferc.gov, and follow us on Facebook, Twitter and LinkedIn to find out when our next podcast airs.