

**Opening Statement of the Honorable Ed Whitfield  
Subcommittee on Energy and Power  
Hearing on “A Legislative Hearing on Eight Energy Infrastructure Bills”  
February 2, 2016**

*(As Prepared for Delivery)*

This Subcommittee has continuously examined legislation aimed at cutting red tape where it is standing in the way of energy infrastructure that would benefit all Americans. Projects that update and expand the nation’s energy infrastructure will create jobs and lead to greater supplies of affordable domestic energy for our homes and businesses. That is the unifying theme behind the eight bills we will discuss today.

H.R. 3021, the “AIR Survey Act of 2015,” introduced by Mr. Pompeo, is an overdue measure to incorporate data collected through aerial surveys into the approval process for natural gas infrastructure. The bill would enable the Federal Energy Regulatory Commission (FERC) to accept such data in its application process under the Natural Gas Act, subject to any verification through ground survey data that FERC deems appropriate. Given the growing importance of natural gas in our economy, we will all benefit from a measure such as this that will help facilitate the construction of new natural gas pipelines.

H.R. 2984, the “Fair RATES Act,” introduced by Mr. Kennedy, sets out a process to deal with those situations under the Federal Power Act in which FERC neither approves nor denies an electricity rate change, such as when the commission is deadlocked. These rate changes still take effect, but currently there are limited opportunities for the public to challenge them because FERC did not officially issue an order. This bill would create an administrative process for members of the public who wish to challenge such rate changes.

A draft bill entitled “A bill to amend section 203 of the Federal Power Act” would serve to address an oversight in the Energy Policy Act of 2005. That law amended section 203 of the Federal Power Act, which pertains to the sale, disposition, merger, purchase and acquisition of certain utility assets and facilities. It raised the minimum monetary thresholds for FERC jurisdiction from 50 thousand dollars to 10 million dollars for three of these sub-categories but not for acquisitions. This bill would raise the minimum for acquisitions to 10 million dollars as well, thus avoiding FERC process for relatively small transactions.

Along with these three bills making procedural changes, we also have before us five bills dealing with new hydroelectric projects on existing dams. Given the low cost and low emissions of hydropower, these projects ought to be among the least controversial means of increasing the nation’s electricity supply. However, the FERC- issued licenses for these projects have expired, or soon will expire, largely because of regulatory delays or unforeseen circumstances that have prevented construction. These bills extend the life of the licenses by six to eight years, allowing these job-creating projects to move forward.

The result of the passage of these 8 bills will be more jobs and more energy for the American people, and I urge all my colleagues to support them.

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