

My name is Susan Dodd Meacham. I am a resident of Hunterdon County, New Jersey, and a registered intervenor on FERC Docket CP15-558 - the proposed PennEast natural gas pipeline.

An inherent conflict of interest exists with FERC being funded by the industry it regulates, and industry lobbyists petitioning for appointment of FERC commissioners. These alliances disenfranchise the public. The pro-business lobbying group the New England Council, of which Spectra Energy is a member, lobbied for the reappointment of FERC Commissioner Cheryl LaFleur to a second term<sup>1</sup> and after President Obama granted that reappointment in May of 2014, the Council then urged FERC to approve Spectra's AIM project. FERC did so, but that approval is being challenged in the U.S. Court of Appeals for the D.C. circuit.

FERC's revolving door policy between regulatory officials and industry executives undermines our democracy. On November 1st of this year an article in DeSmog Blog alleged a conflict of interest involving Spectra Energy projects being reviewed by FERC's Maggie Suter<sup>2</sup>. Maggie's husband, Phil Suter, is a paid consultant for Spectra Energy, and his Linked In profile, says he worked at FERC until mid 2012. When FERC assigned Maggie Suter to serve as environmental project manager for Spectra's Atlantic Bridge review in February 2015, her husband Phil Suter was working for Spectra on their related project, Access Northeast. Mrs. Suter never disclosed that conflict, and the final environmental reports on both projects amazingly concluded they would not significantly impact the environment.

FERC unilaterally chooses certain companies to prepare Draft Environmental Impact statements. In the PennEast natural gas project, FERC appointed Tetra Tech, a member of the Marcellus Shale Coalition. That Coalition freely admits its influence on this process<sup>3</sup> and their website brags they provide information to policymakers and regulators about the positive impacts of natural gas production. This "hand in glove" relationship with regulators and the industry means projects get rubber stamp approval despite the public's substantive objections.

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<sup>1</sup> <https://newenglandcouncil.com/membership/members-home/energy-and-environment-committee/>

<sup>2</sup> <https://www.desmogblog.com/2016/11/1/exposed-husband-ferc-official-responsible-reviewing-new-spectra-energy-pipelines-consults-spectra-related-project>

<sup>3</sup> <http://marcelluscoalition.org/about/>

FERC is virtually autonomous. NBC Bay Area's October 2014 article <sup>4</sup> disclosed "Contractor Submitted False Radiation Data at Hunters Point", and reported Tetra Tech admitted providing the Navy with false soil samples and a false report that the soil was free of contaminants when it may not have been. It is unconscionable that FERC appointed Tetra Tech to conduct PennEast's environmental review two years after that admission of falsified critical environmental information. That is the kind of collusion we are dealing with.

FERC sometimes offers "conditional" approval of projects before final water and other certifications are issued. That conditional approval, if offered to PennEast, could allow eminent domain proceedings to overrule the roughly 70 percent of affected landowners who refused them survey access. Conditional approval breaches our constitutional rights to defend our property from being taken for private corporate gain.

FERC uses "tolling orders" to delay decisions on appeals brought before it. In a recent case, FERC extended the tolling order so many times that the pipelines were already in the ground with the gas flowing before FERC issued the final opinion<sup>5</sup>. That is not acceptable.

The people of this country deserve an independent investigation into this obviously rigged FERC process. Thank you.

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<sup>4</sup> <http://www.nbcbayarea.com/investigations/Contractor-Submitted-False-Radiation-Data-at-Hunters-Point-279025911.html>

<sup>5</sup> <https://stateimpact.npr.org/pennsylvania/2015/10/20/lawyers-say-ferc-hinders-appeals-on-pipeline-projects>