

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

May 19, 2017

Mr. Terry Turpin  
Director  
Office of Energy Projects  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Dear Mr. Turpin,

Thank you for appearing before the Subcommittee on Energy on Wednesday, May 3, 2017, to testify at the hearing entitled "Legislation Addressing Pipeline and Hydropower Infrastructure Modernization."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Monday, June 5, 2017. Your responses should be mailed to Grace Appelbe, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Wyatt.Ellertson@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Fred Upton  
Chairman  
Subcommittee on Energy

cc: The Honorable Bobby L. Rush, Ranking Member, Subcommittee on Energy

Attachment

## **Attachment - Additional Questions for the Record**

### **The Honorable Fred Upton**

1. Please provide a summary of all Commission activities in support of the Federal Permitting Steering Council.
2. When asked about timeframes associated with the interstate pipeline permitting process, you responded, “in looking back at the data for all issuances for the Commission since 2009, on average it is 88 percent of the projects get issued within one year.” Please provide data to support this statement.
3. Under the Natural Gas Act, the Commission acts as the lead agency for the purposes of coordinating all applicable Federal authorization for interstate natural gas pipelines and for the purposes of complying with the National Environmental Policy Act. Congress has instructed each Federal and State agency charged with evaluating an aspect of an application for Federal authorization to work with the Commission and to comply with the deadlines established by the Commission, unless a schedule is otherwise established by Federal law. Please list and provide the status of all pending pipeline proceedings where the Commission is waiting for another Federal or State agency to act on a Federal authorization.

### **The Honorable David B. McKinley**

1. You stated that one fourth of all hydropower licenses issued by the Federal Energy Regulatory Commission (“the Commission”) could be begun and completed within two years. This assertion is not in your written testimony and is contrary to the experiences of hydropower developers endeavoring to add hydro to existing dams in Indiana and throughout the United States. It is important that this committee clearly understand why some licenses can be completed in less than two years and why others take longer than that – in some cases, three times longer or more.

Please provide the Committee and me the data set that FERC uses to determine the one fourth statistics. If possible, please include as much information about the projects that were able to be licensed within two years and those that were not. I would be interested in data dating to before the enactment of the Energy Policy Act of 2005, if it is available. It is my hope that this data will help to guide the committee in its oversight of how best to support the development of low-cost, environmentally-friendly energy sources on existing infrastructure.

### **The Honorable Bill Johnson**

1. The United States has a window to enter the global LNG export market. In order to take advantage of this window, it is critical that proposed projects are approved within a reasonable timeline. Multiple applications for LNG export facilities are before your agency. The permitting for an LNG export facility, and associated pipelines, is a complex, expensive and lengthy process.

Regarding LNG export applications, how does your agency coordinate with other federal agencies in their NEPA review?

How is your working relationship with PHMSA?

Do coordinating agencies, including US Army Corps of Engineers (USACE) or PHMSA, ever delay FERC's issuance of important permitting milestones for an applicant?

How would you recommend improving the coordinating agency role so as to ensure that important American energy assets, like LNG export facilities, move from proposals, to construction?