

163 FERC ¶ 61,138
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Kevin J. McIntyre, Chairman;
Cheryl A. LaFleur, Neil Chatterjee,
Robert F. Powelson, and Richard Glick.

Certification of New Interstate Natural Gas Facilities

Docket No. PL18-1-000

ORDER EXTENDING TIME FOR COMMENTS

(Issued May 23, 2018)

1. On April 19, 2018, the Commission issued a Notice of Inquiry (NOI) seeking 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 on the certification of new natural gas transportation facilities (Policy Statement) to determine whether a proposed natural gas project is or will be required by the present or future public convenience and necessity, as that standard is established in section 7 of the Natural Gas Act.¹

2. In the NOI, the Commission sought 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 impact of a proposed project. The Commission also sought 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 Commission granted 60 days from the date of the publication of the NOI in the Federal Register to file comments with the Commission. The NOI was published in the Federal Register on April 25, 2018 with comments due June 25, 2018.

3. As we stated in the NOI, 19 years have passed since the Commission issued the Policy Statement. Since that time, we have seen significant changes in the energy markets, as well as in the production, use and consumption of natural gas. In the NOI,

¹ *Certification of New Interstate Natural Gas Facilities*, Notice of Inquiry (NOI), 163 FERC ¶ 61,042 (April 19, 2018).

the Commission asked a series of questions to elicit information to develop a good record on which to decide any future action in this matter, and many of those questions identify complex issues. The Commission believes our work on this matter will benefit from a robust record and as much relevant information and thoughtful input as possible. Indeed, it is important that we base any next steps on the best available information, and we encourage input from stakeholders across the energy spectrum. Given the complexity of the issues, and our desire to ensure the best possible record, the Commission has decided to extend the time for interested entities to submit their comments in this matter by 30 days – to July 25, 2018.²

The Commission orders:

The time for interested entities to submit comments in this proceeding is hereby extended 30 days, as discussed in the body of this order.

By the Commission.

(S E A L)

Kimberly D. Bose,
Secretary.

² As the Commission indicated in the NOI, 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 the NOI. NOI P 4.