

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Texas Eastern Transmission, LP

Docket No. CP19-512-000

(Issued June 18, 2020)

McNAMEE, Commissioner, *concurring*:

1. Today's order issues Texas Eastern Transmission, LP (Texas Eastern) a certificate of public convenience and necessity for authorization to construct and operate its Cameron Extension Project (Project) to provide 750,000 dekatherms per day of incremental firm transportation service to Venture Global Calcasieu Pass's liquefied natural gas export facility.¹ The Project will include the construction and operation of a new compressor station.

2. I fully support the order as it complies with the Commission's statutory responsibilities under the Natural Gas Act and the National Environmental Policy Act. The order determines that the Project is in the public convenience and necessity, finding that the Project will not adversely affect Texas Eastern's existing customers or competitor pipelines and their captive customers, and that the Project will have minimal impacts on landowners and communities.² The order also finds that the Project will not significantly affect the quality of the human environment.³ Further, the Commission has quantified and considered the greenhouse gases (GHG) emitted by the construction and operation of the Project,⁴ consistent with the holding in *Sierra Club v. FERC (Sabal Trail)*.⁵

3. I write separately to respond to my colleague's argument that the Commission should have determined whether the GHG emissions related to the Project are "significant." In my concurrence in *Transcontinental Gas Pipe Line Company, LLC (Transco)*, I explain that the Commission has no standard for determining whether GHG emissions significantly affect the environment, elaborate on why the Social Cost of

¹ *Texas Eastern Transmission, LP*, 171 FERC ¶ 61,227 (2020).

² *Id.* PP 12-15.

³ *Id.* P 27.

⁴ *Id.* PP 25-26; Environmental Assessment at 61-63.

⁵ 867 F.3d 1357 (D.C. Cir. 2017).

(continued ...)

Carbon is not a useful tool for determining whether GHG emissions are significant, and explain that the Commission has no authority or reasoned basis to establish its own framework.⁶

4. For logistical reasons and administrative efficiency, I hereby incorporate my analysis in *Transco* by reference and am not reprinting the full text of my analysis here.⁷

For the reasons discussed above and incorporated by reference herein, I respectfully concur.

Bernard L. McNamee
Commissioner

⁶ *Transco* 171 FERC ¶ 61,032 (2020) (McNamee, Comm’r, concurring at PP 63-74)

⁷ *Id.* PP 53-74.