



ABRA Update #147 – September 14, 2017

WV DEP Asks Federal Court to Vacate 401 Certification for MVP

The West Virginia Department of Environmental Protection (DEP) [filed a motion in federal court](#) to invalidate its earlier approval of the Mountain Valley Pipeline (MVP). Under section 401 of the Clean Water Act, individual states must certify that interstate gas pipelines will not have significant effects on water quality before construction can begin. The agency had previously granted the MVP its 401 certification before environmental groups challenged it in court. Attorneys with the public interest law firm Appalachian Mountain Advocates filed the challenge on behalf of a coalition that included the Sierra Club, West Virginia Rivers Coalition, Indian Creek Watershed Association, Appalachian Voices, and Chesapeake Climate Action Network. DEP agreed that it needed to reconsider MVP's application involving 631 stream crossings, and today, officially asked the court to grant a voluntary remand and set aside its previous certification. DEP's motion came just a day before it would have been required to defend its certification in federal court. For more, see [here](#).

Faith Leaders, Pipeline Activists Demonstrate at Virginia DEQ Offices

Hundreds of demonstrators showed up September 13 at the various offices of the Virginia Department of Environmental Quality to express concerns about the how the agency is conducting its water quality certification review of the Atlantic Coast Pipeline and Mountain Valley Pipeline. The photos below show the demonstrations that occurred in Woodbridge, VA (l) and Roanoke, VA (r). The Chesapeake Climate Action Network spearheaded the events.

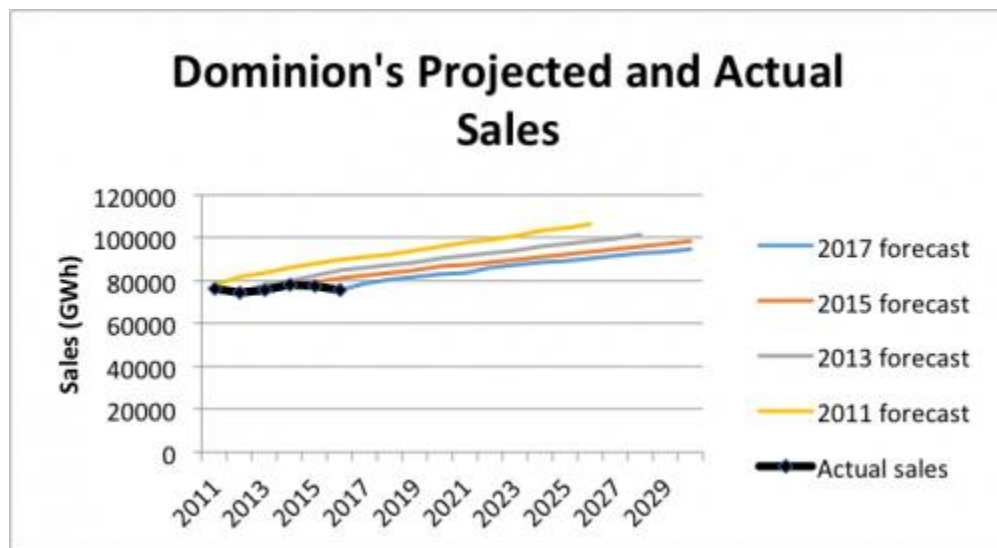


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Dominion and Duke Project Slower Electricity Demand

“For both Dominion and Duke, actual electricity consumption has been essentially flat for the past few years, leading the utilities recently to be less optimistic about growth,” states a September 8 report from the Institute for Energy Economics and Financial Analysis (IEEFA). The pronouncement is based on recent revised growth forecasts from both Dominion Energy and Duke Energy, principal partners for the Atlantic Coast Pipeline.

[IEEFA’s report](#) notes that “Duke has revised its long-term energy demand significantly. Duke Energy Carolinas, which was forecasting average growth of 1 percent per year in 2014, is now forecasting 0.4 percent per year growth. Duke has also reduced the new natural gas plant capacity that it plans to construct by the end of the decade.” It was a Request For Proposal from Duke that led Dominion Energy to make the original proposal in May 2014 for the ACP to be built. The report also notes that while Dominion’s new forecast calls for a smaller growth trajectory than the company projected in 2011, the company’s actual sales in 2017 are at the same level as 6-years ago.



New Analyses Challenge the Economics of the ACP

A new study, released this week, by the Rachel Carson Council calls the proposed Atlantic Coast Pipeline “unnecessary, unsafe and unjust.” [Blast Zone](#), explores the economic and political forces driving the Atlantic Coast Pipeline (ACP). The study examines the “bridge fuel” myth about natural gas, the growing importance of energy efficiency and renewable energy sources to meet future needs and why the economic motivations behind the ACP project.

Also released this month is a new analysis by former utility executive Tom Hadwin, “[To Understand Pipeline Economics, Follow the Money](#).” Among the points in Hadwin’s paper are:

- Data filed with Federal Energy Regulatory Commission show the ACP will cost customers more than existing pipelines.
- Existing pipelines, currently serving Virginia, can transport the same or greater amount of gas as the ACP for a much lower cost, because existing pipelines have been mostly paid for by previous customers.
- Utilities get paid more when they build more. Today, there is little reason to build new power plants, because demand for electricity is no longer growing nationwide, even though there is growth in our economy and population.

- Different approaches are needed where everyone can benefit. To do that, we must reset the role of our utilities and pay them differently so they can prosper when they serve us better, as other states are doing.

DOE Fuel Use Projections for Electricity: Renewables Up; Natural Gas Down

The [new Short-Term Energy Outlook from the U.S. Energy Information Administration](#) (EIA), released September 12, projects the generation of electricity from renewables to increase significantly between 2016 and 2018, while the share of natural gas as a generating fuel will fall. Specifically:

- Wind generation is expected to rise from 82 gigawatts (GW) in 2016 to 96 GW in 2018, a 17% increase over two years.
- Solar as a source of electrical generation is forecast to increase from 22 GW in 2016 to 33 GW in 2018
- Natural gas and coal made up the largest fuel sectors for electrical generation in 2016, respectively 34 and 30%. However, in 2017, EIA projects natural gas's share to drop to 31% and remain the same for 2-18; coal share as a fuel is expected to rise to 31% in 2017 and to 32% in 2018.

The EIA report a week after the release of a projection by a major energy industry analyst, DNV GL, that “overall energy demand will stop growing within the next 15 years – thanks to increased efficiency and slower population/productivity growth, that much of the existing demand will shift to electricity – as the transport and heating sectors are increasingly electrified, and that the electricity supply will be dominated by renewables – responsible for 85% globally.” More on the report [here](#).

Next FERC Meeting Does Not Include MVP on Agenda

The Federal Energy Regulatory Commission (FERC) will next convene on Wednesday, September 20. The published [agenda for the meeting](#), which will be the first with a quorum of commissioners since February, does not include consideration of issuing a certification for the Mountain Valley Pipeline (MVP). [FERC's schedule for consideration of the MVP, published April 6](#), called for a decision on the project by September 21. The remaining scheduled meetings of the Commission for 2017 are October 19, November 16 and December 21. The [schedule of FERC meetings for 2018](#) calls for the first meeting next year to be January 21. The proceedings of FERC meetings can be viewed online via the [FERC website](#).

Time for a Makeover?

Those who have recently visited the home page of the Federal Energy Regulatory Commission have perhaps noticed that the agency is proudly advertising that October 1 will mark the 40th anniversary of the agency's creation, displaying this notification:



Happy Birthday? Not really. Time for a serious makeover is more like it!

In the News:

Local/Atlantic Coast Pipeline

Burgeoning legal movement pits landowners against pipelines

- E&E News – 9/13/17

<https://www.eenews.net/stories/1060060443>

Related:

- http://www.newsadvance.com/news/local/atlantic-coast-pipeline-developers-ask-ferc-to-ok-project-this/article_4e7f393c-5bc1-5d7e-aeb3-78005de1a988.html

Alliance protests urgent pipeline request

- The Recorder – 9/14/17

https://www.abralliance.org/wp-content/uploads/2017/09/Alliance_protests_urgent_pipeline_request-Recorder_20170914.pdf

The letter “raises serious questions about the motivation behind the ACP partners’ push to rush the process – whether it’s to undermine the water board, silence impacted community members, or sweep the widespread environmental, health, and safety risks under the rug.”

Police cite 19 at pipeline protest in downtown Richmond

- CBS 6 News – 9/14/17

<http://wtvr.com/2017/09/14/pipeline-protest-downtown-richmond/>

Hundreds of Faith Leaders Across Virginia Protest Gas Pipelines and Pray for Gov. McAuliffe

- Blue Virginia – 9/13/17

<http://bluevirginia.us/2017/09/hundreds-of-faith-leaders-across-virginia-protest-gas-pipelines-and-pray-for-governor-mcauliffe>

Related:

- <http://www.whsv.com/content/news/Religious-Leaders-Gather-for-State-Wide-Protest-444261883.html>

- http://www.roanoke.com/business/news/roanoke_county/pipeline-foes-gather-near-deq-s-regional-office-in-roanoke/article_4ffc54e-578f-5403-b7ee-c4502f7c42ce.html

Dividing line: The Atlantic Coast Pipeline will change the lay of our land

- C-Ville – 9/7/17

<http://www.c-ville.com/dividing-line-atlantic-coast-pipeline-will-change-lay-land/#.WbrPY8iGOUk>

Regional/Mountain Valley Pipeline, other

Most significant earthquake in decades shakes parts of New River Valley

- The Roanoke Times – 9/13/17

http://www.roanoke.com/news/local/blacksburg/most-significant-earthquake-in-decades-shakes-parts-of-new-river/article_0f4233cf-afee-5493-8c46-c59ab75ad8bb.html

No major damage reported from this quake, but who is to say the next one wouldn't cause problems on newly-destabilized mountain slopes...with a pipeline underneath them!

West Virginia Reevaluates MVP; Another WQC Shot Down

- Natural Gas Intelligence – 9/11/17

<http://www.naturalgasintel.com/articles/111693-west-virginia-reevaluates-mvp-another-wqc-shot-down>

In a letter last week to the U.S. Army Corps of Engineers, WVDEP said it was vacating and remanding MVP's certificate to determine if the application is in compliance with Section 401 of the U.S. Clean Water Act.

Judge's ruling permits pipeline surveying of Franklin County farm

- The Roanoke Times – 9/11/17

http://www.roanoke.com/news/local/franklin_county/judge-s-ruling-permits-pipeline-surveying-of-franklin-county-farm/article_0887c451-54c0-5496-a273-3f5fc9ecb07d.html

The judge described Virginia's pipeline surveying law as a "legislative failure" but said Monday that he felt compelled to enforce it.

Geller: The Mountain Valley Pipeline: From motivating stress to debilitating distress

- The Roanoke Times – 9/11/17

http://www.roanoke.com/opinion/commentary/geller-the-mountain-valley-pipeline-from-motivating-stress-to-debilitating/article_19bca6e4-8b32-5e12-a199-0bo4ed7b9d6a.html

Big Picture:

NY Part 4: New York's Stand Against NatGas Throws Fate of Opposed Pipelines Into Doubt

- Natural Gas intelligence – 9/12/17

<http://www.naturalgasintel.com/articles/111704-ny-part-4-new-yorks-stand-against-natgas-throws-fate-of-opposed-pipelines-into-doubt>

In the days after the U.S. Court of Appeals for the Second Circuit denied Constitution's challenge, energy attorneys said pipeline companies should take notice.

DOE grid study dominates FERC nomination hearing

- Utility Dive – 9/8/17

<http://www.utilitydive.com/news/doe-grid-study-dominates-ferc-nomination-hearing/504548/>

The hearing illustrated how politicians of all stripes are deploying the study's findings to support their views on power sector transformation.

Monster Storms Change Coastlines, Not Minds on Climate Change

- Bloomberg Politics – 9/14/17

<https://www.bloomberg.com/news/articles/2017-09-14/monster-storms-change-coastlines-not-minds-on-climate-change>

Tribal loyalty to political ideology seems apparently powerful than direct experience...much less science.

Virginia Supreme Court upholds law freezing electric rate reviews, but with strong dissent

- Richmond Times-Dispatch – 9/14/17

http://www.richmond.com/news/virginia/government-politics/general-assembly/virginia-supreme-court-upholds-law-freezing-electric-rate-reviews-but/article_c70c980c-da7d-5cfc-8a43-7dfa5d2b2f46.html

Ruling threatens SCC's authority to regulate electric rates charged by monopoly utilities.

Renewables Are Expanding at an Astounding Pace. But It's Still Not Enough to Meet Climate Goals

- Greentech Media – 9/14/17

<https://www.greentechmedia.com/articles/read/renewable-energy-growth-is-still-not-enough-to-meet-climate-goals>

Related:

<https://insideclimatenews.org/news/14092017/eia-global-energy-forecast-world-renewable-gas-oil-emissions-thwart-paris-climate-accord>

From Paris to Lofoten and Back: A Call for a Managed Decline of the Fossil-Fuel Industry

- SDG Knowledge Hub – 9/14/17

<http://sdg.iisd.org/commentary/guest-articles/from-paris-to-lofoten-and-back-a-call-for-a-managed-decline-of-the-fossil-fuel-industry/>

Over 340 non-governmental organisations from 67 countries have signed the Lofoten Declaration, which calls for an end to exploration and expansion of new oil, gas and coal reserves, a managed decline of the oil, coal, and gas industry, and a just transition to a safer climate future.

Momentum Building to Stop Gas Pipelines

- EcoWatch – 9/13/17

<https://www.ecowatch.com/gas-pipelines-2484857551.html>