

## FERC Abuses – False Claims of Need

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The FERC is shirking its duty as the primary regulatory agency for interstate pipelines. It is not following several aspects of NEPA and the Natural Gas Act which require companies to establish the NEED for new projects before they are to be permitted. Two studies, one by IEEFA and one by Synapse, have concluded the following points:

1. FERC incentivizes and is incentivized to encourage overbuilding with an up to 14% rate of return on investment for the company constructing the pipeline.
  - a. Ratepayers and/or shareholders will shoulder this cost in the form of higher rates and/or lower returns on investment;
  - b. Industry execs acknowledge that the industry likes to overbuild (I refer you to a comment by Kelsey Warren of Energy Transfer Partners alluding to this);
  - c. The need for gas can be met by currently existing infrastructure;
2. FERC refuses to call for a Programmatic Environmental Impact Statement which would examine the widespread and cumulative impacts of several projects in a region, which must be met if we are to argue that this project is needed (WV, an area of very high biodiversity and home to several endangered and sensitive species as well as geological features such as Karst that prohibit such construction, is being asked to allow 7 large interstate pipelines AND their attendant infrastructure and 12 new intrastate lines, for a total of 19 projects proposed);
3. FERC does not wish to examine how this unexplained, so-called “need” would be met by energy efficiency measures and renewable energy developments, which have been and will continue to increase; NOTE: WV has no renewable portfolio standards since they were repealed in February 2015, making it so much easier to ignore this option;
4. FERC refuses to do serious analysis of these projects’ CO<sub>2</sub>-equivalent emissions and their effect on climate change, a fact we have known about since the 1960s;

I submit the following reasons why we MUST NOT BUILD ANY NEW PIPELINE INFRASTRUCTURE:

1. In the coming years, solar and other alternative power will come to replace, displace, and outpace fossil fuels; as a result, gas will no longer be cost-effective and recently built infrastructure may have to be prematurely retired;
2. Climate change is the critical issue of our time. Methane is 86x as potent as CO<sub>2</sub> as a warming agent. All gas infrastructure leaks. We are already seeing the effects of climate change in increased storms, shrinking shorelines, failed crops. We simply cannot afford the costs of climate change.
3. This is a social justice issue: WV has a disproportionate amount of poor and undereducated people, easy pickin’s for a predatory industry. The Mountain Valley Pipeline has an overabundance of poor and elderly along its length, people who are too old or poor to fight.
4. Eminent Domain is being abused, people are being intimidated and lied to in order to secure their property for the companies’ gain.

5. Whether through fracking, pipeline construction, or compressor station emissions, gas development destroys water, ecosystems, economies, human health, biodiversity, property values, and quality of life in areas where it exists.
6. We have options, and FERC has a responsibility under the law to make our energy grid responsible and healthy.