

UNITED STATES OF AMERICA
Before The
FEDERAL ENERGY REGULATORY COMMISSION

Jordan Cove Energy Project LP)	Docket No. CP13-483-000
Pacific Connector Gas Pipeline LP)	Docket No. CP13-492-000

MOTION TO INTERVENE
AND COMMENTS ON DRAFT EIS
OF THE WYOMING PIPELINE AUTHORITY

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“FERC” or “Commission”), 18 C.F.R. § 385.212 and 214 (2014), the Wyoming Pipeline Authority (“WPA”) hereby submits this Motion to Intervene and Comments in the above captioned proceedings. In support thereof, the WPA states as follows:

I. COMMUNICATIONS

In accordance with Rule 203(b) of the Commission’s Rules of Practice and Procedure, 18 C.F.R. § 385.203(b) (2013), communications should be addressed to:

Brian Jeffries, Director
Wyoming Pipeline Authority
152 North Durbin Street, Suite 250
Casper, Wyoming 82601
(307) 237-5009
brian@wyopipeline.com

William F. Demarest, Jr.
Husch Blackwell LLP
750 17th Street, N.W., Suite 900
Washington, D.C. 20006
(202) 378-2310
william.demarest@huschblackwell.com

II. STATEMENT OF INTEREST

The WPA is a body politic and corporate of the State of Wyoming. The WPA is charged by the State of Wyoming with facilitating the development of pipeline infrastructure, both inside and outside the State of Wyoming, to enhance natural gas development within the State and to develop and maintain access to markets for the abundant natural gas resources of the State. WPA’s mandate includes promoting infrastructure development that will enhance utilization of the State’s abundant natural gas resources to increase economic development within the State, diversify the State’s economy and produce good paying jobs for the citizens and taxpayers of the

State.

The State of Wyoming is currently the fifth largest natural gas producing state. Two of the ten largest gas fields in the U.S. are located in the State. The State of Wyoming has a substantial economic interest in the natural gas sector of the State's economy. In addition to providing employment for thousands of workers in well-paying job, the natural gas industry purchases substantial amounts of goods and services to support the industry's development and production activities. The State benefits directly from natural gas production through severance and production-related taxes and as a recipient of substantial royalty revenues from production on State and Federal lands within the State. Thus, the State of Wyoming has a royalty interest in natural gas produced from state mineral leases in Wyoming, receives a forty-eight percent share in the value of the royalty interest of the federal government in natural gas produced from federal mineral leases in the State, and receives severance and ad valorem taxes on production of natural gas in the State.

Over ninety percent of natural gas produced in the State is currently transported outside the State by numerous interstate pipelines serving other Rocky Mountain states as well as the Midwestern, East Coast and Western regions of the United States. Natural gas produced in the State of Wyoming, and exported from the State in a commingled interstate stream, is able to reach almost any market or consumer in the contiguous 48 States served by a natural gas pipeline. Consequently the State of Wyoming has an interest in the consumption and disposition of natural gas in the United States, including the export thereof.

Due to geographic proximity of natural gas production in Wyoming to the pipeline systems proposed to serve the Jordan Cove LNG export facilities, Wyoming has a unique interest in the approval of the Jordan Cover LNG export facilities because those facilities may have direct or indirect impacts on natural gas supplies and markets in Wyoming.

III. BACKGROUND

On May 21, 2013 Jordan Cove Energy Project LP (“Jordan Cove”) filed in Docket No. CP13-483-000 for authorization to construct and operate an LNG export terminal on Coos Bay, Coos County, Oregon, for shipment of liquefied natural gas (“LNG”) to Free Trade Agreement (“FTA”) and non-FTA nations around the Pacific Rim. The LNG export terminal facilities will include an access channel, a marine slip, and LNG vessel and tug boat berths; an LNG loading platform and cryogenic transfer pipeline; two LNG storage tanks (each with a capacity of 160,000 cubic meters); four liquefaction trains (each with a capacity of 1.5 MMTPA); a one-mile-long utility corridor and an access road between the LNG terminal and the power plant; a pipeline gas conditioning plant; and a 420-megawatt power plant.

On June 6, 2013, Pacific Connector Gas Pipeline LP (“Pacific Connector”) filed an application in Docket No. CP13-492-000 for a certificate of public convenience and necessity authorizing the construction and operation of a 232-mile long, 36-inch diameter underground welded-steel pipeline between the Malin Hub in Klamath County, Oregon, and the Jordan Cove LNG terminal on Coos Bay in Coos County, Oregon. Together, the Jordan Cove LNG export terminal and the Pacific Connector pipeline are referred to as “the Project.”

On November 7, 2014, the Environmental Staff (“Staff”) of the Commission’s Office of Energy Projects (“OEP”) issued a Notice of the availability of a draft of the Environmental Impact Statement (“EIS”) for the Project, and invited interested parties to Comment on the draft EIS (“DEIS”).

IV. MOTION TO INTERVENE

Pursuant to Rule 214, 18 C.F.R. § 385.214 (2014), the WPA moves to intervene in this proceeding. The WPA has a direct interest in the outcome of this proceeding that no other party can represent. The WPA’s Intervention at this stage of the proceedings is “timely” pursuant to

the Commission's November 7 Notice. The WPA's participation is in the public interest.

V. COMMENTS

The WPA has reviewed the DEIS and considers the DEIS a well-constructed and comprehensive document. The WPA believes that the scope of the analysis to be performed in preparing the DEIS was appropriate, as was the selection of cooperating agencies involved in the preparation of the DEIS.

The WPA concurs with the conclusion in the DEIS that "...construction and operation of the Project would result in some limited adverse environmental impacts. However, most of these impacts would be reduced to less-than-significant levels with the implementation of the applicants' proposed mitigation measures and the additional measures . . . recommend[ed]..."¹

The WPA encourages the Commission to move forward with a prompt analysis and integration of comments received on the DEIS, and issue of a Final Environment Impact Statement for the Project. The WPA believes that the documented economic and environmental benefits of the Project more than offset the mitigated environmental consequences, justifying approval of the Project and issuance of the requested authorizations and related modifications of the various Land and Resource Management Plans (LRMPs & RMPs) described in the DEIS.

VI. CONCLUSION

The WPA respectfully requests the Commission to grant the WPA's Motion to Intervene and designate the WPA as a party to this proceeding with all the rights appurtenant thereto.

The WPA urges the Commission to find that granting the requested certificates is required by the public convenience and necessity, and to grant the certificates as requested without undue delay or adverse conditions.

¹ Jordan Cove Energy and Pacific Connector Gas Pipe Line Project, November 2014 Draft Environmental Impact Statement, Section 5.1 Conclusions and Recommendations.

Respectfully submitted,

THE WYOMING PIPELINE AUTHORITY

By: *William F. Demarest, Jr.*

William F. Demarest, Jr.
Husch Blackwell LLP
750 17th Street, N.W., Suite 900
Washington, D.C. 20006

Attorneys for The Wyoming Pipeline Authority

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in these proceedings.

Dated at Washington, D.C., this 12th day of February 2015.

Anne Fazzini
Anne Fazzini

Document Content(s)

WPA Intervention Jordan Cove CP13-483 (2-12-15).PDF.....1-5