

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Room 1 A  
Washington, DC 20426

re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose:

## **Fix FERC First**

### **Chapter 4: FERC Is Short-Sighted**

It has become increasingly obvious to many observers that the Federal Energy Regulatory Commission (FERC) is badly broken and desperately in need of repair or reformulation. This document is one in a series of several chapters of the **Fix FERC First** story, with each chapter describing a specific FERC shortcoming and the harm done directly to the public and to the public interest as a result of that shortcoming. This chapter details two important ways in which **FERC Is Short-Sighted**.

FERC seems to have its head down, focusing on things immediately in front of it – while very much missing the larger picture. It needs to look up and take in this larger picture – everything, all at once and in its proper context – not just a piece at a time. And certainly not just the piece that a particular private energy company would like it to focus on. FERC is guilty of such short-sightedness in two important ways, as described below.

The first example of FERC's myopia is the fact that it judges each pipeline proposal individually, as if that proposal had absolutely no relation to other current pipeline proposals. The courts have ruled that a single pipeline company is not allowed to divide a project into multiple parts and then to propose them to FERC piecemeal. This is called segmentation and it is not allowed because it prevents a project (and all of its negative impacts) from being considered in its entirety. In the past, when pipeline companies have attempted this and FERC has not objected, FERC has been sued, chastised by the court and forced to then reconsider the entire project as a single proposal.

So there are good reasons why segmentation of a single pipeline project is not allowed. But FERC knows that multiple new pipelines are currently being proposed to bring natural gas into New England – pipelines that in total would supply more than four times the volume of natural gas that even proponents of more gas believe that New England needs – and that each pipeline approved will cause serious environmental damage and the forced taking of land along its route. But FERC nonetheless considers each of these pipeline proposals in isolation from other proposals – a different form of segmentation. Wouldn't it be much more logical for FERC to lift its head up and take a regional view of the energy needs of New England and to consider the impact of all of the proposed pipelines in total rather than individually?

This also ties back to FERC's faulty definition of need, detailed in Chapter 2 of this series. FERC allows the market to define the "need" for additional energy infrastructure rather than using a rational, regional energy policy. If some fossil fuel is good, then FERC seems to believe that more must certainly be better.

The second example of FERC's short-sightedness concerns its view of the environmental impact of the massive fossil fuel infrastructure that it routinely approves. FERC gives consideration to the impact of cutting trees and digging trenches to bury the pipeline, of building the compressor stations, etc. But it doesn't consider the full, long term impact of procuring the gas that will travel in the pipeline, of the running of the compressor stations needed to move it, of the leakage and venting that occur during the normal operation of a pipeline and ultimately of the burning of the gas transported by the new pipeline.

Natural gas is made up mostly of methane. Methane is a powerful greenhouse gas – some 20 to 80 times more damaging to the atmosphere than carbon dioxide. And fracked gas also contains a mix of known carcinogens and neurotoxins. The valve stations and compressor stations that are part and parcel of a high pressure natural gas pipeline both leak gas and intentionally vent gas, and the large compressor stations burn a portion of the gas in the normal course of pipeline operations. Compressor stations are large industrial complexes that pollute with noise, with light and with the release of the hydrocarbons and carcinogens carried in the fracked gas. And this doesn't count the numerous sources of gas emissions from the fracked wells where the gas originates. And finally, the eventual burning of the natural gas carried by the pipeline produces other greenhouse gases. Yes, burning the gas itself is less polluting than burning oil or coal – but it is still a fossil fuel. Isn't all of this pipeline pollution worthy of consideration when measuring the environmental impact of a proposed new pipeline?

FERC in general and current chair Cheryl LaFleur in particular maintain that it is not FERC's job to try to judge a project's upstream (e.g., fracking) and downstream (e.g., liquefying the gas, burning the gas) effects on climate change, though it appears that the National Environmental Policy Act (NEPA) allows FERC the latitude to do so. Ms. LaFleur points to the lack of accepted standards for measuring these effects as justification for FERC's laxity in this area. But others assert that it is well within FERC's purview to add such considerations to its review process – but that FERC is simply unwilling to assert this power. Recently the White House has provided additional guidance that climate change should factor into all federal environmental reviews - and yet FERC continues to drag its feet on this.

When FERC approves a new pipeline that will exist for decades without considering its total, lifetime environmental and climate impact, it is being willfully myopic. A new natural gas pipeline is a self-fulfilling prophecy. It means that more gas will be fracked, compressed, leaked, liquefied and burned. And it means that it will be more difficult to build momentum for the renewable energy future that everyone agrees we should be striving for.

### **Summary**

FERC's practice of considering proposals to build multiple new natural gas pipelines in New England in isolation from each other is ludicrous and short-sighted. FERC needs to weigh the energy requirements of the New England region and decide how best to meet them. And FERC (with its faulty, market-driven definition of need) should not be allowed to treat pipeline proposals as if they were lined up on an assembly line, each to be picked up and examined individually (and most probably stamped "Approved" if history is any guide) without looking down the line and also considering the other New England pipeline proposals coming its way.

And if FERC is going to do a comprehensive job of weighing the environmental costs of a new pipeline proposal, it should consider all of the environmental costs that attach to that pipeline, not just those caused during the construction process. A pipeline's negative environmental impacts are certainly most immediately noticeable to those directly along the pipeline's path. But in reality, a new pipeline has long term negative impacts upon the entire region and beyond. FERC needs to develop the metrics to

be able to quantify those negative impacts and to then include them in its deliberations. FERC's current "Not my job" attitude toward this responsibility is simply not acceptable.

Nick Miller Groton, MA



These earlier chapters of **Fix FERC First** are downloadable from the FERC eLibrary:

[Chapter 1: An Introduction](#)

[Chapter 2: FERC's Faulty Definition Of Need](#)

[Chapter 3: FERC Allows The Public To Be Misled](#)