

BXE Testimony at Dec. 2, 2016 FERC People's Hearing

For the last two years, Beyond Extreme Energy has been taking action at FERC and speaking out at monthly commissioner meetings. Our campaign of sustained nonviolent direct action included an 18-day, water-only hunger strike in front of FERC last September before Pope Francis' visit to DC. BXE members also participated in three meetings in 2013 and 2014 with then-FERC Chairs John Wellinghoff and Cheryl LaFleur.

We started BXE in July 2014 because we lived in or had worked with local communities, like those represented here today, whose concerns were disregarded, dismissed or overlooked by FERC. Although FERC makes a charade of hearing public testimony (and, of late, [secret testimony](#)), the public's concerns are routinely brushed aside or explained away. The commission never allows the public to speak at its monthly meetings – hence BXE's planned interruptions.

Although commissioners have noticed our actions, and even referred to us as “a situation,” the agency has not changed course. With only one exception, FERC has approved every industry permit for fracked-gas pipelines, compressor stations and export facilities. FERC has been acting in this manner for decades, a captive agency of the fossil fuel industry in general and the fracked-gas industry in particular. FERC commissioners often come from industry and land jobs in the industry upon leaving the agency. Just last month Bloomberg news reported that the FERC chief of staff, Larry Gasteiger, was leaving to work for Public Service Enterprise Group Inc., a Newark, New Jersey-based power and gas utility. DeSmog Blog has reported on several cases of commissioners ruling in favor of companies while their spouses were consultants for or represented those companies. For example, a FERC official's husband [was a Dominion Power consultant at a time](#) the official was reviewing permits for Dominion's massive and controversial fracked-gas liquefaction and export terminal at Cove Point, Md. And an investigative report in Greenwire in April, 2015 revealed that, “Ethics records throughout 2014 show agency staff seeking employment with grid operators, law firms and utilities that the agency has jurisdiction over and often meets with as it sets new orders and rules. In

addition, FERC employees have held stock in or remain part of pension plans from companies that can be affected by the agency's work.”

FERC is also notorious for refusing to address in its environmental assessments the harm to our climate from fracked-gas infrastructure buildout. The Environmental Protection Agency earlier this year criticized FERC for [failing to consider climate change](#) when it approved the Leach Xpress fracked-gas pipeline that runs through Pennsylvania, Ohio and West Virginia.

Finally, we note that the incoming president, Donald Trump, will be able to appoint at least three new FERC Republican commissioners, one of whom will likely be chair, and probably at least one Democratic commissioner. BXE and allies expect to oppose these nominations, given that these appointees will most certainly be accountable only to the fossil fuel industry, and will not safeguard the public, the climate or the Earth, our only home.

<http://www.eenews.net/stories/1060016380>

<http://www.desmogblog.com/2014/07/02/regulators-and-industry-swap-spots-lobbyists-pushing-natural-gas-exports-swing-revolving-doors>

<http://www.bloomberg.com/news/articles/2016-01-12/ex-regulator-joining-lobby-skirts-revolving-door-ban-group-says>

<https://www.desmogblog.com/2016/08/21/revealed-ex-ferc-commissioner-s-multiple-rulings-favored-energy-companies-his-wife-lobbied>

<https://stateimpact.npr.org/pennsylvania/2016/08/16/penneast-critics-accuse-ferc-of-trying-to-control-public-comment/>