
What's in store for FERC?

FERC UNDER THE TRUMP ADMINISTRATION

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Overview

- FERC 101
- Who are (or will be) the Commissioners?
- Issues before the Commission

FERC 101

- FERC is an independent federal agency with five members who serve staggered five-year terms.
 - Commissioners are nominated by the President and confirmed by the Senate; five total, with three from the President's party and two from the opposing party.
 - Each Commissioner has one vote, but the Chairman sets the agenda.
 - President designates the Chairman, but cannot otherwise directly influence the Chairman or the Commission.
 - Three Commissioners are needed to conduct business.

FERC 101 (cont'd)

- FERC has the authority to regulate:
 - The transmission and sale of electricity at wholesale in interstate commerce
 - Includes authority over transmission facilities, but does not include generating facilities
 - Hydroelectric dam licensing and safety
 - Natural gas pipeline transportation rates and services
 - Includes granting CPCNs for new pipeline construction, but does not include pipeline safety
 - Oil pipeline transportation rates and services

The Commissioners

- Current Commissioners:
 - Acting Chairman Neil Chatterjee
 - Sworn in on August 8, 2017 for a term that will end on June 30, 2021
 - Former energy policy advisor to Senate Majority Leader Mitch McConnell (R-Ky.)
 - Commissioner Robert F. Powelson
 - Sworn in on August 10, 2017 for a term that will end on June 30, 2020
 - Past President of NARUC
 - Former member of the Pennsylvania PUC
 - Commissioner Cheryl LaFleur
 - Joined the Commission in 2010
 - Current term ends June 30, 2019
 - Prior to FERC, was an executive vice president and acting CEO of National Grid USA

The Commissioners (cont'd)

- Pending Nominees:
 - Kevin McIntyre
 - Nomination sent to the Senate on August 2, 2017; hearing scheduled for September 7th.
 - President's designee for Chairman
 - If confirmed, will serve term ending June 30, 2018 and a second term through June 30, 2023
 - Currently head of the energy practice at Jones Day
 - Richard Glick
 - Nomination sent to the Senate on August 2, 2017; hearing scheduled for September 7th.
 - Current minority general counsel to the Senate Energy and Natural Resources Committee
 - Previously VP government affairs for Iberdrola USA

What's on deck for FERC?

- Backlog of over 500 orders that require Commission votes from February 3, 2017 – August 24, 2017
 - Delegation order terminates 14 days after quorum is re-established
 - Will resume open meetings in September
- Open Notices of Proposed Rulemaking:
 - Energy Storage in RTOs
 - Reforms to the Generator Interconnection Processes
 - Data collection from MBR sellers
 - RTO uplift cost allocation

What's on deck for FERC? (cont'd)

- Potential areas for FERC attention:
 - Return on Equity - remand from the *Emera Maine* case
 - Order No. 1000 (regional and inter-regional transmission planning)
 - Demand response, renewables, and net metering
 - Changes in approach to enforcement proceedings
 - Infrastructure development
 - Striving for market solutions rather than regulatory oversight

Thank you!

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