



FEDERAL ENERGY REGULATORY COMMISSION
Office of the Chairman

December 30, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President,

As the 117th Congress will soon be adjourning without the Senate having acted to confirm me to serve a second term as a member of the Federal Energy Regulatory Commission (FERC or Commission), by statute I will be leaving FERC when Congress adjourns *sine die*. I cannot thank you enough for, on your first day in Office, designating me to Chair the Commission, and, subsequently, for nominating me to serve a second term. It has been a privilege to serve the American people during this important time as the country transitions to a clean energy future that will dramatically reduce greenhouse gas emissions, enhance the nation's security, and ensure Americans have access to reliable and affordable energy.

During my tenure as Chair, the Commission has been focused on ensuring that our rules and regulations adequately prepare the nation for the energy transition that is underway. Most notably in that regard, during the past two years FERC has:

- Reversed policies adopted during the previous Administration that discriminated against state-supported zero-emissions electric generation facilities located in the eastern half of the United States.
- Proposed regulations that would improve the processes by which the country plans for and allocates the costs of interstate electric transmission facilities needed to improve grid reliability, lower energy costs, and allow utilities to access significantly greater amounts of renewable energy resources.
- Proposed regulations aimed at expediting the interconnection of new, predominately renewable, electric generation to the grid.
- Proposed regulations to implement the additional transmission siting authority vested in the Commission by the Infrastructure Investment and Jobs Act.
- Issued orders implementing FERC Order No. 2222, requiring regional transmission organizations to eliminate the barriers to distributed energy resources participation in our wholesale electricity markets.



- Initiated an inquiry into how the changing power mix, including increasing reliance on variable generation such as wind and solar, may require additional products and services in the regional electricity markets.

I am also particularly proud of several other areas on which the Commission focused over the last two years:

Reengaging with State Regulators – The ongoing transition to our clean energy future requires greater coordination between state utility regulators and FERC. We have repaired and enhanced the Commission’s relationship and coordination with the states, including establishing a joint task force to discuss potential reforms associated with our nation’s electric transmission infrastructure.

Reinvigorating the Commission’s Enforcement Program – FERC often relies on competitive markets to ensure that wholesale electric rates are just and reasonable. That requires ensuring that these markets are truly competitive and free from manipulation. Over the last two years the Commission has restored the approach taken prior to the last Administration, by aggressively pursuing market manipulation and other violations of law that adversely impact the public interest.

Addressing the Impact of Extreme Weather on Grid Reliability – The Federal Power Act gives FERC and the North American Electric Reliability Corporation (NERC) the responsibility to protect the reliability of the Bulk Power System in the United States. As we have witnessed over the last decade, due to climate change, extreme weather is occurring more frequently and with greater ferocity, which threatens the reliability of the electric grid. Over the last two years the Commission has engaged in a number of initiatives aimed at addressing this growing threat, including preparing a joint report with NERC analyzing what caused the blackouts in Texas and elsewhere during last year’s Winter Storm Uri. The report contained 28 recommendations for action by FERC, NERC and state regulators, all of which are being implemented.

Cyber and Physical Security – Given the importance of reliable electric supplies, defending the grid from cyber and physical attacks is of paramount importance. This is especially true because our adversaries continue to target critical infrastructure, including the electric grid. Over the last two years, FERC has proposed to strengthen cybersecurity requirements, worked jointly with the Department of Energy to examine our approaches to securing our nation’s supply chain, and directed NERC to evaluate the adequacy of our physical security standards.



Increasing Public and Tribal Participation – During my tenure as Chair, FERC established an Office of Public Participation. The Office is focused on facilitating greater participation in the Commission’s often complex proceedings which improves the record from which we make decisions and also ensures that a broader group of stakeholders, not just the well-financed, have a voice in the outcome of Commission orders. In addition, FERC has also enhanced its approach to government-to-government contacts with Tribes around the country that are potentially impacted by Commission actions.

Environmental Justice and Equity – A significant number of FERC proceedings impact residents of environmental justice communities. In order to improve the Commission’s decision making, last year we named FERC’s first Senior Counsel for Environmental Justice and Equity. This enabled us to make significant strides in revamping the Commission’s approach to identifying and considering environmental justice populations in our orders siting energy infrastructure and to improve on FERC’s engagement with environmental justice communities.

Improving the Legal Durability of FERC’s Natural Gas Act Siting Orders – The Commission’s approach for reviewing applications for approvals to build interstate natural gas pipelines and liquefied natural gas (LNG) facilities has become increasingly controversial as the appellate courts, on several occasions, rejected siting orders issued during the previous Administration for failure to adequately address certain matters, including the need for a proposed project and its potential impacts on climate change and environmental justice communities. When I first became Chair, I was proud to have brokered a bipartisan compromise – along with former Commissioner Chatterjee and Commissioner Clements -- that enabled the Commission to issue an order that actually considered the climate change impacts of a proposed pipeline. However, more work is necessary to make FERC’s siting orders more legally durable which, in turn, will ensure that needed energy infrastructure is not delayed.

Although FERC has made significant progress over the last two years there is much more that needs to be done as the United States continues to transition to the clean energy future. For instance, the Commission must continue to focus on policies that will facilitate much-needed investments in additional electric transmission capacity. In addition, the Commission must continue to focus on eliminating the barriers to new, cleaner and more efficient technologies that consumers and utilities are demanding and that public policy makers are requiring. Those resources represent the future of the U.S. electric generation fleet and we must ensure that they can compete on a level playing field.



At the same time, our energy infrastructure will continue to face threats. Extreme weather threatens the ability of utilities to reliably deliver energy, often when it is needed most. Similarly, the threat of cyber and physical attacks on our energy infrastructure is growing. Reliability must remain front and center of the Commission's priorities. Finally, I would be remiss if I failed to mention the more than 1,400 phenomenal professionals that work day-in and day-out to enable the Commission to carry-out its responsibilities to meet the public interest.

I salute their public service and implore them to continue serving this country so well.

Thank you again for the opportunity to serve as Chairman of the Federal Energy Regulatory Commission. It truly has been a great honor.

Sincerely,

A handwritten signature in blue ink, which appears to read "Rich Glick", is written over a light blue circular watermark that contains the FERC seal.

Rich Glick
Chairman