

**Opening Statement**  
**Bernard L. McNamee**  
**Nominee for FERC**  
**Committee on Energy and Natural Resources**  
**United States Senate**  
**November 15, 2018**

Chairman Murkowski. Ranking Member Cantwell. Members of the Committee. Thank you for providing me an opportunity to appear before you today. Before beginning my formal remarks, I would like to thank President Trump for the great honor of nominating me. I also want to thank Secretary Perry and all of my colleagues at the Department of Energy for their friendship and support.

Most importantly, I want to thank my family. My wife—my dearest friend. My son—of whom I am so proud. My parents—who have provided me with unconditional love and support. And my sister—who has been a dear friend.

These are exciting times in the energy sector.

We are in the midst of the great American Energy Renaissance that has created and is supporting millions of good paying jobs for American workers; has lowered energy costs for families and businesses; and has broken America's dependence on foreign energy supplies. We have also seen the development of new technologies and grid innovations that are transforming the way we generate and use electricity.

As an independent agency, FERC plays a vital role in the United States energy sector by implementing Congressional policy to help ensure that all Americans have access to abundant and affordable energy. FERC's regulation of the wholesale electric markets and bulk power system, interstate gas pipelines, and oil pipelines helps ensure that rates are just, reasonable, and not unduly discriminatory. FERC facilitates the responsible building of our energy infrastructure by permitting LNG facilities, gas pipelines, and licensing non-federal hydro facilities. It protects the grid through reliability standards. Importantly, FERC oversaw the development of competitive electricity markets, which has been one of the great American economic success stories.

In short, FERC plays a vital role, along with the states and private industry, in powering America. If confirmed, I would be committed to seeing this success continue. To that end, I think that markets are the best way to allocate resources and set prices and, if confirmed, I am committed to continuing FERC's independence in its decision-making.

There are also challenges. In particular, there is a growing recognition that the electric grid and energy supply chains are vulnerable to cyber and physical attacks. I know that this issue is important to the members of this committee and, should I

be confirmed, I will work with the other Commissioners, the states, the private sector, and Congress to make our energy systems more secure.

As FERC confronts so many issues involving the electric grid, pipelines, and ratemaking, I believe my experience as a lawyer and policy advisor will allow me to assist FERC in its mission and duties.

As an energy lawyer for almost nine years with McGuireWoods LLP in Richmond, Virginia, I represented various energy clients concerning electric and natural gas issues. Those cases included applications to construct utility-scale solar facilities in Virginia, a 1,300 MW natural gas combined cycle generating facility, conversion of three coal plants to use biomass, approval of renewable portfolio standards, integrated resource planning, rate cases, and energy efficiency programs. I have not just talked about fuel diversity and “all of the above” energy policies; I have worked to help make them a reality.

In addition to my experience as an energy lawyer, I also had the honor of working as a policy advisor on energy issues, including positions at the U.S. Department of Energy, in Congress when I worked for Senator Ted Cruz, and the Texas Public Policy Foundation. I also understand the important perspective of the states in our federal system, including energy issues, through my roles in state Attorneys General offices and in representing electric and natural gas utilities before state public utility commissions.

If confirmed, I commit that I will be a fair, objective, and impartial arbiter in the cases and issues that would confront me as a Commissioner. My decisions will be based on the law and the facts; not politics. In my view, such impartiality helps sustain the rule of law by ensuring that all those who come before a government tribunal have confidence that their positions will be heard and thoughtfully considered.

FERC has a central role in ensuring America has the energy necessary to power a future of prosperity; and, should I be confirmed, I look forward to doing my part to help FERC in its mission on behalf of the American people.

Once again, I am honored and humbled to have been nominated for this position and hope to gain your support.

Thank you and I look forward to answering your questions.