

DONALD S. BEYER, JR.  
8TH DISTRICT, VIRGINIA

VICE RANKING MEMBER  
COMMITTEE ON  
SCIENCE, SPACE, AND TECHNOLOGY  
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JOINT ECONOMIC COMMITTEE

**Congress of the United States**  
**House of Representatives**  
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February 26, 2018

The Honorable Kevin J. McIntyre  
Chairman  
Federal Energy Regulatory Commission (FERC)  
888 1<sup>st</sup> St NE, Room 11H  
Washington, D.C. 20426

Dear Chairman McIntyre:

On October 13, 2017, the Federal Energy Regulatory Commission approved the Mountain Valley Pipeline (MVP) and the Atlantic Coast Pipeline (ACP) without a vote from the entire Commission and despite legitimate concerns about the thoroughness of the pipeline proposals considered and their public comment process, the assessed demand for the new pipelines, and an incomplete Environmental Impact Statement. For these reasons, I request that FERC grant rehearings on the MVP and ACP petitions.

When the Commission approved the MVP and ACP applications, two of the five commissioner seats were vacant at the time. The final approving vote was 2-1, a split decision rare for the Commission when 98 percent of FERC votes in 2016 were unanimous. Since the vote, both of the vacant commissioner seats have been filled. A partial decision of this magnitude may not accurately reflect the position of FERC, and thus the Commission should allow for rehearings to ensure that the ruling fairly reflects the entire Commission.

A rehearing is valid also because affected stakeholders were not able to offer comments on thousands of pages of updates for FERC consideration. In particular, the Mountain Valley Pipeline process raised legitimate questions on both the completeness of the proposals and alternatives considered, as well as whether calculated impacts were independently verified. It is deeply concerning that the MVP would still destroy miles of iconic viewshed through a major portion of the Appalachian Trail, a vital natural and tourism resource to the state of Virginia and a congressionally designated national scenic trail. It reinforces process concerns about whether FERC had feedback from affected stakeholders on the final updates from Mountain Valley LLC.

In addition, FERC needs to consider whether both these pipelines are necessary for the natural gas demand in the regions that are to be served by these pipelines. The Energy Information Administration and the regional grid manager show no growth in demand for natural gas needs in Virginia through 2030. FERC should conduct a thorough, publicly transparent evaluation of the need for the new pipelines, based on independent evidence.

Moreover, mitigation plans that are part of the Environmental Impact Statement for the ACP are still incomplete. Therefore, the effects on water resources and fish and other aquatic species are still somewhat unknown. Any leak or spill will have detrimental effects to local watersheds and communities, so it is important that all information be given special consideration.

Gas pipelines are long-term investments with long-term consequences, and FERC should take the time to carefully assess these proposals and the concerns I have raised. For these reasons, FERC should grant a re-hearing.

Sincerely,

A handwritten signature in blue ink that reads "Donald S. Beyer Jr." with a stylized flourish at the end.

Donald S. Beyer Jr.  
MEMBER OF CONGRESS