



FEDERAL ENERGY REGULATORY COMMISSION
Office of the Chairman

September 24, 2021

The Honorable John Barrasso, M.D.
Ranking Member
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Senator Barrasso,

Thank you for your September 15, 2021 letter regarding the processing of important matters on the Federal Energy Regulatory Commission's ("Commission") natural gas and electric dockets. Your letter and this reply will be placed in the dockets for the proceedings identified in your letter.

As a member of this Commission and as Chairman, I strive to ensure that each of my votes is based on the requirements of the statutes we administer (as interpreted by the courts) and the particular facts of the proceeding at hand. Over the last several years, I became increasingly concerned that the Commission majority often cut corners in a manner that fell short of the Commission's obligations under the National Environmental Policy Act (NEPA) and the Natural Gas Act (NGA). As I have explained, that dramatically increases the risk that the courts will invalidate the Commission's decisions, which in turn adds substantial risks for the infrastructure developers who rely on Commission orders when investing millions, and sometimes billions, of dollars in new projects. When courts find flaws in the Commission's analysis, it can lead to lengthy delays and cost developers substantially more than they originally forecasted.¹

A pair of recent D.C. Circuit cases illustrates the point. In *Environmental Defense Fund v. FERC*, the court vacated an NGA section 7 certificate issued to the Spire STL Pipeline after finding "serious deficiencies" in the Commission's analysis of the market

¹ Dominion Energy July 5, 2020 News Release, "Dominion Energy and Duke Energy Cancel the Atlantic Coast Pipeline", <https://news.dominionenergy.com/2020-07-05-Dominion-Energy-and-Duke-Energy-Cancel-the-Atlantic-Coast-Pipeline> (stating that a series of legal challenges to the project's federal and state permits has caused significant project cost increases from about \$4.5 billion to \$8 billion dollars and a three-and-a-half year timing delay).



need for the proposed project.² As a result of those deficiencies, the court took the unusual step of vacating the entire certificate, which, as you note, has raised concerns about the pipeline’s ability to continue operating and providing customers in and around St. Louis with reliable access to natural gas. In *Vecinos para el Bienestar de la Comunidad Costera v. FERC*, the court remanded the Commission’s authorizations for both the Rio Grande LNG Terminal and Texas LNG Terminal in Southeast Texas after concluding that the Commission’s analysis of GHG emissions and environmental justice impacts pursuant to NEPA was arbitrary and capricious.³ The flaws in Commission orders identified by these court decisions have created significant uncertainty for the future of the Spire Pipeline and the proposed Rio Grande and Texas LNG facilities.

The Commission owes it to all stakeholders to avoid creating similar uncertainty in future proceedings. When I became Chairman, many of the environmental documents that had been prepared or were under preparation exhibited flaws akin to those identified in the *Vecinos* case and similar decisions issued by the D.C. Circuit in recent years.⁴ Accordingly, I directed Commission staff to conduct additional analysis to ensure that our certificate orders are legally durable documents on which project developers can rely.

At the same time, I recognize project developers’ interest in receiving a prompt determination from the Commission. To that end, where the environmental documents presented relatively little legal risk—e.g., because they were unprotested and thus not subject to appeal—we have proceeded with issuing certificates supported by a majority of the Commission, even where I had concerns about particular aspects of the underlying analysis.⁵ I believe that an approach along these lines is the appropriate way to balance

² *Env’t Def. Fund v. FERC*, 2 F.4th 953, 976 (D.C. Cir. 2021) (finding “serious deficiencies” in the Commission’s orders authorizing the project, making it “not at all clear” that the Commission will be able to rehabilitate its decision on remand).

³ *Vecinos para el Bienestar de la Comunidad Costera v. FERC*, 6 F.4th 1321, 1329-31 (D.C. Cir. 2021).

⁴ *Id.* at 1328-29; *Birckhead v. FERC*, 925 F.3d 510, 517-519 (D.C. Cir. 2019); *Sierra Club v. FERC*, 867 F.3d 1357, 1371-75 (D.C. Cir. 2017) (*Sabal Trail*).

⁵ See, e.g., *N. Nat. Gas Co.*, 175 FERC ¶ 61,238 (2021); *Freeport LNG Devel., L.P.*, 175 FERC ¶ 61,237 (2021) (*Freeport*); *Enable Gas Transmission, LLC & Enable Gulf Run Transmission, LLC*, 175 FERC ¶ 61,183 (2021) (*Enable*); *WBI Energy Transmission, Inc.*, 175 FERC ¶ 61,182 (2021); *Tuscarora Gas Transmission Co.*, 175



our responsibility to issue legally durable decisions with developers' interest in receiving a prompt decision.

Below, I have included answers to the specific questions posed in your letter. Because many of the proceedings discussed are currently pending before the Commission, I cannot address the merits of the issues raised. To the extent permitted by the Commission's ex parte rules, I offer general responses to your questions.

* * *

1. *Please provide a chart showing the status of Certificate Applications currently under consideration by the Commission, showing the date on which each application was filed, and the current stage of review for each, and the standard of review that applies to each application and notice, if any, that the applicant had of changes in the standard. (E.g., please identify those Applications for which staff's review under National Environmental Policy Act (NEPA) has resulted in the publication of a draft or final Environmental Impact Statement, Environmental Assessment, or other form of documentation of the Commission's review of the project for the purposes of the Commission's compliance with NEPA, whether the NEPA requirement has changed since the application was filed.)*

Please see the appendix to this letter. The chart contained therein identifies the stage, if any, of NEPA review for all pending NGA section 3 and 7 applications, including the type of NEPA document (Environmental Assessment (EA) or Environmental Impact Statement (EIS)) applicable to the project, and whether the planned NEPA document has changed. The preparation of an EA or EIS does not alter the statutory standard of review applicable to a proposed project under NEPA or the NGA. Under NGA section 7, that standard is whether the project is required by the public convenience and necessity. Under NGA section 3, the standard is whether the project is not inconsistent with the public interest.

2. *Has the Commission adopted a generally-applicable requirement for an EIS "to assist the Commission in its consideration of [a natural gas pipeline] Project's contribution to Climate Change and [its] decision making process to determine whether [a] proposed Project is in the public convenience and necessity"?*

FERC ¶ 61,147 (2021) (*Tuscarora*); *N. Nat. Gas Co.*, 175 FERC ¶ 61,146 (2021); *N. Nat. Gas Co.*, 174 FERC ¶ 61,189 (2021).



The Commission has not adopted a generally applicable policy or practice of preparing an EIS in order to evaluate every proposed pipeline's contributions to climate change. In fact, the Commission has recently issued multiple certificates of public convenience and necessity, after conducting only an environmental assessment. Several of these certificate orders resulted from a bipartisan agreement between former Chairman Chatterjee, Commissioner Clements, and myself to assess the significance of the proposed project's contribution to climate change. For example, on March 22, 2021, the Commission issued Northern Natural Gas Company a certificate to construct and operate its South Sioux City to Sioux Falls A-Line Replacement Project, and based on the record in the proceeding and Commission staff's environmental assessment, the Commission determined that the project's greenhouse gas emissions and its contribution to climate change were not significant.⁶ Additionally, the Commission has also issued certificates of public convenience and necessity which disclosed the projects' direct greenhouse gas emissions based on Commission staff's environmental assessment and disclosed the projects' indirect greenhouse gas emissions in the order.⁷

a. If so, what standards has or will the Commission apply to determine that an EIS (e.g., in the place of or as a supplement to an Environmental Assessment) addressing a "Project's contribution to Climate Change" is necessary?

As discussed in the previous answer, the Commission has not established a generally applicable requirement to prepare an EIS. Nevertheless, I note that NEPA requires the Commission to prepare an EIS when issuing a certificate of public convenience and necessity, unless the Commission can determine that the project either will not cause any significant adverse impacts or that such impacts will be mitigated.⁸ In

⁶ *N. Nat. Gas Co.*, 174 FERC ¶ 61,189 at P 29; *see Freeport*, 175 FERC ¶ 61,237 at PP 22-23 (granting NGA section 3 authority and finding based on Commission staff's environmental assessment that the project's greenhouse gas emissions and its contribution to climate change were not significant); *N. Nat. Gas Co.*, 175 FERC ¶ 61,238 at P 23-24 (issuing a certificate of public convenience and necessity and finding that based on Commission staff's environmental assessment that the project's greenhouse gas emissions and its contribution to climate change were not significant).

⁷ *See WBI Energy Transmission, Inc.*, 175 FERC ¶ 61,182, at PP 50-55 (2021); *Enable*, 175 FERC ¶ 61,183 at PP 92-95; *Tuscarora*, 175 FERC ¶ 61,147 at PP 27-29; *N. Nat. Gas Co.*, 175 FERC ¶ 61,146 at PP 31-33.

⁸ *E.g., Standing Rock Sioux Tribe v. U.S. Army Corps of Eng'rs*, 985 F.3d 1032, 1039 (D.C. Cir. 2021) ("If any 'significant' environmental impacts might result from the proposed agency action[,], then an EIS must be prepared *before* agency action is taken.")



other words, when there are any “arguably significant” environmental impacts, the Commission must address those impacts in an EIS.⁹

The Commission will continue to evaluate the record in each proceeding and determine on a case-by-case basis whether the project will have significant impacts on the environment. If the Commission cannot determine that the impacts are insignificant based on the information in the record, it will prepare an EIS for the project to answer that question.

b. If not, in what context and for what purpose were the May 27 Notices issued or subsequent similar actions taken?

Consistent with the standard discussed in the answer to the previous question, the May 27 Notices of Intent were issued upon the conclusion that the Commission could not confidently determine whether the projects at issue would result in significant impacts to the environment, including through their contribution to climate change, based on the existing record in the proceeding.

c. What significance do actions such as the May 27 Notices hold for other projects under review or that may be filed before the Commission has concluded its review of the 1999 Policy Statement and announced any changes?

Before acting on a particular case, the Commission must balance all factors bearing on the public interest,¹⁰ including the impacts of a project’s reasonably foreseeable GHG emissions and the resulting impact on climate change.¹¹ But before the

(internal citations omitted); *Myersville Citizens for a Rural Cmty., Inc. v. FERC*, 783 F.3d 1301, 1322 (D.C. Cir. 2015) (EIS required where there might be significant impacts unless the impacts are mitigated).

⁹ *Myersville*, 783 F.3d at 1322 (quoting *TOMAC v. Norton*, 433 F.3d 852, 860 (D.C. Cir. 2006)).

¹⁰ See *Atl. Ref. Co. v. Pub. Serv. Comm’n of N.Y.*, 360 U.S. 378, 391 (1959) (holding that the NGA requires the Commission to consider “all factors bearing on the public interest”).

¹¹ See *Sabal Trail*, 867 F.3d at 1373 (Under the NGA, “FERC will balance ‘the public benefits against the adverse effects of the project,’ including adverse environmental effects”) (internal citations omitted).



Commission can engage in that balancing, it must first adequately assess the significance of a project's adverse impacts, including its impact on climate change, and the effects of any mitigation measures. As discussed above, that assessment may necessitate the preparation of an EIS where the Commission cannot determine that the project's adverse impacts are insignificant. The May 27 notices reflect such a determination in those cases and, following this statutorily required framework, the Commission may make the same determination when presented with analogous facts in a future case.

3. *Has the Commission determined that NEPA or any other law requires it to consider greenhouse gas emissions downstream or upstream of any or all interstate natural gas projects prior to the issuance of a Certificate?*

The Commission has not made a generic determination that NEPA or any other law requires it to consider GHG emissions downstream or upstream of *any or all* interstate natural gas projects prior to the issuance of a certificate. As explained below, the D.C. Circuit has required the Commission to engage in a case-by-case analysis to identify and consider a project's reasonably foreseeable downstream and upstream GHG emissions.

a. *If so, please list and explain the relevant Commission precedent.*

Although the Commission has not made a generic finding, the relevant precedent is discussed below.

b. *If not, please*

i. *cite the specific authorities that require any such determination(s) and thoroughly explain your reasoning as to the basis for and scope of such determination(s); and*

The D.C. Circuit has repeatedly held that NEPA requires the Commission to consider all reasonably foreseeable impacts of a proposed pipeline, including reasonably foreseeable upstream and downstream greenhouse gas emissions.¹² Nevertheless, the court has also observed that not all upstream and downstream greenhouse gas emissions are reasonably foreseeable.¹³ With respect to upstream emissions from natural gas production, the court has explained that where there is no evidence to predict the number

¹² See *Sabal Trail*, 867 F.3d 1357; *Birckhead*, 925 F.3d at 517.

¹³ See *Birckhead*, 925 F.3d at 518-19.



and location of additional wells that would be drilled as a result of a project, such emissions are not reasonably foreseeable and need not be considered.¹⁴ And with regard to downstream GHG emissions, the court has further observed that not all downstream GHG emissions are reasonably foreseeable; but, at minimum, where the destination and end-use of transported gas are known, emissions from that end-use combustion are reasonably foreseeable and must be evaluated.¹⁵ The Commission relies on these examples—and other judicial precedent regarding the scope of its NEPA review¹⁶—in conducting its case-by-case analysis to identify a project’s reasonably foreseeable GHG emissions.

ii. *explain why it is reasonable and appropriate to announce its intention to make such determination(s) in individual proceedings rather than in a generic proceeding.*

The Commission is considering many of these issues, including how to assess GHG emissions and their significance, in generic proceedings.¹⁷ I remain hopeful that

¹⁴ See *id.* at 517. See also *Sierra Club v. U.S. Dep’t of Energy*, 867 F.3d 189, 199 (D.C. Cir. 2017) (upholding agency’s decision not to forecast induced upstream natural gas production caused by exporting natural gas).

¹⁵ See *Birckhead*, 925 F.3d at 518.

¹⁶ See, e.g., *Ctr. for Bio. Diversity v. Bernhardt*, 982 F.3d 723, 736-40 (9th Cir. 2020) (agency violated NEPA by failing to include estimates of reasonably foreseeable GHG emissions resulting from foreign oil consumption in its analysis of the no-action alternative); *WildEarth Guardians v. Zinke*, 368 F. Supp. 3d 41 (D.D.C. 2019) (remanding agency’s environmental assessments for the Wyoming Leases, permitting oil and gas development on public lands, for failing to consider reasonably foreseeable GHG emissions); *WildEarth Guardians v. Bernhardt*, 502 F. Supp. 3d 237 (D.D.C. 2020) (again remanding agency’s environmental assessments, following revisions after prior remand, for the Wyoming Leases, for failing to adequately address reasonably foreseeable GHG emissions). See also *Utah Physicians for a Healthy Env’t v. Bureau of Land Management*, No. 2:19-cv-00256-DBB, 2021 WL 1140247, at *2-13 (D. Utah 2021) (remanding agency’s environmental impact statement to revise its analysis of GHG emissions related to expansion of a coal mining lease on public lands in Utah).

¹⁷ See *Certification of New Interstate Natural Gas Facilities*, 174 FERC ¶ 61,125 (2021) (Docket PL-18-1-000) (Notice of Inquiry, seeking comment on the Commission’s policy for the certification of new natural gas transportation facilities); see also *Technical Conference on Greenhouse Gas Mitigation: Natural Gas Act Sections 3 and 7*



we will be able to act on those proceedings before long, as I believe generic action can provide valuable guidance on many of the matters under consideration in those generic proceedings.

Nevertheless, waiting for the completion of those proceedings before addressing legal infirmities identified by the D.C. Circuit or revising the orders in a manner necessary to secure a majority of Commissioners' votes, has the potential to significantly delay the issuance of NGA section 3 and section 7 orders. Addressing those issues via an individual adjudication allows the Commission to issue certificate orders, thereby clearing the way for the development of necessary infrastructure, without forcing developers to wait around for the completion of the Commission's generic proceedings. That approach is also consistent with recent agency practice, including with respect to the consideration of GHG emissions.¹⁸

4. *How will the Commission meet the purposes of the Natural Gas Act to encourage the development of plentiful supplies of natural gas at reasonable prices if and as it adjusts its practice with respect to NEPA compliance? In light of the changes to FERC's administration of its certificate program as a result of changes in its approach to NEPA compliance or other issues, does the Commission intend to conduct an analysis of the impact on the reliability and affordability of natural gas and electricity or on jobs? If not, why not?*

The Natural Gas Act essentially requires the Commission to make two findings before issuing a certificate to a proposed interstate natural gas pipeline. First, the Commission must determine that the project is needed. And, second, the Commission must make what is akin to a public interest finding that the project's benefits (including economic impact and the benefits from additional supply) outweigh potential adverse impacts (such as harm to the environment).

As noted above, the D.C. Circuit has recently identified a number of flaws in the Commission's NEPA analysis with respect to potential impacts of natural gas

Authorizations, Docket No. PL21-3-000 (Sept. 16, 2021) (public notice of Nov. 19, 2021 Commission staff-led technical conference to discuss methods of mitigating the effects of greenhouse gas emissions new natural gas transportation infrastructure).

¹⁸ *Dominion Transmission, Inc.*, 163 FERC ¶ 61,128 (2018) (adopting the policy that GHG emissions are not reasonably foreseeable even though the Commission was considering this issue in its ongoing Certificate Policy Statement Notice of Inquiry).



infrastructure.¹⁹ I believe that changes are necessary to the Commission's NEPA processes to ensure that the future certificate orders do not exhibit the same or similar flaws, which would create unacceptable litigation risk. Ultimately, I believe that performing thorough permitting reviews and providing developers with legally durable certificates on which they can rely will do more than just about anything else to satisfy the purposes of the Natural Gas Act. After all, the protracted litigation surrounding the permits issued for the Atlantic Coast Pipeline—and the developers' eventual decision to abandon the project—illustrate the threat that inadequate permitting reviews can pose to infrastructure development.²⁰

As to the impacts of the Commission's policies on the reliability and affordability of natural gas and electricity or on jobs, the Commission actively monitors and assesses trends in natural gas and electric markets, and Commission staff routinely issues reports addressing the outlook for those markets and identifying potential reliability issues.²¹ The Commission takes these concerns very seriously and is undertaking initiatives that will include further consideration of these matters.²²

5. *Is a 60-day comment cycle common for emergency certificate applications of the type filed by Spire STL Pipeline LLC? If so, why? If not, how frequently has a 60-day comment cycle been established for an emergency certificate application? In a proceeding where a 60-day comment cycle was established for an emergency certificate application, was such a schedule adjusted in response to comments from state regulators, other state officials, customers, or others pointing to potential adverse effects of failing to act more quickly?*

Temporary certificate applications are rare, and Spire STL Pipeline LLC's temporary certificate application is one-of-a-kind in that it follows the D.C. Circuit's vacatur based on concerns regarding whether the project is actually needed. There is no statutory or regulatory requirement, or set practice, for the length of a comment period in

¹⁹ See *Vecinos*, 6 F.4th 1321; *Birckhead*, 925 F.3d 510; *Sabal Trail*, 867 F.3d 1357.

²⁰ See *supra* n.1.

²¹ See FERC Staff Presentation, 2021 Cold Weather Event in Texas and the South Central U.S., Item No. A-3 (Sept. 23, 2021).

²² See, e.g., *Climate Change, Extreme Weather, and Electric System Reliability*, Docket No. AD21-13-000.



response to a temporary certificate application under NGA section 7. For the Spire STL Pipeline LLC temporary certificate application (Docket No. CP17-40), the Commission's August 6, 2021 notice of Spire's application for a temporary certificate established September 7, 2021, as the deadline for interventions and comments, and October 5, 2021, as the deadline for reply comments. On the same day, the Commission requested additional information from Spire, to be filed by September 7, 2021.

That time table reflects the challenge engendered by the D.C. Circuit's identification of "serious deficiencies" in the Commission's prior certificate orders for the Spire project and Commission staff's judgment that additional time may be necessary to ensure that any future Commission decision adequately addresses the flaws identified by the court. As noted in your letter, the Commission on September 14, 2021 issued a *sua sponte* temporary, emergency certificate of public convenience and necessity that extends well beyond the October 5, 2021 due date for reply comments on Spire's application. Thus, the length of the comment period will not affect the ability of Spire's customers to receive reliable natural gas service pending a decision on the company's temporary certificate application.

Finally, I am not aware of a temporary certificate proceeding where a comment schedule was shortened in response to comments from state regulators, other state officials, customers, or others pointing to potential adverse effects of failing to act more quickly. Moreover, no motions have been filed seeking to shorten the schedule announced in the August 6, 2021 notice.

6. *Why did the Commission staff take 60 days to submit three questions to the utilities volunteering to establish the Southeast Energy Exchange Market?*

Commission staff considered the twelve filings (in Docket No. ER21-1111) associated with the proposed Southeast Energy Exchange Market to determine whether those filings were complete. Upon finding the filings deficient, Commission staff issued a deficiency letter²³ on May 4, 2021, prior to the expiration of the 60-day period identifying additional information needed for the Commission to take action. Following

23 Pursuant to 18 C.F.R. § 375.307(a)(1)(v), the Commission has authorized the Director of the Office of Energy Market Regulation or the Director's designee to sign and issue deficiency letters for filings submitted pursuant to, as relevant here, section 205 of the Federal Power Act. Deficiency letters inform a filing utility that its submittal is deficient and that additional information is required in order to determine whether the filing is just and reasonable and not unduly discriminatory or preferential. Deficiency letters set forth a deadline for responding to the specified deficiencies. Filings are not considered complete, and therefore a filing date cannot be established, until all required materials are submitted.



receipt of the filing utilities' additional information on June 7, 2021, Commission staff further considered the twelve filings, together with the new, additional material in the deficiency response, to determine whether those filings were complete. On August 6, 2021, prior to the expiration of the 60-day period, Commission staff informed the filing utilities that their filings remained deficient and asked three additional questions. On August 11, 2021, the filing utilities responded to that deficiency letter.

The Southeast Energy Exchange Market proposal is a substantial filing that presents multiple issues of first impression. As such, it has elicited numerous comments from its supporters and protests from its opponents. After fully considering the issues raised in those voluminous filings, Commission staff identified additional areas where further information was necessary to determine whether the proposal is just and reasonable and not unduly discriminatory or preferential and then issued the deficiency letter promptly thereafter.

Finally, I note that the Southeast Energy Exchange Market proposal was listed on the Government in the Sunshine Act notice for the Commission's September 23, 2021 Open Meeting, but then struck from the agenda and remains pending. My colleagues and I will continue to consider the matter and I am hopeful that we will be able to issue an order on the proposal soon.

* * *

If I can be of any further assistance with these or any other Commission matters, please do not hesitate to contact me.

Sincerely,

Richard Glick
Chairman



Appendix

Status of NGA Applications Currently Under Consideration by the Federal Energy Regulatory Commission

Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP19-473-000	Equitrans, L.P.	Tri-State Corridor Project	5/31/2019	None; review suspended until related application by another company is filed	N/A
CP19-502-000	Commonwealth LNG, LLC	Commonwealth LNG Project	8/20/2019; 7/8/2021	Amended application review underway	Pending
CP19-515	Sabine Pass, LP	Liquefaction Expansion Project	9/27/2019	EA issued: 2/28/20	N/A
CP19-514	Corpus Christi Liquefaction, LLC	Liquefaction Project	9/27/2019	EA issued: 2/28/20	N/A
CP20-27-000	North Baja Pipeline LLC	North Baja Express Project	12/16/2019	EA issued: 9/8/2020 DEIS issued: 7/9/2021 FEIS scheduled for 10/22/2021	Notice of Intent for EIS issued 5/27/21
CP20-47-000	PennEast Pipeline Company, LLC	2020 Amendment	1/30/2020	EA issued: 8/3/2020	Notice of Schedule for EA issued 3/18/2020

²⁴ This column identifies the stage, if any, of NEPA review, including whether the type of NEPA document has changed. Note that the preparation of an EA or EIS does not alter the statutory standard of review applicable to a proposed project under NEPA or the NGA.



Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP20-48-000	Iroquois Gas Transmission System, L.P.	Enhancement by Compression Project	2/3/2020	EA issued: 9/30/2020 DEIS issued: 6/11/2021 FEIS scheduled for 11/12/2021	Notice of Intent for EIS issued 5/27/21 Notice of Revised Comment Period Deadline issued 7/8/2021 Notice of Revised Schedule for FEIS issued 9/2/2021
CP20-50-000 CP20-51-000	Tennessee Gas Pipeline Company, L.L.C.; Southern Natural Gas Company, L.L.C.	Evangeline Pass Expansion Project; SNG Evangeline Pass Expansion Project	2/7/2020	EA issued: 8/24/2020 DEIS issued: 7/16/2021 FEIS scheduled for 10/8/2021	Notice of Intent for EIS issued 6/30/21
CP20-55	Port Arthur LNG Phase II, LLC	Port Arthur LNG Phase II Project	2/19/2020	EA issued: 1/15/21	Notice of Schedule for EA issued 4/17/2020
CP20-481-000	Rio Bravo Pipeline Company, LLC	Rio Bravo Pipeline Project Amendment	6/16/2020	EA issued: 12/21/2020	Notice of Schedule for EA issued August 14, 2020 Notice of Revised Schedule for EA issued 10/16/2020
CP20-484-000 CP20-485-000	ANR Pipeline Company; Great Lakes Gas Transmission Limited Partnership	Alberta Xpress Project	6/22/2020	EA issued: 12/4/2020 DEIS issued: 7/30/2021 FEIS scheduled for 10/29/2021	Notice of Intent for EIS issued 7/7/2021



Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP20-493-000	Tennessee Gas Pipeline Company, LLC	East 300 Upgrade Project	6/30/2020	EA issued: 2/19/2021 DEIS issued: 7/2/2021 FEIS scheduled for 9/24/21	Notice of Intent for EIS issued 5/27/21
CP20-527-000	Columbia Gulf Transmission, LLC	East Lateral XPress Project	9/24/2020	EA issued: 3/16/2021 DEIS issued: 6/25/2021 FEIS issued: 9/21/2021	Notice of Intent for EIS issued 5/27/21
CP21-1-000 CP21-458-000	Golden Pass Pipeline, LLC	Compression Relocation and Modification (CP21-1); MP 33 Compressor Station Modification Project (CP21-458)	10/2/2020 (CP21-1); 6/11/2021 (CP21-458)	EA scheduled for 2/26/2021 but not issued due to outstanding information from project sponsor. Information provided April 2021. To avoid NEPA segmentation, CP21-1 review combined with amendment application CP21-458. Application/request reviews underway.	Notice of Schedule for CP21-1 issued 12/9/2020.
CP21-6-000	Spire Storage West LLC	Clear Creek Expansion Project	10/9/2020	DEIS scheduled for October 2021 FEIS scheduled for 1/21/2022	Notice of Schedule for an EA issued 12/9/2020 Notice of Intent for EIS issued 8/26/2021



Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP21-14-000	Adelphia Gateway, LLC	Marcus Hook Electric Compression Project	12/7/2020	EA issued: 2/9/2021 DEIS issued: 6/17/2021 FEIS scheduled for 10/1/2021	Prior Notice Project Protested 2/16/2021 Notice of Intent for EIS issued 5/27/21 Notice of Revised Schedule for FEIS issued 9/10/2021
CP21-28-000	Northern Natural Gas Company	Redfield Underground Storage Facility Buffer Zone	1/13/2021	N/A: no facilities proposed	N/A
CP21-44-000	LA Storage, LLC	Hackberry Storage Project	1/29/2021	DEIS scheduled for December 2021 FEIS scheduled for 4/8/2022	Notice of Intent for EIS issued 8/27/2021
CP21-45-000	Florida Gas Transmission Company, LLC	Big Bend Project	1/29/2021	DEIS scheduled for November 2021 FEIS scheduled for 3/11/2022	Notice of Intent for EIS issued 8/26/2021
CP21-57-000	Mountain Valley Pipeline, LLC	Mountain Valley Amendment Project	2/19/2021	EA issued: 8/13/2021	Notice of Schedule for an EA issued 6/11/2021
CP15-554-009 CP15-555-007	Atlantic Coast Pipeline, LLC Eastern Gas Transmission and Storage, Inc.	Amendment of Certificates	2/24/2021	DEIS issued: 7/23/2021 FEIS scheduled for 11/19/2021	Notice of Intent for EIS issued 5/4/2021
CP21-78-000	ANR Pipeline Company	Wisconsin Access Project	3/12/2021	DEIS scheduled for December 2021 FEIS scheduled for 3/18/2022	Notice of Intent for EIS issued 8/26/2021
CP21-94-000	Transcontinental Gas Pipe Line Company, LLC	Regional Energy Access Expansion Project	3/29/2021	Application review underway	Pending
CP21-113-000	Alliance Pipeline L.P.	Three Rivers Interconnection Project	4/1/2021	Application review underway	Pending



Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP21-197-000	Kern River Gas Transmission Company	Delta Lateral Project	4/23/2021	DEIS scheduled for November 2021 FEIS scheduled for 2/23/2022	Notice of Intent for EIS issued 8/26/21
CP21-446-000	ANR Pipeline Company	Skunk River Replacement Project	5/11/2021	Application review underway	Pending
CP21-462-000	Roaring Fork Interstate Gas Transmission, LLC	Acquisition, Ownership, and Operation of Facilities	6/17/2021	Application review underway; no NEPA required	N/A
CP21-463-000	Texas Eastern Transmission, LP	Holbrook Compressor Units Replacement Project	6/17/2021	Application review underway	Pending
CP21-465-000	Driftwood Pipeline LLC	Line 200 and Line 300 Project	6/17/2021	Application review underway	Pending
CP21-467-000	Texas Gas Transmission, LLC	Henderson County Expansion Project	6/25/2021	Application review underway	Pending
CP21-470	Freeport LNG	Freeport LNG Liquefaction Project Uprate Amendment	6/29/2021	Application review underway	Pending
CP21-474-000	Rover Pipeline LLC	North Coast Interconnect Project	7/20/2021	Application review underway	Pending
CP21-476-000	West Texas Gas, Inc. and West Texas Gas Utility, LLC	Joint Application for Abandonment Authority and for Certificates	7/20/2021	Application review underway; no NEPA required	N/A
CP21-484-000	Diversified Midstream, LLC	Limited Jurisdiction Certificate - Floyd County Gathering System	8/16/2021	Application review underway; no NEPA required	N/A



Docket No.	Project Sponsor	Project Name	Application Date	NEPA Stage	Notice of NEPA review ²⁴
CP21-488-000	ANR Pipeline Company	Goodwell and Lincoln-Freeman Storage Field Conversion Plan	8/27/2021	Application review underway; no NEPA required	N/A
CP21-492-000	Rover Pipeline LLC	Rover–Brightmark Receipt and Delivery Meter Station Project	9/9/2021	Application review underway	Pending
CP21-496-000	NFEnergía LLC	MFH Facility Operation	9/15/2021	Application review underway	Pending
CP21-498	Columbia Gas Transmission LLC	Virginia Electrification Project	9/21/2021	Application review underway	Pending