



ABRA Update #149 – September 28, 2017

FERC Moves Closer to Full Membership

The Senate Energy and Natural Resources Committee last week approved the final two nominees that will bring the Federal Energy Regulatory Commission (FERC) to its full membership of five: Richard Glick and Kevin McIntyre. Glick, who has served as Democrat General Counsel to the committee. McIntyre leads the energy practice of the Jones Day law firm and has been nominated by President Trump to become permanent Chair of FERC when he is confirmed.

While FERC began operating again with a quorum last month with the Senate confirmation of Neil Chatterjee and Robert Powelson, the addition of Glick and McIntyre will add new voices and points of view to the Commission's deliberations.

It is not clear when the Glick and McIntyre nominations will be brought to the U.S. Senate floor for confirmation votes. The Senate confirmed on September 27 nominees for an Assistant Secretary of the Treasury and an Assistant Attorney General, both of whom were approved by the committees of jurisdiction for their positions, respectively in May and June. The Senate's preoccupation with political matters on other issues has significantly slowed its work.

National Energy Conference Scheduled for October 20 in Morgantown, WV

The Sixth Annual National Energy Conference, co-hosted by the West Virginia College of Law the Appalachian Stewardship Foundation, will be held on Friday, October 20 in Morgantown, West Virginia at the College of Law. The free, one-day conference will feature speakers from industry, academic institutions, public policy organizations, and environmental groups. I

The conference will feature four panel discussions on the following topics:

- Taking advantages of opportunities for a low-carbon economy
- Minimizing the environmental impact of energy production and distribution
- The expanding role of renewables and energy efficiency
- Policy initiatives to position West Virginia to benefit from the new energy economy

Additional information, including an on-line registration form is available [here](#).

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People's Human Rights Tribunal Planned for October 28

A people's tribunal to investigate and document evidence of environmental injustice and racism by the Atlantic Coast Pipeline and the Mountain Valley Pipeline is planned for October 28 in Charlottesville, VA. The event will feature the presentation of evidence of first-person impacts of the pipelines on environmental justice communities. Co-sponsors of the Tribunal include Friends of Buckingham, the Sierra Club, Appalachian Voices and ABRA. Additional information on the event will be forthcoming in future issues of *ABRA Update*.

In the News:

Local/Atlantic Coast Pipeline

Senators urge approval of pipeline project

- Wilson Times – 9/25/17

<http://wilsontimes.com/stories/senators-urge-approval-of-pipeline-project.97473>

Senators request “that the commission complete its review and issue an order approving the ACP at the earliest opportunity if all impact and avoidance and mitigation efforts are found satisfactory.”

Heaton Construction to break ground in area for pipeline

- RR Daily Herald – 9/26/17

http://www.rrdailyherald.com/news/local/heaton-construction-to-break-ground-in-area-for-pipeline/article_09a8c498-a2e2-11e7-af7e-87630b10f686.html

Pro-Atlantic Coast Pipeline Op-Ed Fails to Disclose Funding from Duke Energy

- LittleSis News – 9/25/17

<https://news.littlesis.org/2017/09/25/pro-atlantic-coast-pipeline-op-ed-fails-to-disclose-funding-from-duke-energy/>

Regional/Mountain Valley Pipeline, other

Appalachian pipeline capacity to outpace demand - report

- E&E News – 9/26/17

https://www.abralliance.org/wp-content/uploads/2017/09/Appalachian_pipeline_capacity_to_outpace_demand_20170926.pdf

The research note comes as several pipelines planned for the Northeast face unusual legal challenges that, while considered long shots by law experts, could prove transformative if they prevail.

Shale CEOs: More pipelines needed in Appalachia, fast

- Pittsburgh Business Times – 9/27/17

<https://www.bizjournals.com/pittsburgh/news/2017/09/27/shale-ceos-more-pipelines-needed-in-appalachia.html>

Speakers argue that gas producers should get more for the gas that they produce...not that actual demand exists for the product (other than possibly overseas).

Virginia regulators reject utility's 100% renewable energy plan

- Southeast Energy News – 9/18/17

<http://southeastenergynews.com/2017/09/18/virginia-regulators-reject-utility-100-renewable-energy-plan/>

The State Corporation Commission (SCC) on Thursday denied APCo's tariff “because the company failed to prove it is in the public interest...”

Big Picture:

Perry: DOE still weighing state policy intervention for gas pipelines, grid reliability

- Utility Dive – 9/26/17

<http://www.utilitydive.com/news/perry-doe-still-weighing-state-policy-intervention-for-gas-pipelines-grid/505811/>

The Department of Energy is exploring how it could overrule state energy policy decisions, senior officials said Monday, potentially using the Secretary of Energy's authority to protect national security.

Related:

- <http://www.utilitydive.com/news/as-perry-slams-state-pipeline-decisions-lawyers-say-doe-has-little-authority/505921/>
- In-depth discussion of whether DOE has this authority, what really happened during the Polar Vortex, etc.

Feds say it's "inappropriate" to calculate greenhouse gas emissions from controversial Florida pipeline

- Tampa Bay Times – 9/27/17

<http://www.tampabay.com/florida-politics/2017/09/27/feds-say-its-inappropriate-to-calculate-greenhouse-gas-emissions-from-controversial-florida-pipeline/>

Instead of calculating the GHG footprint of Sabal Train, FERC explained why it didn't. This was allowed by the appeals court's decision in August.

Gas pipeline executive laments 'wobble' in US regulatory climate

- Platts – 9/27/17

<https://www.platts.com/latest-news/natural-gas/washington/gas-pipeline-executive-laments-wobble-in-us-regulatory-21081465>

Conflicting court decisions about federal authorities over natural gas pipelines, as well as recent state actions impeding water permits, create an unstable regulatory climate that could chase away investment, a top gas pipeline executive has warned.

Climate Shocks May Cost U.S. \$1 Billion a Day

- Bloomberg – 9/27/17

<https://www.bloomberg.com/news/articles/2017-09-27/climate-shocks-may-cost-u-s-1-billion-a-day-as-planet-heats-up>

The report comes as the U.S. continues to reel from one of the costliest hurricane seasons in history.

Related:

- <http://www.dw.com/en/will-trump-heed-the-economic-case-for-climate-action/a-40711280>

U.S. stands to save billions through renewable energy usage

- PhysOrg – 9/27/17

<https://phys.org/news/2017-09-billions-renewable-energy-usage.html>

Related:

- <https://www.vox.com/energy-and-environment/2017/9/27/16365290/renewable-energy-standards-are-working>

Rover cited for new water violation days after construction restarts

- E&E News – 9/26/17

https://www.abralliance.org/wp-content/uploads/2017/09/Rover_cited_for_new_water_violation_20170926.pdf

Ohio EPA blasted the company for incurring another violation so soon after getting permission to resume construction work at several horizontal drilling sites along the right of way

States' rebellion against Trump climate change policies gaining momentum

- Mercury News – 9/27/17

<http://www.mercurynews.com/2017/09/27/states-rebellion-against-trump-climate-change-policies-gaining-momentum/>

What started as a contrarian statement by three Democratic leaders has grown into a green rebellion.

Wind power is now cheaper than nuclear – the energy revolution is happening

- The Guardian – 9/26/17

<https://www.theguardian.com/commentisfree/2017/sep/26/offshore-wind-power-energy-price-climate-change>

Related:

- <http://ieefa.org/ieefa-update-cracks-war-wind/>