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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R. _____

To require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate of public convenience and necessity for a proposed pipeline expansion project, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. WATSON COLEMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Federal Energy Regulatory Commission to apply certain procedures before granting a certificate of public convenience and necessity for a proposed pipeline expansion project, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. APPROVAL OF NEW NATURAL GAS PIPELINES.**

4 Section 7(e) of the Natural Gas Act (15 U.S.C.
5 717f(e)) is amended—

6 (1) by inserting “(1)” before “Except in the
7 cases”; and

1 (2) by adding at the end the following:

2 “(2) Before granting a certificate for a proposed
3 pipeline expansion project, the Commission shall—

4 “(A) conduct either—

5 “(i) a full evidentiary hearing on any con-
6 tested issue of need for the expansion; or

7 “(ii) a cumulative review of major energy
8 infrastructure projects planned throughout the
9 region of the expansion, their purported pur-
10 pose and need, and their prospective impacts on
11 State and regional energy goals; and

12 “(B) consider—

13 “(i) the existence of underutilized or ineffi-
14 cient use of existing pipeline capacity;

15 “(ii) the effect of approval on existing cus-
16 tomers of other pipelines;

17 “(iii) an analysis of demonstrated regional
18 needs for the additional natural gas, including
19 consideration of the existence of precedent con-
20 tracts;

21 “(iv) consistency with the State’s clean
22 power plan, State Implementation Plan, renew-
23 able energy goals, and renewable portfolio
24 standard;

1 “(v) the region’s ability to meet any defi-
2 ciency in energy needs through energy effi-
3 ciency, dual fuel sources, LNG storage, or other
4 economically viable and less environmentally
5 disruptive measures than expanded pipeline in-
6 frastructure; and

7 “(vi) Federal renewable energy goals.

8 “(3) In the case of an interstate natural gas pipeline
9 project, for purposes of the due process requirements of
10 the National Environmental Policy Act of 1969 (42 U.S.C.
11 4321 et seq.), the Commission shall consider, in addition
12 to current requirements for environmental impact state-
13 ments, the cumulative impacts of other interstate natural
14 gas pipeline projects located within the same State, as well
15 as projects within 100 miles of the project, that are ap-
16 proved, filed with the Commission or, in the pre-filing
17 process—

18 “(A) for a 1-year period prior to the filing of
19 the project application with the Commission; and

20 “(B) before the issuance of the draft environ-
21 mental impact statement.

22 “(4) The Commission shall require all approved and
23 constructed natural gas pipeline projects to undertake a
24 five year monitoring program to confirm that the environ-
25 mental impacts identified in any environmental impact

- 1 statement or analysis conducted with respect to the project
- 2 have been mitigated.”.