

**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Norman Bay](#)  
**Subject:** Re: New Adviser  
**Date:** Friday, November 04, 2016 3:25:32 PM

---

Norman- I drafted a note to you earlier today but didn't hit send!!

Thank you for the lovely gesture in allowing me to join you at the Paris Agreement celebration yesterday evening. It is indeed a momentous occasion, and it was an honor to attend.

Congrats on hiring (b) (6) I look forward to working with her.

Oh- I voted today!!! I took my (b) (6) to vote and thought I might as well vote too. Have a wonderful weekend-

C

Sent from my iPad

On Nov 4, 2016, at 1:56 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Hi Colette,

Thanks for joining me at the reception yesterday evening. I hope you found it interesting. I do like the fact that Washington is an international city.

(b) (6) will be joining my team as (b) (6) replacement. I hope you and your Advisers enjoy working with her in her new capacity as one of my Advisers.

Best,  
NB

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** New Adviser  
**Date:** Friday, November 04, 2016 1:53:00 PM

---

Hi Cheryl,

I hope your trip to CREPC was a productive one.

(b) (6) will be joining my team as (b) (6) replacement. I hope you and your Advisers enjoy working with her in her new capacity as one of my Advisers.

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Head's Up  
**Date:** Wednesday, November 16, 2016 4:45:41 PM

---

Me too. But thank you for your leadership and heading off a more unfortunate result!

---

**From:** Norman Bay  
**Sent:** Wednesday, November 16, 2016 4:45 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Head's Up

Thanks, Colette. We'll be in touch. (b) (5)

[REDACTED]

---

**From:** Colette D. Honorable  
**Sent:** Wednesday, November 16, 2016 4:43 PM  
**To:** Norman Bay  
**Subject:** RE: Head's Up

Thank you. (b) (5)

[REDACTED]

[REDACTED] Thanks!

---

**From:** Norman Bay  
**Sent:** Wednesday, November 16, 2016 4:40 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Head's Up

(b) (5)

[REDACTED]

---

**From:** Colette D. Honorable  
**Sent:** Wednesday, November 16, 2016 2:07 PM  
**To:** Norman Bay  
**Subject:** Re: Head's Up

I'm sorry Norman! We can discuss later today if you'd like. I'll be in for a 3:30 pm and will be available after that.

Sent from my iPad

On Nov 16, 2016, at 1:22 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5)





**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: THANKS!  
**Date:** Thursday, November 17, 2016 3:54:35 PM

---

Norman- the thanks goes to you! Thank you for your leadership. There's an old saying: we always get who we need when we need them. You are the perfect chairman for this commission at this time. I appreciate your ability to navigate us through smooth and choppy waters.


I need to also apologize- I had no idea you guys were downstairs so soon! I thought everyone was still upstairs waiting to vote and didn't learn until AFTER the meeting that you guys had long been in the CMR. I'm sorry about that!!

I'm headed to FL tomorrow. I'd love to chat with you before I leave if you have a minute. I'll ask Rob to contact Benjamin. Thank you!

Sent from my iPad

On Nov 17, 2016, at 3:40 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

You're the best, Colette! (b) (5)

A redacted signature block consisting of two horizontal black bars. The top bar is longer and contains the text "(b) (5)" in red. The bottom bar is shorter and positioned directly below the top bar.

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Vox Article  
**Date:** Wednesday, November 23, 2016 1:03:59 PM

---

Great read. Thanks Norman!

Happy Thanksgiving!!

Sent from my iPad

On Nov 22, 2016, at 3:11 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Dear Colette,

(b) (5) For whatever it's worth, I thought you might enjoy reading this article on our NOPR:

<http://www.vox.com/science-and-health/2016/11/22/13703348/ferc-distributed-energy-wholesale-power-markets>

Have a Happy Thanksgiving!

Best,  
NB

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: one more thing  
**Date:** Monday, December 05, 2016 4:04:00 PM

---

Thanks for doing this, Cheryl. That sounds fine to me.

---

**From:** Cheryl LaFleur  
**Sent:** Monday, December 05, 2016 3:27 PM  
**To:** Norman Bay  
**Subject:** one more thing

One other thing I forgot to mention. I am collecting for the drivers again this year. Because there are only 3 of us, I thought we might do (b) each if you think that's not too much.  
thanks

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., N.E.*  
*Washington, D.C. 20426*  
*202-502-8961*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Greetings Mr. Chairman!  
**Date:** Friday, December 09, 2016 10:08:22 AM

---

Thank you so much for your kind words. It really was an honor. You would love the Brazilian delegation. Their hospitality, graciousness, brilliance and dedication are unparalleled.

If you don't mind, I will likely stay in (b) (6) today. I am certainly available for a call today or a meeting on Monday. Thank you again-

Colette

Sent from my iPad

> On Dec 9, 2016, at 9:06 AM, Norman Bay <Norman.Bay@ferc.gov> wrote:  
>  
> HI Colette,  
>  
> Thanks for doing this! I have no doubt that you were an amazing ambassador for FERC and the United States. I'm glad you went, and I'm sure you've made many friends for us.  
>  
> If you're coming in today, it would be helpful to touch base on a few matters. Otherwise, perhaps we can meet on Monday.  
>  
> Best,  
> NB  
>  
>  
> Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.  
> Original Message  
> From: Colette D. Honorable  
> Sent: Thursday, December 8, 2016 7:22 PM  
> To: Norman Bay  
> Subject: Greetings Mr. Chairman!  
>  
>  
> Hi Norman-  
>  
> I returned this morning after very successful engagements with our counterparts and others in Brasilia and Rio in Brazil. Our friends are very excited about the opportunity to work with us and hope to visit us soon as well.  
>  
> Thank you for the opportunity to represent FERC and the US for the execution of the MOU with ANEEL. it was very noteworthy there and was covered by the Brazil version of the New York Times, according to our State Dept. colleagues. I sat for an interview with them at the request of the Embassy.  
>  
> But I'm so glad to be home! Thank you again. I look forward to visiting with you next week. Warm regards-  
>  
> Colette  
>  
> PS- here is a pic from the MOU signing.  
>

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Follow Up  
**Date:** Monday, December 12, 2016 4:27:51 PM

---

Anytime you'd like. And you are the most fit among us! But you are always welcome in my humble abode. ;)

---

**From:** Norman Bay  
**Sent:** Monday, December 12, 2016 4:27 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Follow Up

No, I'm happy to get some exercise! When should I come by?

---

**From:** Colette D. Honorable  
**Sent:** Monday, December 12, 2016 4:26 PM  
**To:** Norman Bay  
**Subject:** RE: Follow Up

I'm back. Should I come to you for a change? ☺

---

**From:** Norman Bay  
**Sent:** Monday, December 12, 2016 3:54 PM  
**To:** Colette D. Honorable  
**Subject:** Follow Up

Colette,

(b) (5)

When you get the chance, could we touch base for a few minutes?

As always, I appreciate having you as a colleague!

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Drivers  
**Date:** Wednesday, December 14, 2016 11:32:30 AM

---

Thanks so much Cheryl. I sent a note while away- I hope you received it. Thank you for taking the lead on thanking our drivers! I will bring my checkbook tomorrow. Thanks again! See you soon-

C

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, December 13, 2016 3:25 PM  
**To:** Colette D. Honorable  
**Subject:** Drivers

Hi Colette

I know you have been traveling—so glad we are meeting tomorrow!

I know I will forgot to ask tomorrow, so I wanted to mention that I gave the holiday cards to the drivers today--(b) each to the three of them.

So if you could give me your contribution whenever convenient, that would be great.

Thanks and see you soon

Cheryl

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., N.E.*  
*Washington, D.C. 20426*  
*202-502-8961*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Greetings  
**Date:** Thursday, December 22, 2016 9:30:54 PM

---

Hi Norman!

(b) (6)

A large rectangular area of the email body is completely blacked out, indicating redacted content.

(b) (5)

A rectangular area of the email body is completely blacked out, indicating redacted content.

(b) (5)

A rectangular area of the email body is completely blacked out, indicating redacted content.

I'm really enjoying (b) (6) seen lots of family and friends.  
It's great to be home.

I hope you have a restful, wonderful holiday. Merry Christmas!!

Colette

Sent from my iPad

On Dec 22, 2016, at 4:22 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Hi Colette,

I hope this email finds you well and enjoying your time in (b) (6) with family and friends!

(b) (5)

A rectangular area of the email body is completely blacked out, indicating redacted content.A large rectangular area of the email body is completely blacked out, indicating redacted content.

Merry Christmas! I hope you have a restful and joyous break from the action.

FERC\_0011

Best,  
NB



**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Greetings  
**Date:** Thursday, December 22, 2016 6:18:13 PM

---

Thanks, Cheryl.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, December 22, 2016 6:03 PM  
**To:** Norman Bay  
**Subject:** Re: Greetings

Thank you very much Norman for sharing your thoughts, (b) (5)  
(b) (5) I will think about your points and be ready to talk on my return, if not sooner.

Have a wonderful holiday!  
All best,  
Cheryl

Sent from my iPad

On Dec 22, 2016, at 5:41 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Hi Cheryl,

I hope this email finds you well and enjoying your time in (b) (6) with family and friends!

(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)

I am happy to discuss this with you if you wish to talk before your return to the office.

Merry Christmas! I hope you have a restful break from the action. I know that I am looking forward to taking off a few days. You also have my best wishes for the New Year, which will be upon us soon enough.

Cheers,

NB

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: MOU with Mexico  
**Date:** Wednesday, December 28, 2016 4:27:00 PM

---

Thanks for the quick response, Cheryl. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,  
NB

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, December 28, 2016 2:56 PM  
**To:** Norman Bay  
**Subject:** Re: MOU with Mexico

Norman it is very generous of you to offer. (b) (5)

[REDACTED]

[REDACTED]

Thanks  
Cheryl

---

On: 28 December 2016 13:01, "Norman Bay" <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:  
Hi Cheryl,

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I hope you are enjoying the holidays. The weather is lovely in DC at the moment, sunny and warm.

Best,  
NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Happy New Year!  
**Date:** Monday, January 02, 2017 9:55:58 AM

---

(b) (6) Thanks!

Sent from my iPad

On Jan 2, 2017, at 9:11 AM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Sounds good to me. What number should I call?

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Colette D. Honorable  
**Sent:** Monday, January 2, 2017 8:03 AM  
**To:** Norman Bay  
**Subject:** Re: Happy New Year!

---

Thank you Norman. How is 1pm?

Sent from my iPad

On Jan 1, 2017, at 1:39 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Welcome back, Colette! We don't need to talk today. But is there a time on Monday that works for you? I would like to get your advice on something.

Best,  
NB

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Colette D. Honorable  
**Sent:** Sunday, January 1, 2017 1:32 PM  
**To:** Norman Bay  
**Subject:** Re: Happy New Year!

---

Hi Norman-

Happy New Year! (b) (6) and I got home last night. Great time in (b) (6) but it's great to be back in our own beds! I hope you enjoyed the holiday as well.

Sorry I missed your note yesterday. I'm happy to talk or meet. I am

cooking at the moment but I have to pick up my (b) (6) from Union Station today at 4:30 pm. What do you prefer? A call or to meet at Union Station?

C

Sent from my iPad

On Dec 31, 2016, at 4:27 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Dear Colette,

I hope you had a great holiday in (b) (6) I don't know whether you're back in DC, but is there any chance we could talk on Monday? I am also happy to meet you for coffee and would be pleased to go to Arlington.

Best,  
NB

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: NARUC Winter Meeting  
**Date:** Tuesday, January 03, 2017 6:34:35 PM

---

Thanks, Cheryl.

-----Original Message-----

From: Cheryl LaFleur  
Sent: Tuesday, January 03, 2017 4:20 PM  
To: Norman Bay  
Subject: FW: NARUC Winter Meeting

As promised, my exchange with Rob. (b) (5)

-----Original Message-----

From: Cheryl LaFleur  
Sent: Tuesday, December 20, 2016 3:15 PM  
To: 'Powelson, Robert F'  
Cc: Andrew Holleman; Andrew Weinstein; Becky Robinson; Steven Wellner  
Subject: RE: NARUC Winter Meeting

All good ideas

On electricity, I might broaden the item from fast start pricing to price formation generally, as we have issued a number of related order.

I might also suggest a discussion of our storage and distributed energy resource proposed rule, which will be pending comment around the time of NARUC? It definitely involves both states and federal regulators and the coordinated workings of the wholesale markets and the distribution systems.

On hydro, I might also mention that we are entering a very active hydro relicensing cycle that will continue the next few years. When relicensings are sought, at times the mw are increased to meet RPS goals --- or decreased to meet new environmental expectations.

Thanks for fast follow up -- Happy Holidays!  
Cheryl

-----Original Message-----

From: Powelson, Robert F [<mailto:rfp@pa.gov>]  
Sent: Tuesday, December 20, 2016 1:36 PM  
To: Cheryl LaFleur  
Subject: NARUC Winter Meeting

Commissioner LaFleur:

Good afternoon. Per our conversation yesterday, I wanted to follow-up with you on some potential topics that we could incorporate into the winter meeting agenda. They are as follows:

?

1. GAS Committee: Invite a FERC Commissioner into the Committee to chat about your newly improved public input process and chat about ways NARUC/FERC can work together on developing "best practices" around pipeline siting;

2. ELECTRICITY Committee: Invite a FERC Commissioner into the Committee to chat about the new "fast-start" price formation initiative;

3. WATER Committee: Invite a FERC technical staff member into the Committee to chat about hydro development projects around the US.

Just a few food-for-thought items. I'm wide open to more suggestions and would actively welcome your participation in the meeting. Let me know your thoughts.  
?

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Message from Cheryl re: MOPR  
**Date:** Wednesday, January 04, 2017 4:28:00 PM

---

Thanks so much Cheryl. Great to visit with you today!

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, January 04, 2017 4:17 PM  
**To:** Colette D. Honorable  
**Subject:** FW: Message from Cheryl re: MOPR

It took me a few minutes to find this because I forgot that Andy sent it on my behalf. Thanks for talking. Cheryl

---

**From:** Andrew Weinstein  
**Sent:** Thursday, December 29, 2016 2:38 PM  
**To:** Norman Bay  
**Cc:** Cheryl LaFleur; Steven Wellner; Becky Robinson; Andrew Weinstein  
**Subject:** Message from Cheryl re: MOPR

Chairman Bay,

Commissioner LaFleur wrote the bullet points below, and asked me to forward them to you. Hope you had a nice holiday.

Andy

\*\*\*\*\*

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



(b) (5) [Redacted]

[Redacted]

[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted] (b) (5) [Redacted]  
[Redacted]

I look forward to getting your reaction to these bullets and to continuing this conversation.

Thank you.

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Have a good weekend!  
**Date:** Sunday, January 08, 2017 12:32:12 PM

---

Great to hear. Glad it went well! I agree about Ernie. Really quite phenomenal. He will be missed indeed!

Safe travels and good luck with the connection!

Sent from my iPad

On Jan 8, 2017, at 12:15 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Thanks, Colette. At airport in Mexico City now. Flight delayed. But so far we should still be able to catch connection in Atlanta. Ernie is a force of nature, truly extraordinary combination of skills.

I understand that it is cold in DC! See you next week.

Best,  
NB

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Colette D. Honorable  
**Sent:** Sunday, January 8, 2017 8:45 AM  
**To:** Norman Bay  
**Subject:** Re: Have a good weekend!

---

Hi Norman- I pray that you enjoyed safe travels and that the signing ceremony went well. You are kind to do this on reading weekend! Rest assured that you've done well to get away from DC, even for a quick trip. It is in the teens here after the snow we experienced yesterday. (b) (6) with no plan to go out today! :)

I look forward to our visit this week. Best-

C

Sent from my iPad

On Jan 6, 2017, at 5:18 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Hi Colette,

There was an order I was going to discuss with you, but I understand that

my Adviser talked to yours. We can touch base next week. Have a good weekend! I understand that it could be cold and snowy. While I am going to Mexico for a signing ceremony the trip is such a quick one, that the homebody in me wishes I were staying put for the weekend.

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Update  
**Date:** Wednesday, January 11, 2017 5:21:27 PM

---

Hi Norman- all is well in Florida, thank you. Meetings are abuzz with all of the anticipated change in Washington. I've told them we are staying focused and amidst all of the craziness!

(b) (5) [REDACTED]. Should we plan a call tomorrow? I will also be in on Friday if you'd like to visit in person.

(b) (5) [REDACTED]

Sent from my iPad

On Jan 10, 2017, at 4:45 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Hi Colette,

I hope your travels have been safe and relatively stress-free and that you are enjoying warm weather in Florida!

(b) (5) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) (5)

I welcome your thoughts on any or all of this. Let me know if you'd like to talk, or we could also wait until you are back in DC.

Why does all of this stuff happen when you're outside the building!

Thanks, by the way, for the head's up earlier today. Good luck in your talks; I'm sure you'll do great.

Best,  
NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Thanks  
**Date:** Friday, January 20, 2017 8:31:40 AM

---

Good morning Norman-

It was my pleasure to do so. I told you I'd have your back! Hope I wasn't too dramatic. Had to bat cleanup! Have a wonderful weekend-

C

Sent from my iPad

On Jan 19, 2017, at 4:48 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Dear Colette,

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]

Have a good weekend!

Best,  
NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Update  
**Date:** Sunday, January 22, 2017 5:11:13 PM

---

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you Norman. I think the weather is quite appropriate today! :)

Sent from my iPad

On Jan 22, 2017, at 2:12 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Enjoy your

Sunday! A bit gloomy outside.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** Colette D. Honorable  
**Sent:** Sunday, January 22, 2017 10:34 AM  
**To:** Norman Bay  
**Subject:** Re: Update

---

Good morning Norman-

I can't wait to hear about your experience on the Mall.

Someone sent the report my way but I haven't seen it on Bloomberg yet. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

We are indeed living in interesting times my friend. Enjoy your Sunday!

C

Sent from my iPad

On Jan 21, 2017, at 7:22 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Colette,

I hope you're having a good weekend. I went on a run on the Mall. I'll have to tell you about it later.

Bloomberg reported on Friday that I am to be replaced by Cheryl. (b) (5)

[REDACTED]

I'll keep you posted.

Best,  
NB

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.



**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Staff Change  
**Date:** Monday, January 23, 2017 9:20:59 AM

---

Cheryl,

I hope you had a good weekend.

I am writing to let you know of a staff change in my office. (b) (6) will return to OEMR, where she will once again be its Director. (b) (6) has been an outstanding Chief of Staff, and I am grateful for her assistance.

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: I assume you've heard the news.  
**Date:** Wednesday, January 25, 2017 9:10:22 PM

---

I understand, but can't tell you how sad I am about the end of our fun run!!! God bless you Norman! See you in the morning-

C

Sent from my iPad

On Jan 25, 2017, at 8:25 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Thanks, Colette. (b) (5)



---

**From:** Colette D. Honorable  
**Sent:** Wednesday, January 25, 2017 8:13 PM  
**To:** Norman Bay  
**Subject:** Re: I assume you've heard the news.

Hi Norman-

I spoke with Cheryl later this afternoon. :(

I would like to visit tomorrow if you have time. I'll share a few thoughts as well.  
Have a good night-

C

Sent from my iPad

On Jan 25, 2017, at 6:25 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Please let me know if you'd like to talk. No need to unless you'd like to;  
we can touch base tomorrow. There are a few matters we should discuss.

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** FW: Thank You  
**Date:** Wednesday, January 25, 2017 6:03:34 PM

---

FYI: thanks for giving me the chance to notify Senior Staff, Cheryl. (b) (5)

[REDACTED]

[REDACTED]

---

**From:** Norman Bay  
**Sent:** Wednesday, January 25, 2017 5:58 PM  
**To:** Carmen Cintron; Jamie Simler; Anna Cochrane; Kimberly Bose; Nathaniel Davis; Larry Parkinson; Lee Ann Watson; Nils Nichols; Anna Cochrane; Terry Turpin; Max Minzner; David Andrejcak; Leonard Tao; Andrea Spring; Michael Bardee; Arnie Quinn; Jignasa Gadani; Joseph McClelland; David Andrejcak; Anton Porter; Eduardo Ribas  
**Cc:** Tatyana Kramskaya; Janel Burdick; Robert Kennedy; Geof Hobday; Caroline Wozniak; Bethany Dukes; Erica Siegmund Hough; Emma Nicholson; Rama Zakaria; Benjamin Williams; Tyler Stoff  
**Subject:** Thank You

Dear Senior Staff,

I am writing to let you know that Commissioner Cheryl LaFleur received an order today from the White House that has appointed her the Acting Chairman of the Commission.

I cannot tell you how much I appreciate the outstanding work that you've done and that you continue to do day in and day out on behalf of the American people to ensure that they have efficient, reliable, and sustainable energy. I owe all of my successes to your hard work and dedication and to the efforts of your staff. Few agencies are lucky enough to have such a talented group of leaders, and it has been the greatest honor of my life to work with you and to lead this agency. I have worked with all of you over the past 7 ½ years in a variety of capacities, as a fellow Office Director, a Commissioner, and then Chairman. Over that time, my personal and professional regard for you has only continued to deepen. While many challenges lie ahead, I know that the career staff at FERC are more than capable of meeting those challenges.

I also owe a debt of gratitude to the many amazing staff who have worked in my office. I am sure that every member of the Commission believes that she or he has the best team on the 11<sup>th</sup> floor. I do as well -- except that in my case I'm right. For all the various Team Bays over the past two-and-a-half years, thank you for your tireless efforts, superb technical advice, patience, and unfailing good humor in working with me.

Please join me in congratulating Acting Chairman LaFleur and wishing her every success as she assumes the leadership of FERC!

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Head's Up  
**Date:** Thursday, January 26, 2017 11:57:21 PM

---

No worries Norman. I read that article. (b) (5)

I read the quotes from Cheryl about getting orders out too. We should visit tomorrow.

Sent from my iPad

On Jan 26, 2017, at 10:59 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

My apologies, Colette. I should have delivered a copy of the letter to you. I tweeted out a link to it. (b) (5)

Cheryl also issued a press release saying she is going to try to get out as many orders as she can while I am still on the Commission. (b) (5)

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Colette D. Honorable  
**Sent:** Thursday, January 26, 2017 8:49 PM  
**To:** Norman Bay  
**Subject:** Re: Head's Up

---

That is very odd!

(b) (6) sent out your beautiful letter but not to the office. Not even to me. I only received it because Rob was on her contacts list. That was odd too- you should check to be sure the intended recipients received it. The distribution list seemed very small and external rather to our staff. They will unfortunately see it from outside sources rather than from you.

Sent from my iPad

On Jan 26, 2017, at 4:42 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

(b) (5)

---

**From:** Colette D. Honorable  
**Sent:** Thursday, January 26, 2017 4:21 PM  
**To:** Norman Bay  
**Subject:** RE: Head's Up

Wow! (b) (5)

---

**From:** Norman Bay  
**Sent:** Thursday, January 26, 2017 4:18 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Head's Up

(b) (5)

---

**From:** Colette D. Honorable  
**Sent:** Thursday, January 26, 2017 3:24 PM  
**To:** Norman Bay  
**Subject:** RE: Head's Up

Thank you Norman. I can't thank you enough in fact. God bless you as you conclude a most amazing tenure as Chair, and ahead of your next new, amazing adventure!!

C

---

**From:** Norman Bay  
**Sent:** Thursday, January 26, 2017 3:15 PM  
**To:** Colette D. Honorable  
**Subject:** Head's Up

I told Cheryl; Feb. 3 it is.

Thank you, Colette.

Best,  
NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: An Idea  
**Date:** Saturday, January 28, 2017 2:08:36 PM

---

Hi Norman-

I am having a good weekend. Please call anytime. (b) (6)

C

Sent from my iPad

On Jan 28, 2017, at 12:09 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Colette,

I hope you are having a great weekend!

I had an idea that I wanted to bounce off of you. I think I am learning from our Acting Chairman. Her leadership is inspiring me.

No urgency, however.

Best,  
NB

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Thanks!  
**Date:** Monday, January 30, 2017 4:48:37 PM

---

It's an honor Norman! (b) (5)

---

**From:** Norman Bay  
**Sent:** Monday, January 30, 2017 4:24 PM  
**To:** Colette D. Honorable  
**Subject:** Thanks!

Dear Colette,

(b) (5)

[Redacted text block containing multiple lines of blacked-out content]

Best,

NB



**From:** [Cheryl LaFleur](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Thanks  
**Date:** Monday, January 30, 2017 7:06:50 PM

---

(b) (5)

Sent from my iPad

On Jan 30, 2017, at 6:54 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

(b) (5)

---

**From:** Cheryl LaFleur  
**Sent:** Monday, January 30, 2017 4:52 PM  
**To:** Norman Bay  
**Subject:** RE: Thanks

Norman  
You are very welcome.

(b) (5)

Best,  
Cheryl

---

**From:** Norman Bay  
**Sent:** Monday, January 30, 2017 4:20 PM  
**To:** Cheryl LaFleur

**Subject:** Thanks

Cheryl,

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Best,  
NB

1/30/17 Email b/w NB, CL, and others  
Re: Thanks for helping Navy REPO

Withheld under FOIA Exemption 5

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Thanks  
**Date:** Monday, January 30, 2017 4:19:00 PM

---

Cheryl,

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Best,

NB

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Our discussion earlier  
**Date:** Tuesday, January 31, 2017 10:02:39 PM

---

Thanks, Cheryl.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Cheryl LaFleur

Sent: Tuesday, January 31, 2017 8:57 PM

To: Benjamin Williams; Tyler Stoff

Cc: Norman Bay; Steven Wellner

Subject: Our discussion earlier

Benjamin and Tyler-

(b) (5)



Hang in there--sorry about all the phone calls--  
Cheryl

Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: MOPR Orders  
**Date:** Tuesday, January 31, 2017 12:02:01 AM

---

Sure Norman. Thanks for the update. I have one for you as well. (b) (6).

Sent from my iPad

On Jan 30, 2017, at 6:52 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Colette,

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Do you want to touch base tomorrow  
for a few minutes?

Best,  
NB

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Commission action upon loss of quorum  
**Date:** Tuesday, January 31, 2017 3:36:00 PM

---

Thanks so much Cheryl. I appreciate receiving it.

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, January 31, 2017 3:32 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Commission action upon loss of quorum

OK I now read it. (b) (5)

[REDACTED]

[REDACTED]

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, January 31, 2017 3:30 PM  
**To:** Colette D. Honorable  
**Subject:** FW: Commission action upon loss of quorum

Colette attached is an unsolicited email from Joe Kelliher. I have not read it yet, sent it to lawyers. I pass it along for what it is worth, sent to Norman also.

---

**From:** Kelliher, Joe [<mailto:Joe.Kelliher@fpl.com>]  
**Sent:** Tuesday, January 31, 2017 3:03 PM  
**To:** Cheryl LaFleur  
**Subject:** Commission action upon loss of quorum

Cheryl, congratulations on being named Acting Chairman. You are now the Henry VI, Edward IV or Grover Cleveland of FERC; to my knowledge no one has ever been Chairman twice. I would like to offer my two cents on the issue at hand, how FERC balances its responsibility to continue to serve the public upon loss of quorum with the degree of legal risk. I contact you directly out of recognition that time is short, with Norman's impending departure.

In my view, FERC can continue to fully function with two members with acceptable legal risk, and the 1993 delegation order reflects a very conservative view. That order should not be viewed as the definitive statement on how the agency can function, or not function, upon loss of quorum. It is only one option. If the exercise at hand is balancing the agency's obligation to continue to serve the public despite loss of quorum against degree of legal risk that order avoids all legal risk at the expense of continued service.

There is a 1982 DC Circuit case ([Railroad Yardmasters of America v Harris](#), 721 F.2d 1332) that addressed the issue of whether an agency can continue to function with the loss of quorum. The decision relied heavily on a vacancy provision in its holding that a quorum was only needed to meet, not to act. The court relied on other statutory provisions in its reasoning, including a delegation provision. But the court could have reached the same result relying solely on the vacancy provision. No way to prove one way or the other, I acknowledge. But that is certainly arguably correct. There is a similar but not identical vacancy provision in Part I of the Federal Power Act. I read that

sentence as still effective, since it does not conflict with anything in the DOE Organization Act. If “no vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission” then the remaining two members are the Commn and can continue to exercise its powers. That phrase arguably could be read as being limited to a single vacancy, but it could also be argued to apply to multiple vacancies, on the grounds that if Congress had intended the vacancy provision in the FPA to apply to only a single vacancy it would have used the indefinite article. I think the key holding in Railroad Yardmasters is that a quorum is only needed to meet, not to act, and I don’t view that holding as specific to the organic act being examined there.

The FERC emergency condition order is important to the analysis (18 CFR 376.204, 376.205). If FERC has legal authority to delegate all its powers “to the Commissioner or Commissioners who are available and capable of acting”, to a single Commissioner, or even to certain staff members, how can it lack the legal authority to delegate its powers to *all* remaining Commissioners or the Chairman upon loss of quorum, when a quorum is similarly not available? The emergency order was issued under FERC’s legal authority, not any Presidential emergency powers. There may be questions about whether the emergency condition order was lawful, but it at least is precedent the agency can point to.

In New Process Steel the Supreme Court vacated NLRB orders in part because of a provision in the agency’s organic statute limiting the ability of the agency to delegate, in part because of unlawful recess appointments. There is no such delegation limitation in the FPA or NGA. Actually, to the best of my knowledge there is no express delegation provision in any of the FERC organic acts. My understanding is agencies have inherent legal authority to delegate under the types of general authority cited by FERC to support the 1993 delegation order.

Other federal agencies have continued to fully function after losing quorum. The NRC has lost quorum twice and continued to operate. The first time the agency delegated all commission power to the EDO, a unique staff position that does not exist at FERC. The second time they delegated all power to the Chairman, requiring the Chairman to consult with the remaining Commissioner. The NRC organic act does not have the vacancy provision that was important in Railroad Yardmasters and has no express delegation provision I could find. The STB delegated all of its powers to the remaining member, or staff if there were no Board members. The STB organic act has a vacancy provision similar to the FPA’s (interestingly, using “A vacancy” instead of “No vacancy”, which is reasonable since they by law have a complement of 3 rather than 5, supporting the argument that “No vacancy” in the FPA should be read as applying to multiple vacancies). And the STB organic act has no express delegation provision. The key in these cases is the agency issued an emergency order delegating its powers before it lost quorum, mitigating but not eliminating legal risk.

Other agencies have been paralyzed by loss of quorum, such as FEC and CPSC. I suspect there are provisions in those organic acts, especially FEC, that were key. Or it could have been the inability of those fractured agencies to agree on an emergency order. I will try to research those questions.

FERC could pass an order before Norman leaves that clarifies the ability of the agency to continue to function during loss of quorum, making such delegation effective upon loss of quorum and lasting only until a quorum has been restored (consistent with 2nd NRC emergency order on 7/3/95).



Drawing on both the FERC emergency order and the 2nd NRC delegation order It could be something like this:

“Delegation of authority in the absence of a quorum.

The Commission is hereby delegating the authority to carry out all Commission functions, should the absence of a quorum arise, to the remaining Commissioners who are available and capable of acting.”

It could be an order or an interim rule. To further mitigate legal risk the agency could affirm all orders issued during this interim period when a quorum is restored through a single bloc reaffirmation order. The NRC issues reaffirmation orders on a regular basis, reaffirming at an open mtg orders that they have previously approved notationally.

A variant would be to vest all power in the Chairman and require the Chairman to consult with the other Commissioner before acting, consistent with the 2nd NRC emergency order. That would avoid the prospect of 1:1 ties. Another way to avoid ties is to authorize the Chairman to break tie votes in the event they arise.

This sort of order isn't hard to draft and there was no public notice or comment on the 1993 delegation order, so this could be done really fast.

Strictly speaking, I don't think this sort of delegation order is necessary, since there really isn't a delegation of authority in your circumstances. The Commn is a body authorized to have five members. From time to time it has fewer than five members. “The Commission” is constituted by however many members are in office at any point in time. So strictly speaking there really isn't a “delegation” from “the Commission” to “the Commission” when all remaining members continue to exercise the Commn's authority upon loss of quorum. But a delegation order approved before loss of quorum along the lines above, combined with a reaffirmation order, should significantly reduce legal risk.

If the Commn would find it easier to act along these lines in response to a petition for interim rule that could probably be arranged.

Thanks for hearing me out.

Regards,  
Joe

**From:** [Cheryl LaFleur](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Commission action upon loss of quorum  
**Date:** Tuesday, January 31, 2017 3:32:52 PM

---

Ok now I have read it. (b) (5)

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, January 31, 2017 3:29 PM  
**To:** Norman Bay  
**Subject:** FW: Commission action upon loss of quorum

Norman this is an unsolicited email from Joe Kelliher. I have not yet read it. I passed it along to the lawyers, but am sending to you (and will send to Colette) in case he didn't.

---

**From:** Kelliher, Joe [<mailto:Joe.Kelliher@fpl.com>]  
**Sent:** Tuesday, January 31, 2017 3:03 PM  
**To:** Cheryl LaFleur  
**Subject:** Commission action upon loss of quorum

Cheryl, congratulations on being named Acting Chairman. You are now the Henry VI, Edward IV or Grover Cleveland of FERC; to my knowledge no one has ever been Chairman twice. I would like to offer my two cents on the issue at hand, how FERC balances its responsibility to continue to serve the public upon loss of quorum with the degree of legal risk. I contact you directly out of recognition that time is short, with Norman's impending departure.

In my view, FERC can continue to fully function with two members with acceptable legal risk, and the 1993 delegation order reflects a very conservative view. That order should not be viewed as the definitive statement on how the agency can function, or not function, upon loss of quorum. It is only one option. If the exercise at hand is balancing the agency's obligation to continue to serve the public despite loss of quorum against degree of legal risk that order avoids all legal risk at the expense of continued service.

There is a 1982 DC Circuit case ([Railroad Yardmasters of America v Harris](#), 721 F.2d 1332) that addressed the issue of whether an agency can continue to function with the loss of quorum. The decision relied heavily on a vacancy provision in its holding that a quorum was only needed to meet, not to act. The court relied on other statutory provisions in its reasoning, including a delegation provision. But the court could have reached the same result relying solely on the vacancy provision. No way to prove one way or the other, I acknowledge. But that is certainly arguably correct. There is a similar but not identical vacancy provision in Part I of the Federal Power Act. I read that sentence as still effective, since it does not conflict with anything in the DOE Organization Act. If "no vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission" then the remaining two members are the Commission and can continue to exercise its powers. That phrase arguably could be read as being limited to a single vacancy, but it could also be argued to apply to multiple vacancies, on the grounds that if Congress had intended the vacancy provision in the FPA to apply to only a single vacancy it would have used the indefinite article. I think the key holding in [Railroad Yardmasters](#) is that a quorum is only needed to meet, not

to act, and I don't view that holding as specific to the organic act being examined there.

The FERC emergency condition order is important to the analysis (18 CFR 376.204, 376.205). If FERC has legal authority to delegate all its powers "to the Commissioner or Commissioners who are available and capable of acting", to a single Commissioner, or even to certain staff members, how can it lack the legal authority to delegate its powers to *all* remaining Commissioners or the Chairman upon loss of quorum, when a quorum is similarly not available? The emergency order was issued under FERC's legal authority, not any Presidential emergency powers. There may be questions about whether the emergency condition order was lawful, but it at least is precedent the agency can point to.

In New Process Steel the Supreme Court vacated NLRB orders in part because of a provision in the agency's organic statute limiting the ability of the agency to delegate, in part because of unlawful recess appointments. There is no such delegation limitation in the FPA or NGA. Actually, to the best of my knowledge there is no express delegation provision in any of the FERC organic acts. My understanding is agencies have inherent legal authority to delegate under the types of general authority cited by FERC to support the 1993 delegation order.

Other federal agencies have continued to fully function after losing quorum. The NRC has lost quorum twice and continued to operate. The first time the agency delegated all commission power to the EDO, a unique staff position that does not exist at FERC. The second time they delegated all power to the Chairman, requiring the Chairman to consult with the remaining Commissioner. The NRC organic act does not have the vacancy provision that was important in Railroad Yardmasters and has no express delegation provision I could find. The STB delegated all of its powers to the remaining member, or staff if there were no Board members. The STB organic act has a vacancy provision similar to the FPA's (interestingly, using "A vacancy" instead of "No vacancy", which is reasonable since they by law have a complement of 3 rather than 5, supporting the argument that "No vacancy" in the FPA should be read as applying to multiple vacancies). And the STB organic act has no express delegation provision. The key in these cases is the agency issued an emergency order delegating its powers before it lost quorum, mitigating but not eliminating legal risk.

Other agencies have been paralyzed by loss of quorum, such as FEC and CPSC. I suspect there are provisions in those organic acts, especially FEC, that were key. Or it could have been the inability of those fractured agencies to agree on an emergency order. I will try to research those questions.

FERC could pass an order before Norman leaves that clarifies the ability of the agency to continue to function during loss of quorum, making such delegation effective upon loss of quorum and lasting only until a quorum has been restored (consistent with 2nd NRC emergency order on 7/3/95). Drawing on both the FERC emergency order and the 2nd NRC delegation order it could be something like this:

"Delegation of authority in the absence of a quorum.

The Commission is hereby delegating the authority to carry out all Commission functions, should the absence of a quorum arise, to the remaining Commissioners who are available and capable of

acting.”

It could be an order or an interim rule. To further mitigate legal risk the agency could affirm all orders issued during this interim period when a quorum is restored through a single bloc reaffirmation order. The NRC issues reaffirmation orders on a regular basis, reaffirming at an open mtg orders that they have previously approved notationally.

A variant would be to vest all power in the Chairman and require the Chairman to consult with the other Commissioner before acting, consistent with the 2nd NRC emergency order. That would avoid the prospect of 1:1 ties. Another way to avoid ties is to authorize the Chairman to break tie votes in the event they arise.

This sort of order isn’t hard to draft and there was no public notice or comment on the 1993 delegation order, so this could be done really fast.

Strictly speaking, I don’t think this sort of delegation order is necessary, since there really isn’t a delegation of authority in your circumstances. The Commn is a body authorized to have five members. From time to time it has fewer than five members. “The Commission” is constituted by however many members are in office at any point in time. So strictly speaking there really isn’t a “delegation” from “the Commission” to “the Commission” when all remaining members continue to exercise the Commn’s authority upon loss of quorum. But a delegation order approved before loss of quorum along the lines above, combined with a reaffirmation order, should significantly reduce legal risk.

If the Commn would find it easier to act along these lines in response to a petition for interim rule that could probably be arranged.

Thanks for hearing me out.

Regards,  
Joe

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Commission action upon loss of quorum  
**Date:** Tuesday, January 31, 2017 5:26:00 PM

---

Well, there's never a shortage of interesting legal questions around here!

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, January 31, 2017 3:33 PM  
**To:** Norman Bay  
**Subject:** RE: Commission action upon loss of quorum

Ok now I have read it. (b) (5)

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, January 31, 2017 3:29 PM  
**To:** Norman Bay  
**Subject:** FW: Commission action upon loss of quorum

Norman this is an unsolicited email from Joe Kelliher. I have not yet read it. I passed it along to the lawyers, but am sending to you (and will send to Colette) in case he didn't.

---

**From:** Kelliher, Joe [<mailto:Joe.Kelliher@fpl.com>]  
**Sent:** Tuesday, January 31, 2017 3:03 PM  
**To:** Cheryl LaFleur  
**Subject:** Commission action upon loss of quorum

Cheryl, congratulations on being named Acting Chairman. You are now the Henry VI, Edward IV or Grover Cleveland of FERC; to my knowledge no one has ever been Chairman twice. I would like to offer my two cents on the issue at hand, how FERC balances its responsibility to continue to serve the public upon loss of quorum with the degree of legal risk. I contact you directly out of recognition that time is short, with Norman's impending departure.

In my view, FERC can continue to fully function with two members with acceptable legal risk, and the 1993 delegation order reflects a very conservative view. That order should not be viewed as the definitive statement on how the agency can function, or not function, upon loss of quorum. It is only one option. If the exercise at hand is balancing the agency's obligation to continue to serve the public despite loss of quorum against degree of legal risk that order avoids all legal risk at the expense of continued service.

There is a 1982 DC Circuit case ([Railroad Yardmasters of America v Harris](#), 721 F.2d 1332) that addressed the issue of whether an agency can continue to function with the loss of quorum. The decision relied heavily on a vacancy provision in its holding that a quorum was only needed to meet, not to act. The court relied on other statutory provisions in its reasoning, including a delegation provision. But the court could have reached the same result relying solely on the vacancy provision. No way to prove one way or the other, I acknowledge. But that is certainly arguably correct. There is a similar but not identical vacancy provision in Part I of the Federal Power Act. I read that sentence as still effective, since it does not conflict with anything in the DOE Organization Act. If "no

vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission” then the remaining two members are the Commn and can continue to exercise its powers. That phrase arguably could be read as being limited to a single vacancy, but it could also be argued to apply to multiple vacancies, on the grounds that if Congress had intended the vacancy provision in the FPA to apply to only a single vacancy it would have used the indefinite article. I think the key holding in Railroad Yardmasters is that a quorum is only needed to meet, not to act, and I don’t view that holding as specific to the organic act being examined there.

The FERC emergency condition order is important to the analysis (18 CFR 376.204, 376.205). If FERC has legal authority to delegate all its powers “to the Commissioner or Commissioners who are available and capable of acting”, to a single Commissioner, or even to certain staff members, how can it lack the legal authority to delegate its powers to *all* remaining Commissioners or the Chairman upon loss of quorum, when a quorum is similarly not available? The emergency order was issued under FERC’s legal authority, not any Presidential emergency powers. There may be questions about whether the emergency condition order was lawful, but it at least is precedent the agency can point to.

In New Process Steel the Supreme Court vacated NLRB orders in part because of a provision in the agency’s organic statute limiting the ability of the agency to delegate, in part because of unlawful recess appointments. There is no such delegation limitation in the FPA or NGA. Actually, to the best of my knowledge there is no express delegation provision in any of the FERC organic acts. My understanding is agencies have inherent legal authority to delegate under the types of general authority cited by FERC to support the 1993 delegation order.

Other federal agencies have continued to fully function after losing quorum. The NRC has lost quorum twice and continued to operate. The first time the agency delegated all commission power to the EDO, a unique staff position that does not exist at FERC. The second time they delegated all power to the Chairman, requiring the Chairman to consult with the remaining Commissioner. The NRC organic act does not have the vacancy provision that was important in Railroad Yardmasters and has no express delegation provision I could find. The STB delegated all of its powers to the remaining member, or staff if there were no Board members. The STB organic act has a vacancy provision similar to the FPA’s (interestingly, using “A vacancy” instead of “No vacancy”, which is reasonable since they by law have a complement of 3 rather than 5, supporting the argument that “No vacancy” in the FPA should be read as applying to multiple vacancies). And the STB organic act has no express delegation provision. The key in these cases is the agency issued an emergency order delegating its powers before it lost quorum, mitigating but not eliminating legal risk.

Other agencies have been paralyzed by loss of quorum, such as FEC and CPSC. I suspect there are provisions in those organic acts, especially FEC, that were key. Or it could have been the inability of those fractured agencies to agree on an emergency order. I will try to research those questions.

FERC could pass an order before Norman leaves that clarifies the ability of the agency to continue to function during loss of quorum, making such delegation effective upon loss of quorum and lasting only until a quorum has been restored (consistent with 2nd NRC emergency order on 7/3/95). Drawing on both the FERC emergency order and the 2nd NRC delegation order It could be

something like this:

“Delegation of authority in the absence of a quorum.

The Commission is hereby delegating the authority to carry out all Commission functions, should the absence of a quorum arise, to the remaining Commissioners who are available and capable of acting.”

It could be an order or an interim rule. To further mitigate legal risk the agency could affirm all orders issued during this interim period when a quorum is restored through a single bloc reaffirmation order. The NRC issues reaffirmation orders on a regular basis, reaffirming at an open mtg orders that they have previously approved notationally.

A variant would be to vest all power in the Chairman and require the Chairman to consult with the other Commissioner before acting, consistent with the 2nd NRC emergency order. That would avoid the prospect of 1:1 ties. Another way to avoid ties is to authorize the Chairman to break tie votes in the event they arise.

This sort of order isn’t hard to draft and there was no public notice or comment on the 1993 delegation order, so this could be done really fast.

Strictly speaking, I don’t think this sort of delegation order is necessary, since there really isn’t a delegation of authority in your circumstances. The Commn is a body authorized to have five members. From time to time it has fewer than five members. “The Commission” is constituted by however many members are in office at any point in time. So strictly speaking there really isn’t a “delegation” from “the Commission” to “the Commission” when all remaining members continue to exercise the Commn’s authority upon loss of quorum. But a delegation order approved before loss of quorum along the lines above, combined with a reaffirmation order, should significantly reduce legal risk.

If the Commn would find it easier to act along these lines in response to a petition for interim rule that could probably be arranged.

Thanks for hearing me out.

Regards,  
Joe

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: FERC Can Reprise 1993 Delegation Order to Address Quorum Issues  
**Date:** Tuesday, January 31, 2017 9 04:40 PM

---

Indeed, (b) (5)

Sent from my iPad

On Jan 31, 2017, at 3:44 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

(b) (5)

**From:** Pierce Atwood LLP [<mailto:mail@pierceatwood.com>]  
**Sent:** Tuesday, January 31, 2017 1:47 PM  
**To:** Cheryl LaFleur  
**Subject:** FERC Can Reprise 1993 Delegation Order to Address Quorum Issues

[VIEW IN BROWSER](#) | This email may be construed as an advertisement or solicitation. [Find out more](#)

January 31, 2017  
**FERC Can Reprise 1993 Delegation Order to Address Quorum Issues**

The Federal Energy Regulatory Commission (FERC) will be left without a quorum when Commissioner Norman Bay's resignation becomes official on February 3, 2017 and FERC's ability to issue orders will be limited until the Administration fills a third seat.

There has been much discussion of the absence of a quorum and its impact on FERC's business, particularly on matters that could be affected by the operation of law under the Natural Gas Act and Federal Power Act. This could include new rate, rate schedule, and tariff filings, which become effective after 30 days unless suspended by FERC order, and requests for rehearing, which would be denied by inaction after 30 days. However, in 1993, faced with a similar quorum crisis, FERC issued an Order Delegating Authority to the Secretary and Certain Office Directors, 63 FERC ¶ 61,073 (1993), that provided for the following delegations and confirmed that all existing delegations remain in place as well.

1. To the Secretary, or, in her absence, her designee, authority to:

- Grant requests for rehearing filed under rules 713 and 1902, solely for purposes of further consideration
- Issue other notices or orders as appropriate in order to extend the time within which the Commission would otherwise be required to act

2. To the Director, Office of Pipeline and Producer Regulation, or, in his absence, his designee, authority to:

- Suspend tariff filings for an appropriate length of time under the Natural Gas Act
- Set suspended tariff filings for hearing under the Natural Gas Act
- Take whatever further action is necessary to process those tariff filings

3. To the Director, Office of Electric Power Regulation, or, in his absence, his designee, authority to:

- Suspend rate schedules for an appropriate length of time under the Federal Power Act
- Set suspended rate schedules for hearing under the Federal Power Act



- Take whatever further action is necessary to process those rate schedules

4. To the General Counsel, or in his or her absence, his or her designee, authority to act upon requests for exempt wholesale generator status under section 32 of the Public Utility Holding Company Act.

We expect FERC to issue a similar delegation order this week before Commissioner Bay departs. [In a podcast issued yesterday](#), Acting Chairman LaFleur stated that staff delegated authority will be increased in anticipation of the lack of quorum. As with the 1993 order, it does not appear that a delegation order could adequately address pending interstate pipeline certificates required to commence construction or other major orders.

For further information, please contact [Energy Practice Group](#) attorneys [Randy Rich](#), [Ruta Skucas](#), or [Andrew Kaplan](#). Randy can be reached at 202 530.6424 or [r-rich@pierceatwood.com](mailto:r-rich@pierceatwood.com); Ruta can be reached at 202 530.6428 or [rskucas@pierceatwood.com](mailto:rskucas@pierceatwood.com); Andrew can be reached at 617.488.8104 or [akaplan@pierceatwood.com](mailto:akaplan@pierceatwood.com).

[James M. Avery](#)  
[Jared S. des Rosiers](#)  
[John W. Gulliver](#)  
[Andrew O. Kaplan](#)  
[Liam J. Paskvan](#)  
[Randall S. Rich](#)  
[Ruta Kalvaitis Skucas](#)  
[Maeve C. Tibbetts](#)  
[Sarah B. Tracy](#)

[Energy](#)

Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

157 Capitol Street  
Suite 3  
Augusta, ME 04330

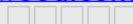
100 Summer Street  
Boston, MA 02110

One New Hampshire  
Avenue  
Portsmouth, NH 03801

72 Pine Street  
Providence, RI 02903

1875 K Street NW, Suite  
700  
Washington, DC 20006

[www.pierceatwood.com](http://www.pierceatwood.com)



This email is intended for general information purposes and as a service to clients and friends of Pierce Atwood LLP. This email may be construed as an advertisement or solicitation and should not be construed as legal advice or a legal opinion on any specific facts or circumstances, nor does it create attorney-client privilege.

To unsubscribe from Pierce Atwood LLP Energy mailing list, [click here](#).  
Copyright © 2017 Pierce Atwood LLP. All rights reserved.



**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Personnel announcement tomorrow  
**Date:** Wednesday, February 01, 2017 10:13:28 PM

---

Hi Cheryl- hooray on all fronts! Happy to help. Thank you for the lovely gesture of lunch tomorrow. Have a good night!

C

Sent from my iPad

On Feb 1, 2017, at 6:04 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Hi Colette

(b) (6), (b) (5)

[REDACTED]

[REDACTED] Thank you for that!!

And thank you for all you and your people are doing.  
Cheryl

*Acting Chairman Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., N.E.*  
*Washington, D.C. 20426*  
*202-502-8961*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Bob Anthony nomination to FERC  
**Date:** Thursday, February 02, 2017 1:23:00 PM

---

Amen- on both points!

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, February 02, 2017 10:16 AM  
**To:** Colette D. Honorable  
**Subject:** FW: Bob Anthony nomination to FERC

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Talk soon

**From:** (b) (6) **On Behalf Of** Bob Anthony  
**Sent:** Thursday, February 02, 2017 9:05 AM  
**To:** Cheryl LaFleur; Colette D. Honorable  
**Subject:** Fwd: Bob Anthony nomination to FERC

Greetings from Oklahoma.

Thanks, Bob Anthony

----- Forwarded message -----

**From:** Bob Anthony <(b) (6)>  
**Date:** Mon, Jan 30, 2017 at 11:09 AM  
**Subject:** Bob Anthony nomination to FERC  
**To:** (b) (6)

Cheryl,

All the best to you in performing your many important duties and responsibilities.

Please see bio attachment.

Thanks,

Bob Anthony  
Oklahoma  
(b) (6)

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: tomorrow  
**Date:** Thursday, February 02, 2017 2:00:45 PM

---

(b) (5)

---

**From:** Norman Bay  
**Sent:** Thursday, February 02, 2017 1:59 PM  
**To:** Colette D. Honorable  
**Subject:** RE: tomorrow

I know. Can you imagine? (b) (5)

---

**From:** Colette D. Honorable  
**Sent:** Thursday, February 02, 2017 1:57 PM  
**To:** Norman Bay  
**Subject:** RE: tomorrow

I know! My goodness!! (b) (6)

---

**From:** Norman Bay  
**Sent:** Thursday, February 02, 2017 1:56 PM  
**To:** Colette D. Honorable  
**Subject:** RE: tomorrow

That's my impression also. (b) (5)

---

**From:** Colette D. Honorable  
**Sent:** Thursday, February 02, 2017 1:42 PM  
**To:** Norman Bay  
**Subject:** RE: tomorrow

I did see it! I know Barry quite well. (b) (5)

---

**From:** Norman Bay  
**Sent:** Thursday, February 02, 2017 1:30 PM  
**To:** Colette D. Honorable  
**Subject:** RE: tomorrow

Thanks, Colette. Did you read the IHS article? I don't know Barry well, (b) (5)

---

**From:** Colette D. Honorable  
**Sent:** Thursday, February 02, 2017 1:29 PM  
**To:** Norman Bay  
**Subject:** tomorrow

Norman-

I will be in tomorrow afternoon. A few weeks ago I signed up to volunteer at my (b) (6) [REDACTED]. My shift is tomorrow morning! If I can scoot from there early I'll try. Just wanted you to know I'd be MIA in the morning for a couple of hours. Please call my cell if you need me.

C

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Kudos!  
**Date:** Thursday, February 02, 2017 1:56:33 PM

---

Norman-

I just read your (b) (5). Beautifully written. Thoughtful, cogent. It is a superb note upon which to conclude your service here.

Well done my colleague! Congratulations!

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: comparing notes  
**Date:** Thursday, February 02, 2017 1:24:28 PM

---

I did! (b) (5)

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, February 02, 2017 9:51 AM  
**To:** Colette D. Honorable  
**Subject:** Re: comparing notes

Sounds good! Did you see the big Energy Daily article on Barry Smitherman yesterday?

Sent from my iPad

On Feb 2, 2017, at 9:11 AM, Colette D. Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Cheryl-

I saw Bob's email. When we chat again we can compare notes. Just wanted to mention it because I'd surely forget! Sleep is my key to survival. ☺

C

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798

**From:** [Cheryl LaFleur](#)  
**To:** [Norman Bay](#)  
**Subject:** Max  
**Date:** Thursday, February 02, 2017 10:10:46 AM

---

Norman

I understand that Max has spoken to you about his plans. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Please let me know if you have any questions.

Thanks a lot

Cheryl

*Acting Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)*

1



**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Max  
**Date:** Thursday, February 02, 2017 1:23:00 PM

---


Cheryl- I saw this note earlier, thank you. I wish him well also.

-----Original Message-----

From: Cheryl LaFleur  
Sent: Thursday, February 02, 2017 9:59 AM  
To: Colette D. Honorable  
Subject: Max

Colette

More developments... (b) (5)



Just wanted to make sure you knew before it was announced. Please let me know if you have any questions.

Thanks  
Cheryl

Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Responsible person at PPO  
**Date:** Tuesday, February 07, 2017 3:20:00 PM

---

Aren't you fast? :) Thanks Cheryl. Good to catch up as always!

-----Original Message-----

From: Cheryl LaFleur  
Sent: Tuesday, February 07, 2017 3:20 PM  
To: Colette D. Honorable  
Subject: FW: Responsible person at PPO

-----Original Message-----

From: Cheryl LaFleur  
Sent: Thursday, February 02, 2017 8:32 PM  
To: Alex Flint  
Cc: Anton Porter  
Subject: Re: Responsible person at PPO

Alex

I'm glad you reached out. The person our agency has been dealing with at OPP is Sean Doocey, Deputy Director of Presidential Personnel, who works for John DiStefano. His email address is [sean.e.doocey@who.eop.gov](mailto:sean.e.doocey@who.eop.gov)

I am also cc'ing our Executive Director Anton Porter, who is our primary contact with OPP.

It sounds like you have plenty to do already, but I appreciate any attention you can bring to our unusual quorum situation and eagerness for at least one nomination.

Best,  
Cheryl LaFleur

Acting Chairman  
Federal Energy Regulatory Commission  
888 First St., NE  
Washington, DC 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

Sent from my iPad

> On Feb 2, 2017, at 6:51 PM, Alex Flint <(b) (6)> wrote:

>

> Cheryl,

>

> I realize we do not know each other, and it would be better if we did before I ask this question, but I just can't seem to find the answer any other way.

>

> I am the sherpa responsible for getting Ryan Zinke confirmed to Interior and the deputy Sherpa for Rick Perry at Energy.

>

> As I am working with Senators and others on those nominations, I am repeatedly being asked who at PPO is responsible for FERC. I've asked all the way up to Rick Dearborn and others at WH leg affairs and policy, and I'm

not getting a clear answer.

>

> Can you get me pointed in the correct direction? Who at PPO is working to solve your quorum problem?

>

> Alex Flint

> (b) (6)

**From:** [Colette D. Honorable](#)  
**To:** [Andrew Holleman](#); [Andrew Weinstein](#); [Becky Robinson](#); [Cheryl LaFleur](#); [Patricia Smith](#); [Steven Wellner](#)  
**Cc:** [Robert Thormeyer](#); [Michelle R. Brown](#); [William Sauer](#); [Anna Fernandez](#); [Emon Mahony](#)  
**Subject:** You shouldn't have!!!  
**Date:** Tuesday, February 07, 2017 9:33:31 AM

---

Good morning Team LaFleur-

You shouldn't have!! The flowers are lovely and the card was so very kind. Thank you for leading us through a tough week. We saw what we were made of! We, too, are proud of how we collectively rose to the occasion and worked so well together. Proud but not surprised. Looking forward to more of the same. We appreciate your thoughtfulness.

Colette

PS- the flowers made Sunday's game a little easier to bear- congrats Cheryl!! ☺

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: 2016 Campaign Contest Awards  
**Date:** Friday, February 10, 2017 5:02:37 PM

---

I'm in Arlington but please call my cell anytime!

Sent from my iPad

On Feb 10, 2017, at 3:14 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Are you around for a quick call later? Want to run something by you re NARUC.

---

**From:** Colette D. Honorable  
**Sent:** Friday, February 10, 2017 3:13 PM  
**To:** Cheryl LaFleur  
**Cc:** [REDACTED]; Anton Porter; Andrew Holleman; Robert Thormeyer  
**Subject:** Re: 2016 Campaign Contest Awards

I'll be sure to give you all the scoop. :) Safe travels to WTPF!

See you Sunday-

C

Sent from my iPad

On Feb 10, 2017, at 3:10 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Colette so happy you can attend and how fitting given your involvement!  
I would go if I were not in San Diego (WPTF)

Cheers  
Cheryl

---

**From:** Colette D. Honorable  
**Sent:** Friday, February 10, 2017 3:01 PM  
**To:** [REDACTED]  
**Cc:** Cheryl LaFleur; Anton Porter; Andrew Holleman; Robert Thormeyer  
**Subject:** Re: 2016 Campaign Contest Awards

Hooray!!! Congratulations [REDACTED] Yay us!

[REDACTED] I was unaware that Cheryl could not attend but am happy to attend given my participation with the music group.

Cheryl- we will miss you indeed, especially given your strong support of CFC over the years!

Thank you both for your leadership!!

Colette

Sent from my iPad

On Feb 10, 2017, at 12:58 PM, [REDACTED]  
wrote:

Dear Acting Chairman LaFleur:

Thank you for your message. CFCNCA will only give us four tickets. In view of your inability to attend, Commissioner Honorable has put the event on her schedule. Adrian Gause and Penny Payne who organized the music and slide show, and Edward the Campaign Manager will be called up on stage to receive the award for the FERC.

Geoff Rixon the Operations Chief at the CFCNCA held out the possibility of a few more tickets at the last minute.

[REDACTED]

---

**From:** Cheryl LaFleur  
**Sent:** Friday, February 10, 2017 12:46 PM  
**To:** [REDACTED]; Anton Porter  
<[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>; Colette D. Honorable  
<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)>; Andrew Holleman  
<[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>; Robert Thormeyer  
<[Robert.Thormeyer@ferc.gov](mailto:Robert.Thormeyer@ferc.gov)>  
**Subject:** FW: FW: 2016 Campaign Contest Awards

Moving this to my work email address.  
This is wonderful Edward and very well deserved!  
You should certainly go to the event and accept the award  
Cheryl

**From:** Cheryl LaFleur [<mailto:cheryl.lafleur@verizon.net>]  
**Sent:** Friday, February 10, 2017 12:25 PM  
**To:** Cheryl LaFleur  
**Subject:** Fwd: FW: 2016 Campaign Contest Awards

-----Original Message-----

**From:** [REDACTED]  
**Date:** Feb 10, 2017 11:24:28 AM  
**Subject:** FW: 2016 Campaign Contest Awards  
**To:** Cheryl LaFleur <[cheryl.lafleur@verizon.net](mailto:cheryl.lafleur@verizon.net)>, Anton Porter  
<[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>, Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Cc:** "Colette D. Honorable" <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)>, Robert Thormeyer  
<[Robert.Thormeyer@ferc.gov](mailto:Robert.Thormeyer@ferc.gov)>

FERC WON THE AWARD FOR THE MOST

INNOVATIVE CAMPAIGN TECHNIQUE: The  
musical video with the slide show.



---

**From:** Geoffrey Rixon [<mailto:geoffrey.rixon@cfcnca.org>]  
**Sent:** Friday, February 10, 2017 10:54 AM  
**Subject:** 2016 Campaign Contest Awards  
**Importance:** High

Congratulations—your entry (or entries) for the 2016 Campaign Contest won! Winners were evaluated and selected by a panel of federal employees.

**Please review the list on the attached document** to see the category (or categories) for which your submission(s) placed. All winners will be recognized at the CFCNCA Finale event on Friday, March 3 at the Smithsonian National Museum of African American History and Culture.

In order to prepare for this event,**please do the following:**

- 1) Send me ([geoffrey.rixon@cfcnca.org](mailto:geoffrey.rixon@cfcnca.org)) the name(s) of the individual(s) who will come on stage to accept the award certificate.
- 2) Review the way your agency/department name is printed, and send me any corrections – this is how the name will be presented on screen at the ceremony (and on the certificate).

**Please complete these two action items by COB Wednesday, February 15.** I will be sending you further details about the event in the next few weeks.

Congratulations, again, on your win! Thank you for participating in the 2016 CFCNCA Campaign Contest, and we look forward to seeing you at the Finale.

<image001.png> **Geoffrey Rixon**  
*Senior Operations Manager*  
Combined Federal Campaign of the National Capital Area  
1717 H Street NW, Suite 800, Washington, DC 20006  
P 202-465-7226 [geoffrey.rixon@cfcnca.org](mailto:geoffrey.rixon@cfcnca.org)  
<image002.png> <image003.png> <image004.png> [cfcnca.org](http://cfcnca.org)

Combined Federal Campaign of the National Capital Area  
1717 H Street NW, Suite 800, Washington, DC 20006  
<image005.png> <image006.png> <image007.png> [cfcnca.org](http://cfcnca.org)

**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: NARUC panel on storage  
**Date:** Sunday, February 12, 2017 10:41:55 AM

---

Thanks!

Sent from my iPad

On Feb 11, 2017, at 9:11 AM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Sent from my iPad

Begin forwarded message:

**From:** Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>  
**Date:** February 9, 2017 at 11:19:28 AM EST  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>, Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>, Andrea Spring <[Andrea.Spring@ferc.gov](mailto:Andrea.Spring@ferc.gov)>, Sandra Waldstein <[Sandra.Waldstein@ferc.gov](mailto:Sandra.Waldstein@ferc.gov)>, Cameron Schilling <[Cameron.Schilling@ferc.gov](mailto:Cameron.Schilling@ferc.gov)>  
**Subject:** NARUC panel on storage

Chairman,

Cameron and Sandie compiled the information below concerning your NARUC panel on storage. (b) (5)

[REDACTED]

Thanks,

Len

-----

(b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



- (b) (5) [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

- [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

- [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

- [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

- [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

- [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Cheryl LaFleur](#)  
**Cc:** [Anton Porter](#); [Eduardo Ribas](#); [Steven Wellner](#)  
**Subject:** Re: U.S. Veteran Disability Accommodation Request  
**Date:** Thursday, February 23, 2017 8:58:45 PM

---

Many thanks!

Sent from my iPad

On Feb 23, 2017, at 5:27 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Thank you  
I also told Comm. Honorable you were on the case.

---

**From:** Anton Porter  
**Sent:** Thursday, February 23, 2017 2:54 PM  
**To:** Cheryl LaFleur; Eduardo Ribas  
**Cc:** Steven Wellner  
**Subject:** RE: U.S. Veteran Disability Accommodation Request

My team and I will work with GAL to respond.

--

<image001.png>

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, February 23, 2017 1:45 PM  
**To:** Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>; Eduardo Ribas <[Eduardo.Ribas@ferc.gov](mailto:Eduardo.Ribas@ferc.gov)>  
**Cc:** Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>  
**Subject:** Fwd: U.S. Veteran Disability Accommodation Request

Eddie/Anton please advise/handle. Thank you.

Sent from my iPad

Begin forwarded message:

**From:** (b) (6)  
**Date:** February 23, 2017 at 12:51:00 PM EST  
**To:** (b) (6)  
**Cc:** (b) (6); (b) (6); (b) (6)  
Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>, "Colette D. Honorable"

<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)>, (b) (6)

(b) (6)

(b) (6)

**Subject: U.S. Veteran Disability Accommodation Request**

Hi (b) (6)

(b) (6)

(b) (6)

(b) (6)

Best regards,

(b) (6)

Federal Energy Regulatory Commission  
888 First Street N.E.  
Washington, D.C. 20426

(b) (6)

2/27/17 Email b/w CH and CL  
FW: Licensing approaches at NRC

Withheld under FOIA Exemption 5

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** FW: I/C (Sen. Feinstein) Dams in California; (2017-00018)  
**Date:** Thursday, March 02, 2017 12:33:00 PM  
**Attachments:** [Incoming.pdf](#)  
[Control Sheet.pdf](#)

---

---

**From:** (b) (6)  
**Sent:** Thursday, March 02, 2017 10:34 AM  
**To:** (b) (6)  
Colette  
D. Honorable; (b) (6)  
Cc: (b) (6)  
**Subject:** I/C (Sen. Feinstein) Dams in California; (2017-00018)

Please see attached for controlled correspondence documents. They are for your information only.

Document are assigned to OEP for reply. (b) (5)

Thank you.



United States Senate  
WASHINGTON, DC 20510-0504  
<http://feinstein.senate.gov>

COMMITTEE ON THE JUDICIARY - RANKING MEMBER  
SELECT COMMITTEE ON INTELLIGENCE  
COMMITTEE ON APPROPRIATIONS  
COMMITTEE ON RULES AND ADMINISTRATION

OFFICE OF  
EXTERNAL AFFAIRS

2017 MAR -2 A 10: 18

FEDERAL ENERGY  
REGULATORY COMMISSION

February 27, 2017

Acting Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Acting Chairman LaFleur:

I write to request detailed information on all dams owned, operated, permitted, or inspected by the Federal Energy Regulatory Commission in California in order to better understand the current procedures for inspection and maintenance of these structures.

The spillway failure at California's Oroville Dam highlights the need for comprehensive evaluation of our nation's safety standards, inspection protocols, and emergency planning for dams. This fully avoidable disaster forced more than 188,000 Californians from their homes and cost millions of dollars in emergency assistance. According to recent estimates, the cost to repair the damage and retrofit the Oroville Dam to an acceptable safety standard could exceed \$100 million.

Like many Californians, I am deeply concerned that FERC's dam safety inspections may not adequately consider the safety consequences of increasingly extreme weather patterns linked to climate change or considerable seismic hazards. The federal dam inspections, guidelines, and relicensing process should set the highest possible standard for safety. Therefore, I ask that you provide the following information for all FERC-licensed dams, levees, and related structures in California:

- When the last inspection took place of each FERC-licensed dam and flood control structure and the results of those inspections
- When the next inspection is planned, who will conduct the inspection, and the details of the inspection process for each flood control structure

2017-00018


FERC\_0074

- How FERC incorporates the latest available climate and weather science into its inspection protocols and any emergency planning protocols
- How FERC plans to update its inspection protocols in the wake of the Oroville disaster, particularly with regard to the use of non-destructive testing and assessment methods

In addition to the specific information requested above, I would welcome any additional recommendations that could help FERC improve dam safety, inspections, maintenance, flood control, and emergency planning in California.

Thank you for your prompt consideration of this request. I look forward to your response.

Sincerely,



Dianne Feinstein  
United States Senator

DF:as

**From:** [Collette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Cc:** [David Morenoff](#); [Steven Welfner](#)  
**Subject:** Re: Your issue of IHS The Energy Daily  
**Date:** Tuesday, March 07, 2017 8:37:04 AM

---

I did see it. Thanks Cheryl.

Sent from my iPad

> On Mar 6, 2017, at 9 24 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote

>

(b) (5)

>

> Hope all is well.

>

> Cheryl

>

>

>

> Sent from my iPad

>

> Begin forwarded message

>

> From: "The Energy Daily" <[ED@chembusiness-media.com](mailto:ED@chembusiness-media.com)><mailto:ED@chembusiness-media.com>>>

> To: "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)><mailto:Cheryl.LaFleur@ferc.gov>>>

> Subject: Your issue of IHS The Energy Daily

>

> [the energy daily]-<<http://wec.ihsmarkit.com/t/22823493/2032871301/3535445/1006/>>

>

> March 7, 2017

>

> Dear Subscriber,

>

> Here is the latest edition of IHS The Energy Daily available for download.

>

> We are currently in the process of updating the site and addressing maintenance issues. We apologize for any inconvenience caused. Your full services will be up and running again very soon.

>

> If you have any questions or concerns about your subscription, please contact me at [sabrina.ousmaal@ihsmarkit.com](mailto:sabrina.ousmaal@ihsmarkit.com) <<mailto:sabrina.ousmaal@ihsmarkit.com>>

>

> Sincerely,

> Sabrina Ousmaal

> Associate Publisher

>

>

> March 7, 2017 Headlines [[http://ihsmmedia.ihsmarkit.com/server6/energydaily/TED\\_downloadPDF\\_1.jpg](http://ihsmmedia.ihsmarkit.com/server6/energydaily/TED_downloadPDF_1.jpg)] <<http://wec.ihsmarkit.com/t/22823493/2032871301/6385804/1007/>>

>

> Great Plains-Westar deal hit by FERC delay, Moody's downgrade, new complaints

> Great Plains Energy's effort to buy Westar has hit a series of new bumps, including a credit downgrade of Great Plains issued by Moody's Investors Service Monday, a raft of fresh complaints from federal and industrial customers in Missouri and continued uncertainty over when the depleted Federal Energy Regulatory Commission will get the third member it needs to vote on the merger...

>

> Connecticut Battery storage pilots not cost-effective

> Despite the state's official goal of increasing use of electric battery storage, Connecticut officials have rejected modest battery storage pilot projects by the state's two dominant utilities, saying the costs appeared to far outweigh benefits to ratepayers...

>

> Wyoming officials challenge FERC delegation of authority to staff

> In a surprise development, Wyoming officials are challenging as illegal the Federal Energy Regulatory Commission's recent delegation of authority to its staff that is designed to enable the agency to continue certain work while it is short a quorum of commissioners...

>

> Global oil demand to outpace supply in five years—IEA

> Global demand for oil will outpace new supply in the next five years and raise the risk of sharp price increases unless investment in production resources rebounds quickly from the cuts seen in recent years, according to an oil market forecast released Monday by the developed world's energy watchdog...

>

> Berkshire units pick wind data analytics

> Two Berkshire Hathaway Energy units announced Friday they have selected a data analytics platform developed by Chicago-based Uptake Technologies to optimize the performance of 5 gigawatts of wind power capacity operated by the companies...

>

> PSEG proposes huge infrastructure build-out

> Proposing a massive infrastructure build-out that may draw resistance from ratepayer groups that opposed a previous program, PSEG announced Monday it wants to invest up to \$13.8 billion through 2021 on upgrades and expansions of its New Jersey electric and natural gas delivery system while also making new energy efficiency investments to help keep rates affordable...

>

> NRC names Brown to oversee waste safety

> The Nuclear Regulatory Commission announced the appointment Friday of Frederick Brown to become the agency's deputy executive director for materials, waste, research, state, tribal, compliance, administration and human capital programs...

>

>

> © 2017 IHS Markit. All rights reserved. Reproduction in whole or in part prohibited.

>

>

>

> If you wish to unsubscribe from future email announcements from IHS The Energy Daily, please click here<<http://wec.ihsmarkit.com/t/22823493/2032871301/3511243/1006/?f566ce7b=MjAzMjg3MTMwMS42Y2U3MDkyZD11YmQsNzAyZDk4YWWEzNTYxZjZmYjQwYg%3d%3d&c5c2987d=MjI4MjM0OTM%3d&3c076d18=Y2hlcnRlLmshZmxvdXJAZmV5Yy5nb3Y%3d&c73c8e04=aWhzZW5lcmQ5&x=d85d10b0>>

> <ed030717.pdf>



**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Today  
**Date:** Tuesday, March 14, 2017 3:54:12 PM

---

Sounds great. I was with EEI yesterday at their joint LAMPAC meeting. Great group. Tomorrow is AGA.

Sent from my iPad

On Mar 14, 2017, at 3:44 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Thank you! I am speaking at EEI in the morning. Apparently most of the CEOs arrived Monday, so they are in town already.

I am speaking right after Rick Perry, so I will at least meet him. I am working separately to set up a meeting.

take care

Cheryl

Sent from my iPad

On Mar 14, 2017, at 3:12 PM, Colette D. Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Thanks Cheryl. Most of us were home. Our streets were terrible. (b) school is out. It's slushy out now (we've been out shoveling), but it's getting cold again. I'm afraid tomorrow might be worse. I have a speech tomorrow afternoon- I hope the roads are better by then!

Be safe and warm-

C

Sent from my iPad

On Mar 14, 2017, at 8:50 AM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Dear colleagues

I just wanted to encourage everyone to be generous with telework today with your departments. As a staunch New Englander, I have in the past often been

critical of the government for calling late arrivals for almost no snow...but today I have heard from several people that the roads are very bad. It is much more important that people be safe.

My last meeting just cancelled and I have a bulging briefcase, so I am not even sure what I am doing myself. But either way I will be on email all day.

Take care

Cheryl

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Peter Hust Obituary - Erie, PA | Erie Times-News  
**Date:** Monday, March 27, 2017 1:02:01 PM

---

(b) (6)

Let me know what else you might need.

C

Sent from my iPad

On Mar 27, 2017, at 12:57 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Thank you for sharing this

(b) (6)


thx

-----Original Message-----

**From:** Colette D. Honorable  
**Sent:** Monday, March 27, 2017 12:53 PM  
**To:** Cheryl LaFleur  
**Subject:** Peter Hust Obituary - Erie, PA | Erie Times-News

Cheryl-

(b) (6)

A large rectangular area of the document is completely blacked out, indicating redacted content. The redaction covers approximately two lines of text.A large rectangular area of the document is completely blacked out, indicating redacted content. The redaction covers approximately two lines of text.

[http://www.legacy.com/obituaries/erietimesnews/obituary.aspx?  
page=lifestory&pid=184412103](http://www.legacy.com/obituaries/erietimesnews/obituary.aspx?page=lifestory&pid=184412103)

C

Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Proposed Reliability Tech Conference Notice  
**Date:** Monday, March 27, 2017 4:05:08 PM

---

Sounds great. Safe travels!

Sent from my iPad

On Mar 27, 2017, at 3:48 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Colette

I am about to board a plane and in NC tomorrow. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

Thanks  
Cheryl

---

On: 27 March 2017 15:15, "Colette D. Honorable"  
<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Cheryl- (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Thank  
you.

Colette

Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Update on executive orders  
**Date:** Sunday, April 23, 2017 6:57:26 PM

---

Thank you for the update Cheryl. (b) (5)

I hope you enjoyed safe travels back to the city. See you at the office-

C

Sent from my iPad

> On Apr 23, 2017, at 4:16 PM, Cheryl LaFleur <Cheryl.LaFleur@ferc.gov> wrote:

>

> Hi Colette,

>

> Hope you are having a nice weekend. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

>

> I expect to announce these assignments at the Senior Staff meeting tomorrow morning. Please let me know if you have any questions.

>

> Thank you

> Cheryl

>

>

>

> Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Posted to FERC.gov  
**Date:** Friday, April 28, 2017 7:58:53 PM

---

I agree. And no- (b) (5)

Sent from my iPad

On Apr 28, 2017, at 6:48 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Happy to talk (b) (5)

Sent from my iPad

On Apr 28, 2017, at 7:44 PM, Colette D. Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

We should discuss it. I'm on a flight headed back now. (b) (5)

Sent from my iPad

On Apr 28, 2017, at 6:24 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Thank you. (b) (5)

Warmly,  
Cheryl

Sent from my iPad

On Apr 28, 2017, at 6:47 PM, Colette D. Honorable  
<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Lol! I don't know how much of this afternoon I had  
planned either Cheryl!! (b) (5)

So sorry about the Friday excitement! (b) (5)  
[REDACTED]. Have a great weekend  
all!! Warmly-

C

Sent from my iPad

On Apr 28, 2017, at 3:17 PM, Cheryl LaFleur  
<[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Thanks and sorry I didn't mean to send to the  
whole gang.

☹

---

**From:** Mary O'Driscoll  
**Sent:** Friday, April 28, 2017 4:15 PM  
**To:** Cheryl LaFleur; Colette D. Honorable; Steven  
Wellner; Commissioners' Assistants; Leonard Tao;  
Andrea Spring  
**Subject:** RE: Posted to [FERC.gov](http://FERC.gov)

Yes. In one moment.

Mary O'Driscoll  
Director, Media Relations  
Office of External Affairs  
Federal Energy Regulatory  
Commission  
(202) 502-8644  
[<image001.jpg>](#)[<image002.jpg>](#) [<image003.jpg>](#) [<image004.jpg>](#)

---

**From:** Cheryl LaFleur  
**Sent:** Friday, April 28, 2017 4:15 PM  
**To:** Mary O'Driscoll  
<[Mary.O'Driscoll@ferc.gov](mailto:Mary.O'Driscoll@ferc.gov)>; Colette D.  
Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)>;  
Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>;  
Commissioners' Assistants  
<[commissionersassistants@ferc.gov](mailto:commissionersassistants@ferc.gov)>; Leonard  
Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>; Andrea Spring  
<[Andrea.Spring@ferc.gov](mailto:Andrea.Spring@ferc.gov)>  
**Subject:** Re: Posted to [FERC.gov](http://FERC.gov)

Are you going to tweet also so I can retweet



On: 28 April 2017 16:11, "Mary O'Driscoll"  
<[Mary.O'Driscoll@ferc.gov](mailto:Mary.O'Driscoll@ferc.gov)> wrote:  
**April 28, 2017** - Statement by Commissioner Colette  
Honorable [Read More](#)

Mary O'Driscoll  
Director, Media Relations  
Office of External Affairs  
Federal Energy Regulatory  
Commission  
(202) 502-8644

[<image001.jpg>](#)[<image002.jpg>](#) [<image003.jpg>](#) [<image004.jpg>](#)

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Invitation to Submit Written Testimony for the Cmte on Energy & Natural Resources" Subcmte on Water & Power Hearing on May 10, 2017 at 2:30pm  
**Date:** Saturday, May 06, 2017 5:07:49 PM

---

(b) (5)

Sent from my iPad

On May 6, 2017, at 5:02 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

(b) (5). Thanks

---

On: 06 May 2017 16:58, "Colette D. Honorable" <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Thanks for letting me know. Sorry that you're back up to bat!

Sent from my iPad

On May 6, 2017, at 3:33 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Colette

(b) (5)

Cheryl

---

**From:** "Ripchensky, Darla (Energy)" <[Darla\\_Ripchensky@energy.senate.gov](mailto:Darla_Ripchensky@energy.senate.gov)>  
**Subject:** Invitation to Submit Written Testimony for the Cmte on Energy & Natural Resources' Subcmte on Water & Power Hearing on May 10, 2017 at 2:30pm  
**Date:** 06 May 2017 14:38  
**To:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** "Lane, Michelle (Energy)" <[Michelle\\_Lane@energy.senate.gov](mailto:Michelle_Lane@energy.senate.gov)>, "Stansbury, Melanie (Energy)" <[Melanie\\_Stansbury@energy.senate.gov](mailto:Melanie_Stansbury@energy.senate.gov)>, "Edens, Krystal (Energy)" <[Krystal\\_Edens@energy.senate.gov](mailto:Krystal_Edens@energy.senate.gov)>, "Bonner, Rebecca (Energy)" <[Rebecca\\_Bonner@energy.senate.gov](mailto:Rebecca_Bonner@energy.senate.gov)>  
Good afternoon, Chairman LaFleur. Attached is an invitation for you to submit written testimony for the record regarding S. 1029 and S. 1030 for the hearing scheduled to be held before the Senate Committee on Energy and Natural Resources' Subcommittee on Water and Power on **Wednesday, May 10, 2017, at 2:30 p.m.** in Room 366 in the Dirksen Senate Office Building in Washington, DC.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Darla Ripchensky, PMP  
Chief Clerk  
U.S. Senate Committee on Energy and Natural Resources  
304 Dirksen Senate Office Building  
Washington, DC 20510  
202.224.3607

<FERC Letter 5-10-17 SENR Cmte W&P Subcmte Hrg.pdf>

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Cyber Attack - International - Current Situation Report - 12 May 17  
**Date:** Saturday, May 13, 2017 11:35:19 AM

---

Thank you Cheryl! I appreciate the information. I saw the message earlier but was busy with (b) (6) and couldn't respond immediately.

Thank you for including me in Thursday's program- it was gracious of you to do so.

Happy Mother's Day!

Sent from my iPad

On May 13, 2017, at 9:47 AM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Colette I wanted to be sure you saw this, and it seemed simpler to forward myself than to have a Joe resend. (The benefits of being just two of us!) Please let Joe know if you have any questions.

Have a nice weekend and hope (b) (6) treats you and your mom for Mother's Day!

Cheryl

Sent from my iPad

Begin forwarded message:

**From:** Joseph McClelland <[Joseph.McClelland@ferc.gov](mailto:Joseph.McClelland@ferc.gov)>  
**Date:** May 13, 2017 at 6:36:59 AM EDT  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>, Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>, Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>, Michael Bardee <[Michael.Bardee@ferc.gov](mailto:Michael.Bardee@ferc.gov)>, Terry Turpin <[Terry.Turpin@ferc.gov](mailto:Terry.Turpin@ferc.gov)>, Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>, David Morenoff <[David.Morenoff@ferc.gov](mailto:David.Morenoff@ferc.gov)>  
**Subject:** Fwd: Cyber Attack - International - Current Situation Report - 12 May 17

Cheryl and all,

(b) (5)

We will keep you informed of developments.

Thanks,

Joe

Sent from my iPad

Begin forwarded message:

**From:** "CI Information Sharing Environment"  
<[CIISE.dhs@public.govdelivery.com](mailto:CIISE.dhs@public.govdelivery.com)>  
**Date:** May 12, 2017, 6:44:02 PM EDT  
**To:** [joseph.mcclelland@ferc.gov](mailto:joseph.mcclelland@ferc.gov)  
**Subject:** Cyber Attack - International - Current  
Situation Report - 12 May 17  
**Reply-To:** [CIISE.dhs@public.govdelivery.com](mailto:CIISE.dhs@public.govdelivery.com)

All,

(b) (5)



(b) (5)

[Privacy Policy](#) | GovDelivery is providing this information on behalf of U.S. Department of Homeland Security, and may not use the information for any other purposes.

[Unsubscribe](#)



U.S. Department of Homeland Security · Washington, DC 20528 · 800-439-1420

<Cyber+Attack+-+International+-+Current+Situation+Report+-+12+May+17.pdf>

**From:** [Colette D. Honorable](#)  
**To:** [Joseph McClelland](#); [Cheryl LaFleur](#)  
**Subject:** Re: Cyber Attacks - Ransomware Update  
**Date:** Saturday, May 13, 2017 11:39:29 AM

---

Thank you Cheryl for the earlier note and thanks for this one Joe (b) (5)

Sent from my iPad

> On May 13, 2017, at 11:26 AM, Joseph McClelland <Joseph.McClelland@ferc.gov> wrote:

>

> Cheryl, Colette, and all,

> (b) (5)

>

> I hope everyone has a nice Mother's Day.

> Thanks,

> Joe

>

>

>

> <FLASH\_WannaCry\_FINAL.PDF>

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** (b) (6)  
**Date:** Wednesday, June 14, 2017 3:33:24 PM

---

Hi Cheryl-

I hope you've had a good week. I write with a personnel matter:

(b) (5)  
[Redacted text block containing approximately 10 lines of blacked-out content]

[Redacted signature line] Thank you-

Colette

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798



**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: (b) (6)  
**Date:** Thursday, June 15, 2017 11:44:38 AM

---

Super. Thanks Cheryl. A month sounds great.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, June 15, 2017 11:43 AM  
**To:** Colette D. Honorable  
**Subject:** RE: (b) (6)

Colette

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]

I am happy to discuss further anytime—in person, on the phone, at MARC...  
Cheryl

---

**From:** Colette D. Honorable  
**Sent:** Thursday, June 15, 2017 11:31 AM  
**To:** Cheryl LaFleur  
**Subject:** (b) (6)

Cheryl-

(b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Also- do you think we could find a few minutes to visit at MARC? I may have an update for you regarding my timeline. ☺

Thanks so much-

Colette

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE

Washington, DC 20426  
(202) 502-8798

Hope you are enjoying

5

Please call anytime ! Also Steven Wellner (chief of staff 202-502-8306) and Anton Porter (executive director 202-502-8693) are ready to assist with all aspects in onboarding and setting up your office. Enjoy the weekend!!

Thank you so much! Anton also I spoke today Great guy! Enjoy your trip!

Thu, Aug 10, 12:47 PM

Thank you so much for the nice note

6 personal note on personal device

personal note

I did. Please know how much I appreciate your support throughout this process

5 & 6

I'm honored to serve and work with you

Indeed. We are all very lucky.

So sorry i missed your swearing in. If I knew that taking a working vacation would make it happen I would have done earlier!

No worries

6 personal note

*personal note*

[Redacted]

Fri, Aug 11, 9:07 AM

Is your Chief of Staff a lawyer?

Yes

Text Message

He was my longest-serving legal advisor and plans to return to that. Jessica Cockrell from OEPI during my acting chairmanship when I temporarily upgraded Steven.

iMessage  
Sun, Aug 13, 1:45 PM

[Redacted]

*personal note on personal device*

Thank you I am! Keeping in close touch electronically but miss being there. Have a great first week and text if you want to talk about anything

Sun, Aug 13, 3:31 PM

Will do. Your staff has been wonderful

Thank you

Wed, Aug 16, 11:35 AM

[Redacted]

45

Wed, Aug 16, 2:07 PM



RP  
Rob



Ohio governor not backing bailout for state's nuclear plants  
whig.com

Good read!

*personal note  
personal device*

[Redacted]

Likewise. Your team are true professionals!

Thank you. I am very proud of them

Tue, Sep 5, 8:13 AM

[Redacted]

*b(5)*

[Redacted]

*b(5)*

Tue, Sep 5, 8:13 PM

*personal note  
personal device*

[Redacted]

[Redacted]

*personal note  
personal device*

Wed, Sep 6, 4:16 PM

[Redacted]

*personal note  
personal device*

Text Message

Will join you shortly



iMessage

FERC\_0097





RP



Rob

Will join you shortly

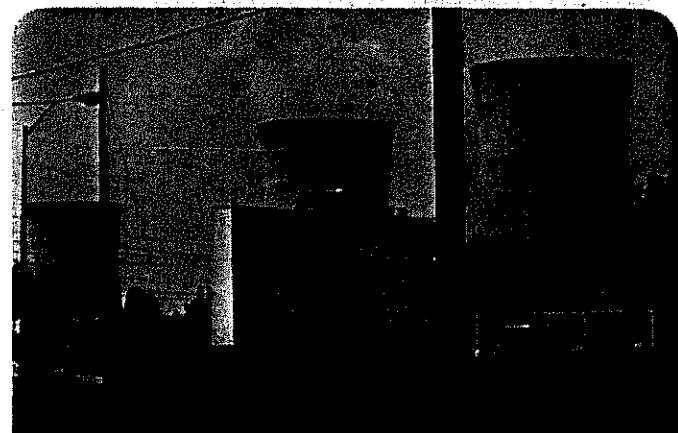
iMessage  
Fri, Sep 8, 8:05 AM

[Redacted]

*personal  
note/device*

[Redacted]

[Redacted]



County commissioners urge state action to save  
Three Mile Island, other nuclear plants  
[lanesteronline.com](http://lanesteronline.com)

[Redacted]

b(5)

b(5)

[Redacted]

Fri, Sep 8, 11:51 AM

*personal  
note/device*

[Redacted]

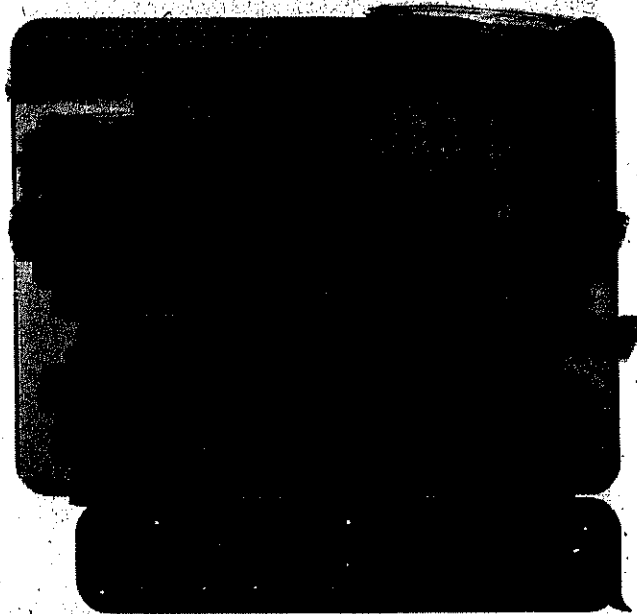


iMessage

FERC\_0098



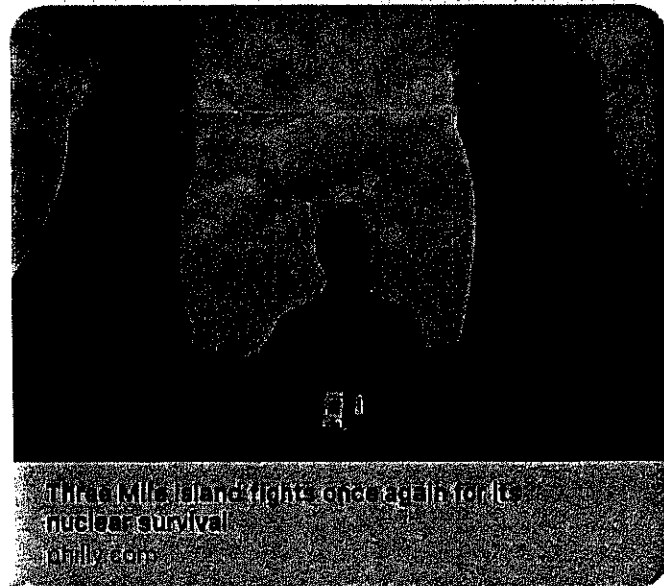
personal  
note/denial



Text Message



iMessage  
Thu, Sep 14, 5:25 PM



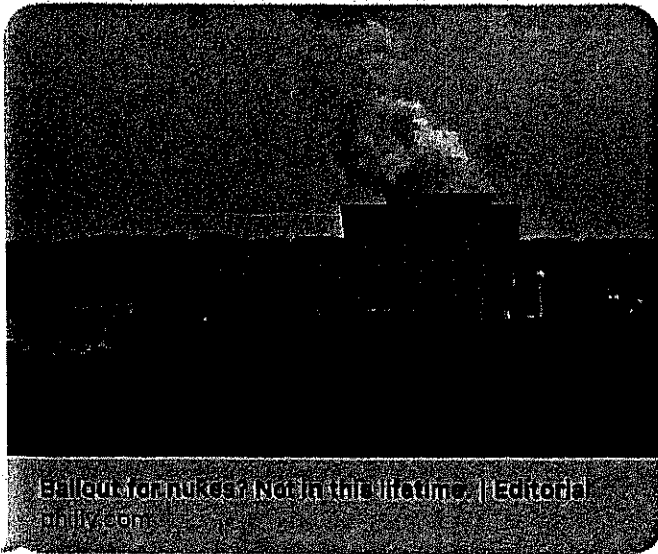
b(5)

b(5)



iMessage





Ballou for nudes: Not in this lifetime. | Editor's

[Redacted]

4(5)

leaves reference

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Thu, Sep 21, 3:20 PM

[Redacted]

4(6)



iMessage







RP

Rob



[Redacted text]

b(6)

[Redacted text]

b(6)

[Redacted text]

b(6)

[Redacted text]

[Redacted text]

b(6)

Good

Fri, Sep 29, 8:00 AM

[Redacted text]

[Redacted text]

b(6)

[Redacted text]

[Redacted text]

[Redacted text]

Fri, Sep 29, 11:40 AM

[Redacted text]

b(5)

[Redacted text]

b(5)



iMessage

FERC\_0101





RP

Rob



b(5)

[Redacted text]

[Redacted text]

[Redacted text]

b(5)

Fri, Sep 29, 3:19 PM

b(6)

I think we got cut off. I am at

Fri, Sep 29, 5:15 PM

Perry's Regulatory Curve Ball to Bailout  
Baseload? Kleinman Center for Energy  
Policy  
kleinmanenergy.upenn.edu



b(5)

[Redacted text]

[Redacted text]

b(5)

Sat, Sep 30, 9:27 AM

FERC not a rubber stamp, says new  
commissioner  
stateimpact.npr.org



b(5)

[Redacted text]

[Redacted text]

b(5)

[Redacted text]



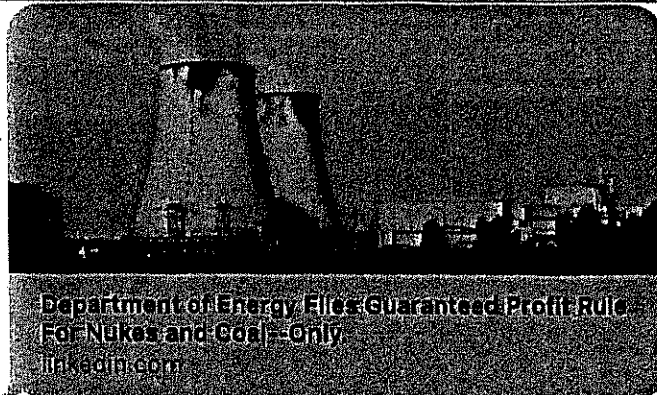
iMessage

FERC\_0102



RP

Rob



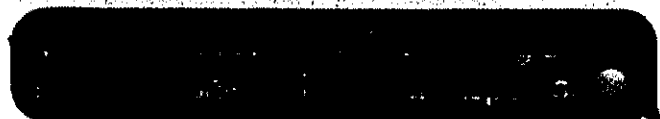
Thx



b(5)

Sat, Sep 30, 11:17 AM

b(5)



Sun, Oct 1, 8:02 PM



personal note/device

Tue, Oct 3, 9:22 AM

FERC's Independence to be Tested by DOE  
NOPR [RTI] Inside  
rtiinside.com



b(5)

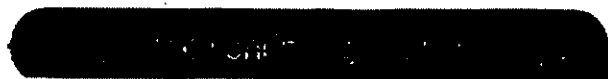
b(5)



b(5)

Tue, Oct 3, 11:27 AM

b(5)



iMessage



FERC\_0103

am

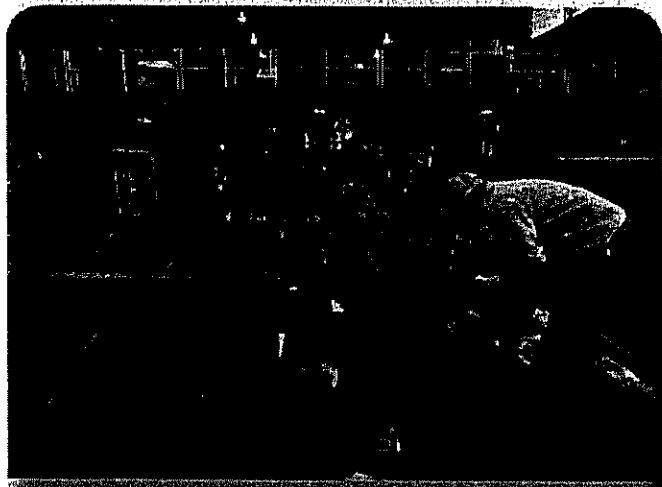
(43)

[Redacted]

[Redacted]

(43)

Wed, Oct 11, 10:04 PM



Station plan to be of more than 100 w-hk

[Redacted]

(43)

[Redacted]

(43)

[Redacted]

(43)

(b)(6)

[Redacted]

(b)(6)

[Redacted]

(b)(6)

[Redacted]

Fri, Oct 27, 10:19 AM

(b)(5)

[Redacted]

(b)(5)

[Redacted]

Fri, Oct 27, 4:18 PM

CT Gov ready to ink deal on Millstone

Yup. Calls on pura to do study

Fri, Oct 27, 6:24 PM

U.S. Energy Regulator Says Coal More Reliable Than Natural Gas  
businessinsider.com



(b)(5)

[Redacted]

(b)(6)

[Redacted]

Fri, Oct 27, 7:44 PM

[Redacted]



RP

Rob

1

[REDACTED]

(b)(5)

(b)(5)

[REDACTED]

[REDACTED]

(b)(5)

(b)(6)

(b)(6)

[REDACTED]

Can we push back to the following week? My former organization is honoring me at a dinner Thursday night.

Neat!

Sure about the following week. I'm going to NERC but just overnight Wednesday. How about Tue night the 7th?

Tue, Oct 31, 3:21 PM

(b)(5)

[REDACTED]

[REDACTED]

(b)(5)

(b)(5)

[REDACTED]



iMessage



FERC\_0106

needed. Just throws a lot of spaghetti at the wall.

[REDACTED]

(b)(5)

[REDACTED]

(b)(5)

Wed, Nov 1, 7:46 AM

[REDACTED]

(b)(5)

(b)(5)

[REDACTED]

Thu, Nov 2, 7:42 AM

[REDACTED]

Energy regulator may lean on electric grid and nuclear

Not sure if you saw this

Fri, Nov 3, 7:21 AM

Good news on Kevin and Rich!

Yes!

Mon, Nov 6, 3:54 PM

Mon, Nov 6, 3:54 PM

Coal CEO Bob Murray: I know Neil Chatterjee and like his energy politics  
eenews.net/greenwire/2017... via @HMNorthey & @DylanBrown26

member, Republican Robert Fowles, a former regulator from Virginia, said last week he would refuse to "blow up the market" by... And former FERC Chairwoman Cheryl LaFleur, the panel's lone...  
g his task in FERC's new Republican chairman, Neil Chatterjee. I...  
is with Chatterjee's election from the new chairman's days as an...  
Mitch McConnell, a Republican from the coal-heavy state of Kentucky...  
ing them to do is get a reliable, resilient power grid, not blow up...

1 1 1 1



**Dylan Brown**  
@DylanBrown26  
Mining reporter at  
@EENewsUpdates RT\*

Follow

b(5)



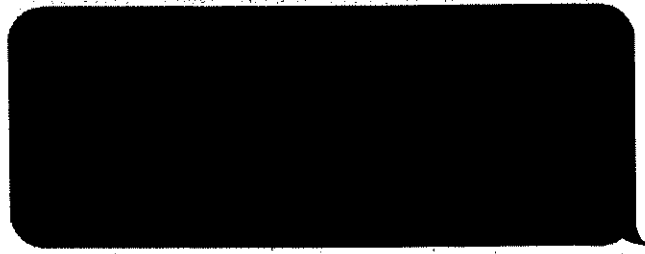
b(5)

Tue, Nov 7, 11:09 AM

b(5)(5)



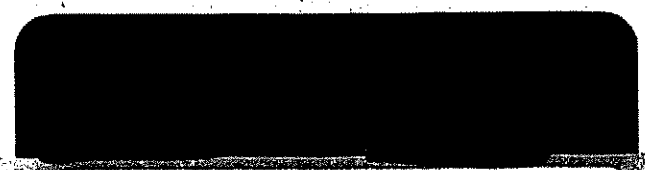
b(5)(6)



b(6)

Tue, Nov 7, 1:28 PM

b(5)







RP



Rob

Tue, Nov 7, 1:28 PM

(b)(5)

[Redacted]

(b)(5)

[Redacted]

(b)(5)

[Redacted]

[Redacted]

(b)(5)

[Redacted]

(b)(5)

[Redacted]

(b)(5)

[Redacted]

Tue, Nov 7, 3:15 PM

(b)(6)

[Redacted]

(b)(6)

[Redacted]

Wed, Nov 8, 7:51 AM

I'm having lunch today with Terry Boston.

Excellent. Please give him my best. I was just telling Craig Glazer that I miss Terry and Brenda.

(b)(6)

[Redacted]



iMessage



b(5)

[Redacted]

[Redacted]

b(5)

b(5)

[Redacted]

b(5)

[Redacted]

[Redacted]

b(5)

Thu, Nov 9, 5:45 PM

[Redacted]  
Chatterbox FERC working on information to pay  
coal while it considers DOE NOPR  
utilitywire.com

Text Message

b(5)

[Redacted]

iMessage  
Thu, Nov 9, 7:32 PM

[Redacted]



iMessage



[Redacted]

b(5)

Fri, Nov 10, 8:43 AM

[Redacted]

v(5)

Sure

Fri, Nov 10, 11:04 AM

[Redacted]

b(5)

[Redacted]

b(5)

Sat, Nov 11, 8:42 AM

[Redacted]

CEO of energy corporation arrested in Gwinnett  
abc.com

Sat, Nov 11, 9:33 AM

b(5) [Redacted]

[Redacted]

b(5)

Sat, Nov 11, 8:28 PM

v(5)

[Redacted]

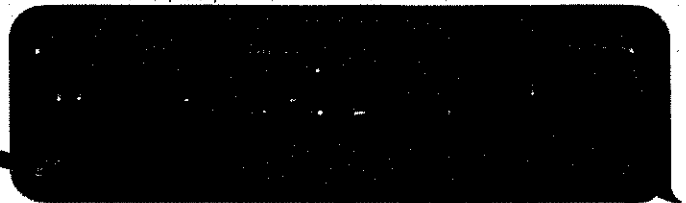


RP  
Rob

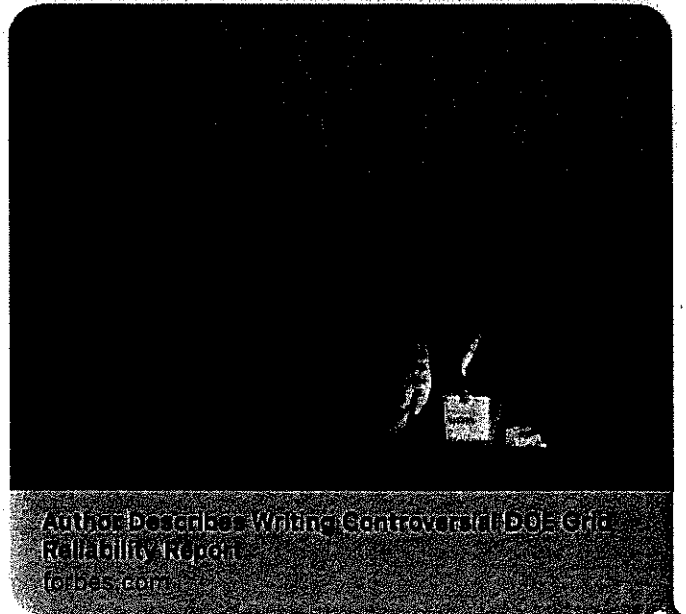


???

(S)



Sun, Nov 12, 12:35 PM



(S)



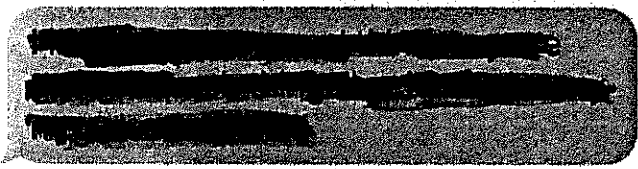
Sun, Nov 12, 4:03 PM



(S)

Sun, Nov 12, 5:35 PM

(S)



(S)

(S)



iMessage

FERC\_0112



RP

Rob

Wed, Nov 15, 9:11 PM



Exclusive: Chatterjee details interim plan to save coal, nuclear plants  
utilitywide plan

4/5

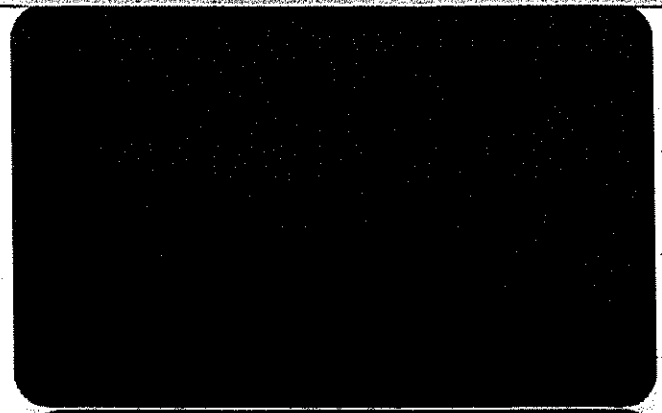
Thu, Nov 16, 7:42 AM

Text Message

iMessage

FERC\_0113

b(5)



iMessage  
Tue, Nov 21, 7:42 PM



b(5)

5(5)



b(5)



Chatterbox Sympathy for coal doesn't factor into  
base load support plan  
utilitywire.com

**From:** [Robert F. Powelson](#)  
**To:** [Robert Solomon](#); [Neil Chatterjee](#); [Cheryl LaFleur](#); [Commissioners' Assistants](#); [David Morenoff](#); [Martin Kirkwood](#); [Maria Farinella](#); [Lawrence Greenfield](#); [Deborah Leahy](#); [Helen E. Dyson](#); [Roshini Thayaparan](#); [Jacqueline Holmes](#); [John Katz](#); [Karin Larson](#); [Charles Beamon](#)  
**Cc:** [GC-12 \(Sol\)](#)  
**Subject:** Re: Today's court decision affirming DOE LNG export authorization  
**Date:** Friday, August 18, 2017 6:47:11 AM

---

**From:** Robert Solomon

**Sent:** Tuesday, August 15, 2017 11:36 AM

**To:** Neil Chatterjee; Cheryl LaFleur; Robert F. Powelson; Commissioners' Assistants; David Morenoff; Martin Kirkwood; Maria Farinella; Lawrence Greenfield; Deborah Leahy; Helen E. Dyson; Roshini Thayaparan; Jacqueline Holmes; John Katz; Karin Larson; Charles Beamon

**Cc:** GC-12 (Sol)

**Subject:** Today's court decision affirming DOE LNG export authorization

[https://www.cadc.uscourts.gov/internet/opinions.nsf/02747B91566F24638525817D004ECC42/\\$file/15-1489-1688746.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/02747B91566F24638525817D004ECC42/$file/15-1489-1688746.pdf)

Commissioners and senior OGC:

Yesterday, I wrote that we are awaiting decision, any day now, in two infrastructure cases: a DOE case concerning approval of LNG exports from the Freeport terminal, and a FERC case concerning approval of the Florida Southeast/Sabal Trail pipelines.

This morning, (b) (5) . See above link. The court upheld DOE's export authorization in all respects.

(b) (5)

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

(b) (5)

Bob

---

**From:** Robert Solomon

**Sent:** Monday, August 14, 2017 6:17 PM

**To:** Neil Chatterjee <Neil.Chatterjee@ferc.gov>; Cheryl LaFleur <cheryl.lafleur@ferc.gov>; Robert F. Powelson <Robert.Powelson@ferc.gov>; Commissioners' Assistants <commissionersassistants@ferc.gov>; David Morenoff <david.morenoff@ferc.gov>; Martin Kirkwood <Martin.Kirkwood@ferc.gov>; Maria Farinella <maria.farinella@ferc.gov>; Lawrence Greenfield <lawrence.greenfield@ferc.gov>; Deborah Leahy <deborah.leahy@ferc.gov>; Helen E. Dyson <helen.dyson@ferc.gov>; Roshini Thayaparan <roshini.thayaparan@ferc.gov>; Jacqueline Holmes <jacqueline.holmes@ferc.gov>; John Katz <john.katz@ferc.gov>; Karin Larson <karin.larson@ferc.gov>; Charles Beamon <charles.beamon@ferc.gov>

**Cc:** GC-12 (Sol) <GC-12@ferc.gov>

**Subject:** Upcoming court cases -- update

Commissioners and senior OGC staff:

(b) (5)

Bob

---

**From:** Diane Naca

FERC\_0116

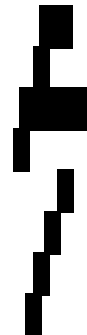


**Sent:** Friday, August 11, 2017 4:01 PM

**To:** FERC-HQ <[FERC-HQ@ferc.gov](mailto:FERC-HQ@ferc.gov)>; FERC-RO <[FERC-RO@ferc.gov](mailto:FERC-RO@ferc.gov)>

**Subject:** Monthly Overview of FERC Appellate Activity

(b) (5)



cc: Commissioners  
Office Directors

**From:** [Robert F. Powelson](#)  
**To:** [Robert Solomon](#); [Neil Chatterjee](#); [Cheryl LaFleur](#)  
**Subject:** RE: Update: DC Circuit petition by FERC for rehearing, in NRG rate modification case  
**Date:** Monday, August 21, 2017 4:21:09 PM

---

Thanks Bob for sharing! (b) (5)

[REDACTED]

---

**From:** Robert Solomon  
**Sent:** Monday, August 21, 2017 4:09 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>; Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>; Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)>; Commissioners' Assistants <[commissionersassistants@ferc.gov](mailto:commissionersassistants@ferc.gov)>; David Morenoff <[David.Morenoff@ferc.gov](mailto:David.Morenoff@ferc.gov)>; Maria Farinella <[Maria.Farinella@ferc.gov](mailto:Maria.Farinella@ferc.gov)>; Martin Kirkwood <[Martin.Kirkwood@ferc.gov](mailto:Martin.Kirkwood@ferc.gov)>; Lawrence Greenfield <[Lawrence.Greenfield@ferc.gov](mailto:Lawrence.Greenfield@ferc.gov)>; Deborah Leahy <[Deborah.Leahy@ferc.gov](mailto:Deborah.Leahy@ferc.gov)>; Helen E. Dyson <[Helen.Dyson@ferc.gov](mailto:Helen.Dyson@ferc.gov)>; Roshini Thayaparan <[Roshini.Thayaparan@ferc.gov](mailto:Roshini.Thayaparan@ferc.gov)>; John Katz <[John.Katz@ferc.gov](mailto:John.Katz@ferc.gov)>; Jacqueline Holmes <[Jacqueline.Holmes@ferc.gov](mailto:Jacqueline.Holmes@ferc.gov)>; Charles Beamon <[Charles.Beamon@ferc.gov](mailto:Charles.Beamon@ferc.gov)>; Anna Cochrane <[Anna.Cochrane@ferc.gov](mailto:Anna.Cochrane@ferc.gov)>; Jignasa Gadani <[Jignasa.Gadani@ferc.gov](mailto:Jignasa.Gadani@ferc.gov)>; Arnie Quinn <[Arnie.Quinn@ferc.gov](mailto:Arnie.Quinn@ferc.gov)>; Jette Gebhart <[Jette.Gebhart@ferc.gov](mailto:Jette.Gebhart@ferc.gov)>; Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>; Andrea Spring <[Andrea.Spring@ferc.gov](mailto:Andrea.Spring@ferc.gov)>; Mary O'Driscoll <[Mary.O'Driscoll@ferc.gov](mailto:Mary.O'Driscoll@ferc.gov)>  
**Cc:** Carol Banta <[Carol.Banta@ferc.gov](mailto:Carol.Banta@ferc.gov)>; Nicholas Gladd <[Nicholas.Gladd@ferc.gov](mailto:Nicholas.Gladd@ferc.gov)>; GC-12 (Sol) <[GC-12@ferc.gov](mailto:GC-12@ferc.gov)>  
**Subject:** Update: DC Circuit petition by FERC for rehearing, in NRG rate modification case

2 pieces of news:

One, PJM filed its own petition for panel rehearing; see attached (b) (5)

[REDACTED]

Two, the DC Circuit has already directed the NRG generator group to file, within 15 days, a response to our petition for rehearing (b) (5)

[REDACTED]

Bob

---

**From:** Robert Solomon  
**Sent:** Friday, August 18, 2017 5:21 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>; Cheryl LaFleur <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>; Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)>; Commissioners' Assistants <[commissionersassistants@ferc.gov](mailto:commissionersassistants@ferc.gov)>; David Morenoff <[david.morenoff@ferc.gov](mailto:david.morenoff@ferc.gov)>; Maria Farinella <[maria.farinella@ferc.gov](mailto:maria.farinella@ferc.gov)>; Martin Kirkwood <[Martin.Kirkwood@ferc.gov](mailto:Martin.Kirkwood@ferc.gov)>; Lawrence Greenfield <[lawrence.greenfield@ferc.gov](mailto:lawrence.greenfield@ferc.gov)>; Deborah Leahy <[deborah.leahy@ferc.gov](mailto:deborah.leahy@ferc.gov)>; Helen E. Dyson <[helen.dyson@ferc.gov](mailto:helen.dyson@ferc.gov)>; Roshini Thayaparan

<[roshini.thayaparan@ferc.gov](mailto:roshini.thayaparan@ferc.gov)>; John Katz ([john.katz@ferc.gov](mailto:john.katz@ferc.gov)) <[john.katz@ferc.gov](mailto:john.katz@ferc.gov)>; Jacqueline Holmes <[jacqueline.holmes@ferc.gov](mailto:jacqueline.holmes@ferc.gov)>; Charles Beamon <[charles.beamon@ferc.gov](mailto:charles.beamon@ferc.gov)>; Anna Cochrane <[anna.cochrane@ferc.gov](mailto:anna.cochrane@ferc.gov)>; Jignasa Gadani <[jignasa.gadani@ferc.gov](mailto:jignasa.gadani@ferc.gov)>; Arnie Quinn <[arnie.quinn@ferc.gov](mailto:arnie.quinn@ferc.gov)>; Jette Gebhart ([jette.gebhart@ferc.gov](mailto:jette.gebhart@ferc.gov)) <[jette.gebhart@ferc.gov](mailto:jette.gebhart@ferc.gov)>; Leonard Tao <[leonard.tao@ferc.gov](mailto:leonard.tao@ferc.gov)>; Andrea Spring <[andrea.spring@ferc.gov](mailto:andrea.spring@ferc.gov)>; Mary O'Driscoll <[mary.o'driscoll@ferc.gov](mailto:mary.o'driscoll@ferc.gov)>

**Cc:** Carol Banta <[carol.banta@ferc.gov](mailto:carol.banta@ferc.gov)>; Nicholas Gladd <[nicholas.gladd@ferc.gov](mailto:nicholas.gladd@ferc.gov)>; GC-12 (Sol) <[GC-12@ferc.gov](mailto:GC-12@ferc.gov)>

**Subject:** Filed this afternoon: DC Circuit petition by FERC for rehearing, in NRG rate modification case

Commissioners and senior staff:

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Bob

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#); [Craig Cano](#)  
**Cc:** [Andrea Spring](#); [Anthony Pugliese](#); [Meghan Estenson](#); [Leonard Tao](#)  
**Subject:** Re: Press question about DOE  
**Date:** Wednesday, August 23, 2017 6:55:17 PM

---

I concur with the Chairman. It was simply a meet & greet. No policy matters were discussed.

---

**From:** Neil Chatterjee  
**Sent:** Wednesday, August 23, 2017 6:41:05 PM  
**To:** Craig Cano; Robert F. Powelson  
**Cc:** Andrea Spring; Anthony Pugliese; Meghan Estenson; Leonard Tao  
**Subject:** RE: Press question about DOE

I am fine confirming that we were there to do a meet and greet with the deputy secretary – who also happened to have testified on the same confirmation hearing panel as us.

---

**From:** Craig Cano  
**Sent:** Wednesday, August 23, 2017 6:06 PM  
**To:** Neil Chatterjee <Neil.Chatterjee@ferc.gov>; Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Cc:** Andrea Spring <Andrea.Spring@ferc.gov>; Anthony Pugliese <Anthony.Pugliese@ferc.gov>; Meghan Estenson <Meghan.Estenson@ferc.gov>; Leonard Tao <Leonard.Tao@ferc.gov>  
**Subject:** Press question about DOE

Chairman and Commissioner,

E&E News reporter Rod Kuckro has information from a source who says he was signing into DOE on Monday August 14 at the same time you were. Rod, who did a story on the orientation of new Commissioners at FERC, is interested in knowing if your visit to DOE was, in effect, part of that process – a meet and greet with DOE officials, a tour of their facilities, etc. I don't believe he is looking to build a story around this, just a nugget to drop in somewhere.

(b) (5) [REDACTED], but would you be comfortable with me confirming to Rod (assuming it is the case) that this indeed was a introductory visit with DOE officials.

Thanks.

Craig

*Craig Cano*  
*Media Relations / Office of External Affairs*  
*888 First St. NE*  
*Washington, D.C. 20426*  
*(202) 502-8680*



**From:** [Neil Chatterjee](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** RE: Today  
**Date:** Thursday, August 24, 2017 3:12:00 PM

---

Got it!

---

**From:** Robert F. Powelson  
**Sent:** Thursday, August 24, 2017 2:42 PM  
**To:** Neil Chatterjee <Neil.Chatterjee@ferc.gov>  
**Subject:** Today

Hey, I just met with the Ethics Team. Way too much drama on this party today. So, here is what I suggest.

1. 3 p.m. to 4 p.m. Powelson Attend
2. 4 p.m. to 5 p.m. Chatterjee Attend

You okay with that?

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** RE: Research: DOE Grid Study -- Time for Energy Price Formation Reform!  
**Date:** Thursday, August 24, 2017 9:37:05 AM

---

(b) (5)

[Redacted]

---

**From:** Robert F. Powelson  
**Sent:** Thursday, August 24, 2017 8:50 AM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Fw: Research: DOE Grid Study -- Time for Energy Price Formation Reform!

(b) (5)

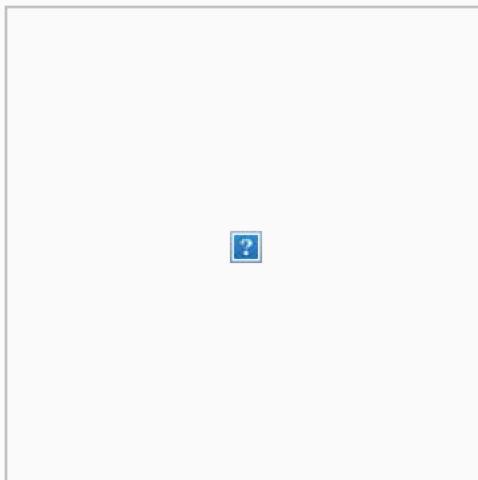
[Redacted]

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** ClearView Energy Partners, LLC <[research@CVEnergy.com](mailto:research@CVEnergy.com)>  
**Sent:** Thursday, August 24, 2017 12:28 AM  
**To:** Robert F. Powelson  
**Reply To:** ClearView Energy Partners, LLC  
**Subject:** Research: DOE Grid Study -- Time for Energy Price Formation Reform!

[View this email in your browser](#)



Commissioner Powelson,

\*\*\* your personalized link to the full research note follows the body of this e-mail \*\*\*

## **DOE STUDY -- TIME FOR ENERGY PRICE FORMATION REFORM!**

Last evening, the Department of Energy (DOE) released the grid study requested by Secretary Rick Perry in April. Our initial review of the study suggests that while DOE poses a task list for the Federal Energy Regulatory Commission (FERC) to undertake, it has not dictated how the Commission should move forward.

We had expected the DOE to formally recommend the Federal Energy Regulatory Commission (FERC) undertake a rulemaking to address the complaints of baseload power providers – primarily coal and nuclear plant operators – who have been struggling with historically low wholesale market power prices. While DOE does not request a specific rulemaking, DOE calls on FERC to “expedite” its (ongoing) efforts with states, regional transmission organizations (RTOs) and other stakeholders to “improve” energy price formation, and cites a June proposal from PJM Interconnection and a 2011 proposal from the Midcontinent Independent System Operator (MISO) as potential starting points. DOE explicitly asserts that negative offers (often made by wind resources at night) “should be mitigated to the broadest extent possible.” The study offers seven other recommendations, among them a call for FERC to “study” requiring “valuation of new and existing [Essential Reliability Services] ERS” through the establishment of fuel-neutral markets or other regulatory mechanisms capable of offering compensation for necessary reliability services.

We think these recommendations (see Figure 1, inside) are likely to be supported by coal-fired power plant owners, and owners of nuclear assets that are not operating in New York or Illinois – the two states that have adopted a Zero Emissions Credit (ZEC) to support nuclear power assets. We expect several constituencies to press FERC to move on DOE’s recommendations quickly – with an eye to seeing RTOs adopt market rule changes by next spring. While we do not yet know how quickly FERC may decide to act, we expect the Commission’s choice of a procedural vehicle to address the study’s recommendations may offer greater clarity on timing.

---CLEARVIEW---

[2017-08-24-DOE\\_Grid\\_Study.pdf](#)

---

*Copyright © 2017 ClearView Energy Partners, LLC, All rights reserved.*

You are receiving this e-mail because you signed up, or you were signed up by your employer, for

ClearView Energy Partners, LLC research notes, reports, blasts and updates.

**Our mailing address is:**

ClearView Energy Partners, LLC

P.O. Box 2703

Washington, DC 20013-2703

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).



**From:** [Robert F. Powelson](#)  
**To:** [Anthony Pugliese](#); [Neil Chatterjee](#)  
**Subject:** Re: Clearance  
**Date:** Tuesday, August 29, 2017 6:52:56 AM

---

Bravo and I don't mean group. Lol.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Anthony Pugliese  
**Sent:** Monday, August 28, 2017 6:14 PM  
**To:** Robert F. Powelson; Neil Chatterjee  
**Subject:** RE: Clearance

---

(b) (5) [REDACTED]. I will keep you updated as conversations continue.

---

**From:** Robert F. Powelson  
**Sent:** Monday, August 28, 2017 3:52 PM  
**To:** Anthony Pugliese <Anthony.Pugliese@ferc.gov>; Neil Chatterjee <Neil.Chatterjee@ferc.gov>  
**Subject:** Re: Clearance

Thank you Anthony. (b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Anthony Pugliese  
**Sent:** Monday, August 28, 2017 3:35 PM  
**To:** Robert F. Powelson; Neil Chatterjee  
**Subject:** Clearance

Mr. Chairman and Commissioner Powelson,

(b) (5) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

(b) (5)



Anthony

Anthony J. Pugliese

Chief of Staff

Federal Energy Regulatory Commission

NC

(1)

Neil Chatterjee

Text Message  
Sat, Sep 2, 6:12 PM

Just spoke to Marc Spitzer. Colonial (possibly with Valero) is filing an emergency waiver petition tonight. That seemed simpler than a tariff amendment. I am available to talk, review anything or vote as needed. or email.

(b)(6)

Thank you! Please keep me posted and I will do the same.

iMessage  
Tue, Oct 17, 1:53 PM

Very meaty speech! Well done.

Sat, Nov 11, 6:29 PM

Janet Sena of NERC will be calling you. I shared your cellphone which she promised to hold in confidence. They are calling the commissioners re the leadership situation.

Ok Thanks!

Tue, Nov 21, 4:54 PM

Just left a message on your phone. Didn't leave my cell but it is

(b)(6)

Wed, Nov 22, 12:35 PM

[REDACTED]

(b)(5)

Ok thx for update. Happy thanksgiving



iMessage



FERC\_0127

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#); [Anna Cochrane](#)  
**Cc:** [Steven Wellner](#); [Andrew Weinstein](#); [Becky Robinson](#); [Andrew Holleman](#); [Jessica Cockrell](#)  
**Subject:** Fwd: Emergency Valero filing  
**Date:** Saturday, September 02, 2017 5:59:20 PM  
**Attachments:** [IMG\\_1918.PNG](#)

---

Neil below is a text I received from Marc Spitzer saying that Colonial is making an emergency filing for pipeline waivers. I tried to call you but your voicemail box would not accept messages. I will call Marc back now. I can be reached at (b) (6).

Thank you  
Cheryl

Begin Forwarded Message:

**From:** "Cheryl LaFleur" <[cheryl.lafleur2@gmail.com](mailto:cheryl.lafleur2@gmail.com)>  
**Subject:**  
**Date:** 02 September 2017 17:53  
**To:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>



want to alert you  
our client Colonial  
Pipeline is making  
an emergency filing  
regarding fuel  
tariffs due to  
Harvey.  
Pls call if u have  
any questions.

Marc



Text Me...



Sent from my iPhone

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Re: Your issue of The Energy Daily  
**Date:** Thursday, September 14, 2017 9:00:00 AM

---

That commission has been through a lot.

Sent from my iPad

On Sep 14, 2017, at 8:49 AM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Correct. He is very excited. A lot internal drama at AZ PSC. So he is happy to move our way.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, September 13, 2017 8:15 PM  
**To:** Robert F. Powelson  
**Subject:** Fwd: Your issue of The Energy Daily

---

See news below about Doug Little going to DoE.

(We never discussed this, but I assume OEA gave you the list of publications you can get. Some are reprinted in FERC daily clips, others like RTO Insider are not because of license terms. Finding time to read them is the issue!

Sent from my iPad

Begin forwarded message:

**From:** The Energy Daily <[ED@chembusiness-media.com](mailto:ED@chembusiness-media.com)>  
**Date:** September 13, 2017 at 7:46:57 PM EDT  
**To:** CHERYL LAFLEUR <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** Your issue of The Energy Daily

[ihs the energy daily](#)



Dear Subscriber,

Please find attached your issue of today's  
***The Energy Daily.***

Look to ***The Energy Daily*** to provide you with the latest news and information on the global energy marketplace--including electric utilities, nuclear power, natural gas, oil, coal and alternative fuels.

If you have any questions or concerns about your subscription, call us at 855-417-4155 (toll free), Fax 847-564-9453 or email [energy@omeda.com](mailto:energy@omeda.com). Customer Service Representatives are available 7:30 a.m. to 6:00 p.m. CST.

For subscription information, including our group/site license options please contact sales at 303-858-6551 or email [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com).

## September 14, 2017 Headlines

[New DOE cleanup chief focusing on Hanford project in push for faster action](#)

Saying the Trump administration has provided ample funds for the much-criticized program, the new head of the Energy Department's nuclear cleanup office pledged Wednesday to speed decisions and action on key projects, with a particular focus on completing a high-profile Obama administration.....

[Conservative groups to ITC: Reject petition for solar tariffs](#)

With President Trump reportedly hungry for trade action to protect domestic industry, six conservative, free-market groups this week urged the U.S. International Trade Commission to reject a petition by two bankrupt

Sincerely,

The Energy Daily  
[Join us on LinkedIn](#)

U.S. solar panel manufacturers seeking tariffs on imported solar components, saying.....

[Panel moves to ban gas drilling, fracking in Delaware River basin](#)

Signaling an end to seven-year fight on the issue, a joint state-federal commission that oversees the four-state Delaware River Basin Wednesday approved a resolution that calls for releasing draft regulations at the end of November that will “include prohibitions related to” natural gas.....

[Pete Domenici, former GOP chairman of Senate energy panel, dies at 85](#)

Pete Domenici, a former Republican senator of New Mexico who as chairman of the Senate Energy and Natural Resources Committee oversaw 2005 legislation that created the federal Renewable Fuel Standard and a new loan guarantee program for innovative energy technologies, died in his home state.....

[Arizona regulator moving to DOE post](#)

Commissioner Doug Little is leaving the Arizona Corporation Commission to become deputy assistant secretary in the Energy Department’s Office of Intergovernmental and External Affairs, which serves as agency’s main link with state, local, territorial and tribal governments, as well as.....

[Government too leaky on grid cybersecurity threat information](#)

COMMENTARY The New York Times recently reported that it obtained a joint FBI and Department of Homeland Security (DHS) report that indicated that hackers have been targeting companies operating energy facilities and manufacturing plants across the United States and in other countries. That press.....

FOR YOUR EYES ONLY: It's against the law to copy, fax, or electronically transmit the newsletter without our permission.

By using our e-mail delivery service, you understand and agree that we may use tracking software to ensure copyright compliance. This software forwards to us certain technical and usage data from any computer that opens this email.

For single group subscription information, please contact Sales at 303 858 6551 or [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com)

The Energy Daily | 1300 Connecticut Ave, NW #700 | Washington DC 20036

Copyright 2017 IHS All rights reserved. Reproduction in whole or in part prohibited.

If you wish to unsubscribe from future email announcements from IHS The Energy Daily, please [click here](#).

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Rover Pipeline LLC response to OEPA ltr  
**Date:** Friday, September 15, 2017 4:30:03 PM

---

The Great Bill Belichick never loses 2 in a row!

---

**From:** Cheryl LaFleur  
**Sent:** Friday, September 15, 2017 4:28:31 PM  
**To:** Robert F. Powelson  
**Subject:** RE: Rover Pipeline LLC response to OEPA ltr

(b) (5)



Thanks for calling me. (b) (5)  
Have a nice weekend. I don't want to think about my husband's mood if the Patriots lose again.

Cheryl

---

**From:** Robert F. Powelson  
**Sent:** Friday, September 15, 2017 4:27 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Re: Rover Pipeline LLC response to OEPA ltr

(b) (5)



---

**From:** Cheryl LaFleur  
**Sent:** Friday, September 15, 2017 1:15:26 PM  
**To:** Robert F. Powelson  
**Subject:** FW: Rover Pipeline LLC response to OEPA ltr

---

**From:** Andrew Weinstein  
**Sent:** Tuesday, September 12, 2017 9:35 AM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>; Becky Robinson <[Becky.Robinson@ferc.gov](mailto:Becky.Robinson@ferc.gov)>; Jessica Cockrell <[Jessica.Cockrell@ferc.gov](mailto:Jessica.Cockrell@ferc.gov)>; Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Subject:** FW: Rover Pipeline LLC response to OEPA ltr

FYI

---

**From:** Rich McGuire



**Sent:** Tuesday, September 12, 2017 8:43 AM

**To:** [todd.anderson@epa.ohio.gov](mailto:todd.anderson@epa.ohio.gov)

**Subject:** FW: Rover Pipeline LLC response to OEPA ltr

Hi Todd: Not sure if you are e-subscribed and get notice of filings in our record; forwarding the attached in case you are not. Rich

***Rich McGuire, Director  
Division of Gas - Environment and Engineering  
Office of Energy Projects  
Federal Energy Regulatory Commission  
202-502-6177***

**From:** Cheryl LaFleur  
**To:** Robert F. Powelson  
**Subject:** Re: Rover Related Letter  
**Date:** Sunday, September 17, 2017 5:25:28 PM

---

Looked like a good game "closer than the score suggested".  
The Patriots looked good but 3 receivers of their depleted core  
left w injuries. We will see if serious.

Sent from my iPad

On Sep 17, 2017, at 4:43 PM, Robert F. Powelson  
<[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Tough loss but a good test for us!

---

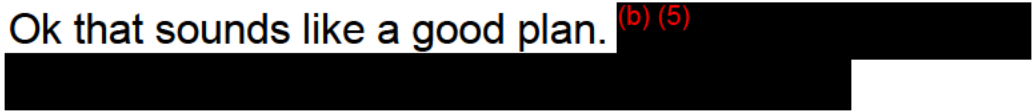
**From:** Cheryl LaFleur  
**Sent:** Sunday, September 17, 2017 1:32:17 PM  
**To:** Robert F. Powelson  
**Subject:** Re: Rover Related Letter

Interesting matchup for the Eagles against Reid. It's on  
the second TV here.

---

On: 17 September 2017 13:07, "Cheryl LaFleur"  
<[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Ok that sounds like a good plan. (b) (5)



At a bar watching the Pats....

---

On: 17 September 2017 12:16, "Robert F. Powelson"

<[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Cheryl:

(b) (5)



---

**From:** Cheryl LaFleur  
**Sent:** Friday, September 15, 2017 1:15:19 PM  
**To:** Robert F. Powelson  
**Subject:** FW: Rover Related Letter

---

**From:** Andrew Weinstein  
**Sent:** Tuesday, September 12, 2017 9:36 AM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** Steven Wellner <[Steven.Wellner@ferc.gov](mailto:Steven.Wellner@ferc.gov)>; Becky Robinson <[Becky.Robinson@ferc.gov](mailto:Becky.Robinson@ferc.gov)>; Jessica Cockrell <[Jessica.Cockrell@ferc.gov](mailto:Jessica.Cockrell@ferc.gov)>; Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Subject:** FW: Rover Related Letter

---

**From:** Rich McGuire  
**Sent:** Tuesday, September 12, 2017 9:35 AM  
**To:** Andrew Weinstein <[Andrew.Weinstein@ferc.gov](mailto:Andrew.Weinstein@ferc.gov)>  
**Subject:** FW: Rover Related Letter

fyi

---

**From:** Rich McGuire  
**Sent:** Monday, September 11, 2017 11:02 AM

**To:** David Swearingen <[david.swearingen@ferc.gov](mailto:david.swearingen@ferc.gov)>; Anthony Rana  
<[anthony.rana@ferc.gov](mailto:anthony.rana@ferc.gov)>  
**Subject:** FW: Rover Related Letter

(b) (5)



---

**From:** [harry.kallipolitis@epa.ohio.gov](mailto:harry.kallipolitis@epa.ohio.gov) [<mailto:harry.kallipolitis@epa.ohio.gov>]  
**Sent:** Friday, September 08, 2017 4:08 PM  
**To:** Kevin Bowman <[Kevin.Bowman@ferc.gov](mailto:Kevin.Bowman@ferc.gov)>; Rich McGuire  
<[Rich.McGuire@ferc.gov](mailto:Rich.McGuire@ferc.gov)>  
**Subject:** Rover Related Letter

See attached



**Did You Know:** Children of parents who talk to  
their teens about drugs are  
up to 50% less likely to use. Start the  
conversation: [StartTalking.Ohio.Gov](#)

This email is intended for the sole use of the intended recipient and may contain privileged, sensitive or protected information. If you are not the intended recipient, be advised that the unauthorized use, disclosure, copying, distribution, or action taken in reliance on the contents of this communication is prohibited. If you have received this email in error, please notify the sender via telephone or return email and immediately delete this email.

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** RE: FYI  
**Date:** Thursday, September 21, 2017 3:26:00 PM

---

I had the idea of celebrating the 40<sup>th</sup> in June or July. (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

So sorry

---

**From:** Robert F. Powelson  
**Sent:** Thursday, September 21, 2017 2:40 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** FW: FYI

I just met with him about this one. (b) (6)

---

**From:** Robert F. Powelson  
**Sent:** Thursday, September 21, 2017 1:48 PM  
**To:** [REDACTED]  
**Cc:** Meghan Estenson <[meghan.estenson@ferc.gov](mailto:meghan.estenson@ferc.gov)>  
**Subject:** FYI

(b) (6)

I just met with my team regarding the 40<sup>th</sup> Anniversary Celebration event next week. (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Your issue of The Energy Daily  
**Date:** Friday, September 22, 2017 1:32:22 PM

---

## Clearly not a Phillies or Pirates fan!!!

---

**From:** Cheryl LaFleur  
**Sent:** Friday, September 22, 2017 9:21:13 AM  
**To:** Robert F. Powelson  
**Subject:** RE: Your issue of The Energy Daily

And as you probably know he has excellent taste in baseball teams

---

**From:** Robert F. Powelson  
**Sent:** Friday, September 22, 2017 8:12 AM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Re: Your issue of The Energy Daily

Superb hire! I think an earthquake hit Akron

---

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, September 21, 2017 8:57 PM  
**To:** Robert F. Powelson  
**Subject:** Fwd: Your issue of The Energy Daily

## News about Todd Snitchler

---

**From:** "The Energy Daily" <[ED@chembusiness-media.com](mailto:ED@chembusiness-media.com)>  
**Subject:** Your issue of The Energy Daily  
**Date:** 21 September 2017 19:41  
**To:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>

[ihs the energy daily](#)



Dear Subscriber,  
Please find attached your issue of today's *The Energy Daily*.

Look to *The Energy Daily* to provide you with the latest news and information on the global energy marketplace--including electric utilities, nuclear power, natural gas, oil, coal and alternative fuels.

If you have any questions or concerns about your subscription, call us at 855-417-4155 (toll free), Fax 847-564-9453 or email [energy@omeda.com](mailto:energy@omeda.com). Customer Service Representatives are available 7:30 a.m. to 6:00 p.m. CST.

## September 22, 2017 Headlines

### Feds probing failed South Carolina nuclear project with 'broad' subpoena

In a surprising development, Scana Corp. and Santee Cooper said Thursday federal prosecutors have subpoenaed "a broad range of documents" related to their cancelled VC Summer new nuclear project

For subscription information, including our group/site license options please contact sales at 303-858-6551 or email [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com).

Sincerely,  
The Energy Daily  
[Join us on LinkedIn](#)

in South Carolina, a revelation coming days after state legislators blistered Scana.....

### **Record low cost claimed for 'baseload' solar plant**

Officials in Dubai last week awarded a \$4 billion contract to build what they say is the largest solar thermal plant in the world, a 700 megawatt project that they say will provide baseload renewable power at the lowest price yet achieved, thanks to an associated energy storage system. The Dubai.....

### **Graham, free-market think tank push GOP rethink on carbon tax**

Remarks by Sen. Lindsey Graham this week have revived faint prospects that some Republican moderates might support a U.S. carbon tax, which also received a boost from a recent analysis by a free-market think tank that concludes a border adjustment mechanism would effectively protect U.S. companies.....

### **Boland named to lead NRC enforcement office**

The Nuclear Regulatory Commission this week named Anne Boland, a 32-year veteran of the agency, as director of its Office of Enforcement. In taking over one of the agency's most sensitive posts, Boland will oversee enforcement of the NRC's safety requirements and development of policies.....

### **Past PUCO chair Snitchler joins API**

Former Ohio Public Utilities Commission Chairman Todd Snitchler is joining the American Petroleum Institute as it intensifies its campaign against nuclear plant subsidies in Ohio and other states that the group sees as likely to reduce demand for natural gas for power generation. Snitchler, who.....

FOR YOUR EYES ONLY: It's against the law to copy, fax, or electronically transmit the newsletter without our permission. By using our e-mail delivery service, you understand and agree that we may use tracking software to ensure copyright compliance. This

software forwards to us certain technical and usage data from any computer that opens this email.

For single group subscription information, please contact Sales at 303 858 6551 or [TheEnergyDailySales@ihsmarket.com](mailto:TheEnergyDailySales@ihsmarket.com)

The Energy Daily | 1300 Connecticut Ave, NW #700 | Washington DC 20036

Copyright 2017 IHS All rights reserved. Reproduction in whole or in part prohibited.

If you wish to unsubscribe from future email announcements from IHS The  
Energy Daily, please [click here](#).

---



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Re: Letter from the Secretary of Energy  
**Date:** Thursday, September 28, 2017 10:30:55 PM

---

I am in Boston tomorrow for a speech. I looked at it but I am going to read it closely in the morning. Talk in the afternoon maybe?

Sent from my iPad

On Sep 28, 2017, at 9:36 PM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Just got back from Chicago. Love to chat with you in the am about this one before I take up becoming a winemaker. LOL.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, September 28, 2017 7:28:56 PM  
**To:** Robert F. Powelson  
**Subject:** Fwd: Letter from the Secretary of Energy

Assume you got this, but just in case. (b) (5)

Sent from my iPad

Begin forwarded message:

**From:** "McNamee, Bernard" <[Bernard.McNamee@hq.doe.gov](mailto:Bernard.McNamee@hq.doe.gov)>  
**To:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Letter from the Secretary of Energy

Dear Commissioner LaFleur: Attached are a letter and a proposed rule for FERC's consideration from the Secretary of Energy. Thank you. Bernie

Bernard L. McNamee II  
Deputy General Counsel for Energy Policy  
U.S. Department of Energy  
(w) 202-586-6732  
(c) 202-713-7813

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Florida speech drafts  
**Date:** Thursday, October 05, 2017 8:09:26 PM  
**Attachments:** (b) (5)  
(b) (5)

---

Attached are working drafts of both of my Florida speeches. (b) (5)  
(b) (5) I don't have the more recent drafts on my iPad.

Have a good day tomorrow and see you in Florida  
Cheryl

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** RE: PPL Board of Directors  
**Date:** Thursday, October 26, 2017 11:38:47 AM

---

Bravo!

---

**From:** Neil Chatterjee  
**Sent:** Thursday, October 26, 2017 11:37 AM  
**To:** Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Cc:** Anthony Pugliese <Anthony.Pugliese@ferc.gov>; Lindsee Gentry <Lindsee.Gentry@ferc.gov>  
**Subject:** Re: PPL Board of Directors

Thanks! Not sure if I can pull it off. Will try.

Sent from my iPhone

On Oct 26, 2017, at 10:53 AM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Neil:

The PPL Board of Directors is here in DC for their quarterly meeting. Unfortunately, I cannot attend as I'm back in PA for a Marcellus Shale event in Hershey, PA but asked them to extend an invite to have you address them. Here are the details:

**DATE: Friday, October 26<sup>th</sup>**

**TIME SLOTS: 9:30 am or 11 am**

**LOCATION: The Willard Hotel  
Washington, DC**

The point of contact is Ms. Christine Martin, VP of External Affairs. Her cell # is (b) (6)  
(b) (6) Your favorable consideration of this request is greatly appreciated.

From: [Robert F. Powelson](#)  
To: [Cheryl LaFleur](#)  
Subject: Re: Your issue of The Energy Daily  
Date: Wednesday, November 01, 2017 8:52:29 PM

---

(b) (5)

---

On: 01 November 2017 20:16, "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

(b) (5)

Sent from my iPad

Begin forwarded message:

**From:** The Energy Daily <[ED@chembusiness-media.com](mailto:ED@chembusiness-media.com)>  
**Date:** November 1, 2017 at 7:46:48 PM EDT  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** Your issue of The Energy Daily

[ihs the energy daily](#)



Dear Subscriber,

Please find attached your issue of today's  
***The Energy Daily***.

Look to ***The Energy Daily*** to provide you with the latest news and information on the global energy marketplace—including electric utilities, nuclear power, natural gas, oil, coal and alternative fuels.

If you have any questions or concerns about your subscription, call us at 855-417-4155 (toll free), Fax 847-564-9453 or email [energy@omeda.com](mailto:energy@omeda.com). Customer Service Representatives are available 7:30 a.m. to 6:00 p.m. CST.

For subscription information, including our group/site license options please contact sales at 303-858-6551 or email [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com).

Sincerely,

## November 2, 2017 Headlines

[PJM pricing reform plan hit by market monitor as driven by Exelon](#)

While some have touted a pricing reform proposal by PJM Interconnection as a potential alternative to the Energy Department's controversial plan to aid coal and nuclear plants, the market monitor for the Mid-Atlantic grid operator last week ripped the PJM plan as inefficient and.....

[FERC suffered cyber incident in unclassified systems—IG](#)

While the Federal Energy Regulatory Commission has put in place "effective" cyber-security controls to protect its unclassified computer systems, it recently suffered a "security incident" due to failure to implement controls that might have prevented the incident, the.....

The Energy Daily  
[Join us on LinkedIn](#)

[Flood of Russian uranium into U.S. raises questions about GOP probe](#)

The flood of Russian uranium into the United States in recent years appears to raise questions about the stated rationale of the recently announced House GOP probe into the sale of Uranium One to a Russian government-owned company, particularly allegations that the deal compromised U.S. national.....

[Arizona utility cleared on market power concerns](#)

Citing new data provided by the utility, the Federal Energy Regulatory Commission agreed last week to drop a market power investigation into Tucson Electric Power, allowing the Fortis unit to continue charging market-based rates in its Arizona service territory. In February 2016, FERC issued a.....

[Both losing teams protesting DOE award of SRS tank contract—sources](#)

Both losing bidders in the competition for a multi-billion dollar contract to clean up nuclear waste at the Energy Department's Savannah River Site have filed protests with the Government Accountability Office, sources told The Energy Daily Wednesday. The sources say the losing bidders are.....

FOR YOUR EYES ONLY: It's against the law to copy, fax, or electronically transmit the newsletter without our permission.

By using our e-mail delivery service, you understand and agree that we may use tracking software to ensure copyright compliance. This software forwards to us certain technical and usage data from any computer that opens this email.

For single group subscription information, please contact Sales at 303 858 6551 or [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com)

The Energy Daily | 1300 Connecticut Ave, NW #700 | Washington DC 20036

Copyright 2017 IHS All rights reserved. Reproduction in whole or in part prohibited.

If you wish to unsubscribe from future email announcements from IHS The Energy Daily, please [click here](#).

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: POLITICO Pro Q&A: FERC Commissioner Rob Powelson  
**Date:** Thursday, November 02, 2017 8:46:07 AM

---

Thank you my friend and esteemed colleague for the kind words. Clearly, we have a lot of moving parts in front us. (b) (5)

LOL.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, November 2, 2017 7:36:28 AM  
**To:** Robert F. Powelson  
**Subject:** Fwd: POLITICO Pro Q&A: FERC Commissioner Rob Powelson

Very good interview

Sent from my iPad

Begin forwarded message:

**From:** "POLITICO Pro Energy" <[politicoemail@politicopro.com](mailto:politicoemail@politicopro.com)>  
**Date:** November 2, 2017 at 5:02:14 AM EDT  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** POLITICO Pro Q&A: FERC Commissioner Rob Powelson  
**Reply-To:** "POLITICO subscriptions" <[reply-fe89137172620c7475-1178985\\_HTML-637920703-1376319-0@politicoemail.com](mailto:reply-fe89137172620c7475-1178985_HTML-637920703-1376319-0@politicoemail.com)>

### **POLITICO Pro Q&A: FERC Commissioner Rob Powelson**

By Darius Dixon

11/02/2017 05:00 AM EDT

Rob Powelson, who joined FERC this summer, has found himself serving as something of an ambassador from the states during one of the agency's most turbulent periods.

A Republican with a more than eight-year tenure as a Pennsylvania energy regulator, Powelson made headlines recently for saying that he didn't join FERC "to go blow up the markets" after Energy Secretary Rick Perry unveiled a controversial grid proposal aimed at propping up coal-fired and nuclear generation.

His five years as chairman of the state commission included Hurricane Sandy in 2012, and the 2014 "polar vortex" — an event Perry often cites to justify his proposed rule. But where the Energy Department's plan chides the reliability of natural gas during that cold snap, Powelson said "there were enough sins in there that everybody had some responsibility" and that grid operators are adapting to the "new normals of weather."

We're at an "inflection point" for the future of the electricity markets, Powelson told POLITICO in a recent interview. He said he wouldn't stand in the way of states that want to do more to address climate change — "If states want to want to

value carbon, they should be able to do it" — but he urged patience from everyone waiting for FERC action on pricing reform and state policies.

*This interview has been edited for length and clarity.*

**Your home state is a big chunk of the PJM market. But last week Pennsylvania's state legislature approved a resolution supporting the DOE proposal while the utility regulator called the plan "unwieldy, untimely and impractical."**

As I often said in my prior life: God forbid the legislature has to make a decision that the PUCs have to make — raise rates, fine companies, revoke licenses. That's why you have independent agencies like FERC and state public utilities commissions that have to do economic regulation and safety regulation.

I think there are forces at play that wanted to put that marker out. When you peel it back, I think now back in Pennsylvania, as of Friday, there's 500 trillion cubic feet of natural gas under the ground. If you're the Marcellus Shale Coalition, you're like "What happened to us in this discussion?"

The legislature put a marker down ... but at the end of the day, the resolution is not binding. It's not an act of law.

**Pennsylvania is among the states that may consider out-of-market policies to help nuclear. So, what keeps you up at night more — addressing state subsidies or the pricing issues?**

I'm a states' rights advocate, but there are two things that drive what we do here. There's the Federal Power Act, and there's the Natural Gas Act. FERC Order 888 created this wholesale construct in the market. In the mid-2000s, probably 26 or so states ... did [renewable portfolio standards]. Republican states, Democratic states — those RPSs have driven strong investments in renewables. ...

Pennsylvania, and other states, are [asking], "Do we embed in the RPS a nuclear standard?" Some are doing that after the fact.

And then there are some who have said these RPSs have caused a distortion in the market as we get to grid parity and we get more scale of renewables and the impact that that's having. ... These state policies obviously drove an outcome.

Today, an unintended consequence is that some people say these states have not valued nuclear.

There are a lot of moving parts. To FERC's credit, we look at the markets and how they're functioning and how we value things like resiliency, and how we keep markets functioning. That's what I'm looking at. This is an inflection point. No doubt about it.

**For you, is anything other plant retirements driving market policy changes?**

If there is a deep concern about grid resiliency, and we can use events like the polar vortex, the recent hurricanes, and we can use derechos — these new weather events, the new normals of weather. The RTOs are saying, "Look, the velocity of these storms and the impact they have on the generation fleet, we think, yeah, we should do a deeper dive and value resilient resources." On the flip side to that is you've had states that have looked at things like microgrids, and they're doing grid resiliency.

The polar vortex was alarming in the sense you had a 24 percent forced outage rate. There were enough sins in there that everybody had some responsibility. But then you go to the next year, February of 2015, on another very bad cold snap there wasn't a 24 percent forced outage rate and the system performed. Right after 2014, PJM put forth the construct of capacity performance. And, by the way, we're not 100 percent into the capacity performance [process]. We have another

auction of capacity performance results and then we're fully into a fully integrated CP. I personally want to see where we stand there. That's a longer term view. I want to see how capacity performance is working and ... how it deals with reliability.

**Why isn't there an agreed upon set of facts around the polar vortex?**

Capacity performance was a direct outcry of the polar vortex. ... I was told, as chairman, that capacity performance would provide the needed uplift compensation metrics to deal with these types of events going forward — meaning that these baseload resources will be adequately compensated by this.

**In your mind, has that turned out to be true?**

I'm still waiting. When we get to 100 percent, I think we'll have a story to tell.

**You've crossed paths with Perry a couple of times since the proposal came out. Have you made your views clear to him?**

To his credit, he's looking at this issue in terms of — as the head of DOE — reliability, resiliency. He's looking at the sustainability of these markets. There are a lot of moving parts to this conversation. I don't mind that there's a little bit of impatience. Chairman [Neil] Chatterjee and I are the new FERC guys. I get it. This is an issue that has been elevated in the conversation of energy policy. I've been very direct in my position in support for markets.

**Commissioner Cheryl LaFleur has often talked about the "doors" to how that conflicts with states gets resolved: planned re-regulation, unplanned re-regulation, litigation and/or some kind of harmonization.**

The state policy changes are ongoing with us. ... Personally, I'd like to see us get our hands around that conversation. If states want to want to value carbon, they should be able to do it. They've done it with things like the [Regional Greenhouse Gas Initiative]. California has a cap and trade model. States have said, "Look, in lieu of a hard price on carbon on the national level, there are mechanisms for valuing it." And it's not my job to tell those states you can't do that.

**Is it FERC's job to tell them they should do that?**

I don't think so. What we're saying is that if you're going to design constructs, you better make sure they adhere to certain market principles. Trying to answer your question, yes, post-technical conference, there's a genuine commitment to handle the state piece. There are a couple of options, but I'll be straight up with you, I can't get into where they would go.

**FERC's authority over the RTOs is fairly absolute. Can you see any scenario where FERC overrides the RTOs and the states to impose something akin to what Perry has proposed?**

I think we'd be hard-pressed to not engage stakeholders like our states and our RTOs, independent market monitors.

**Is there a chance FERC expands the footprint of the DOE proposal to include areas outside of PJM, New York and New England?**

I've thought about it. I don't have any preconceived outcome. Most people would say that this is more of a PJM, New England, NYISO issue. But there's not a lot of coal left in New England.

I'm trying to be patient here and seeing where we go internally with staff recommendations.

**How do you view your role with FERC after eight-plus years at the state-level?**

My biggest takeaway is that I respect the independence of FERC. I worked for three governors.



What's very important to me is maintaining the independence of this agency because the people that work here look for that kind of guidance. In my view, not that there's been issues in my short tenure here, but it's important that you maintain that. The same could've said under the Obama administration. Our engagement with the states is now, more than ever, so critical. Some have argued that it's been the imperialistic FERC, at times — that we've been very top-down.

**The DOE NOPR hasn't necessarily helped improve the image of FERC's independence.**

The NOPR, based on my cursory review of the state comments — and we're doing forecasting — have been 98 percent against. Obviously, this is a big issue. It's an inflection point for the FERC.

**You've said this is an inflection point a few times.**

We've come through the conversations post-Order 888 in the 1990s, to the future of the markets to ... today, the \$64,000 question: What's working and what's not working in markets, and how to do we keep those markets sustainable, long-term.

**If there's a deficiency, how do you fix it fast enough to make a difference?**

To Secretary Perry's credit, he has certainly stimulated a conversation or — as some would say — a call to action. That's healthy. I'm an impatient regulator, by nature. But some of this stuff has to be thought through. We have to develop a record and we have internal capacity to look at what's working and not working in markets.

If I could stress one thing, I need everybody in this town to remain calm, understand that the FERC is working hard around these issues.

I'm actually kinda giddy to be here at this point in time. It's a good challenge for us to have. The big question is, where do we go?

**Is the DOE proposal at all distracting?**

No, it's nothing personal. I think they were trying to say is that we've had all these things and when you lose the quorum, the train stops. ... You can't take up a notational vote on an issue of this magnitude.

Neil and I have only been on the job less than [three] months. I'm asking people to be patient with us too. We're the new people here. And it'd be nice to have two other colleagues to be part of this conversation.

*To view online:*

<https://www.politicopro.com/energy/story/2017/11/politico-pro-q-a-ferc-commissioner-rob-powelson-164284>

**You received this POLITICO Pro content because your customized settings include: Key phrase: lafleur. To change your alert settings, please go to <https://www.politicopro.com/settings>**



---

This email was sent to [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov) by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

---

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: question on Chairman Chatterjee's approach to NOPR  
**Date:** Thursday, November 09, 2017 1:44:29 PM

---

(b) (5) Flying back myself from Pittsburgh.

---

On: 09 November 2017 13:39, "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

(b) (5)

I am boarding in NOLA. I delivered a tough message at NERC board that they should stick to data and engineering, not politics. Asim Haque strongly underscored that message.

Interesting times!

---

**From:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Re: question on Chairman Chatterjee's approach to NOPR  
**Date:** 09 November 2017 12:36  
**To:** "Weber, Maya" <[maya.weber@spglobal.com](mailto:maya.weber@spglobal.com)>  
**Cc:** "Melvin, Jasmin" <[jasmin.melvin@spglobal.com](mailto:jasmin.melvin@spglobal.com)>

Sorry no comment.

On: 09 November 2017 12:05, "Weber, Maya" <[maya.weber@spglobal.com](mailto:maya.weber@spglobal.com)> wrote:

Hello, Commissioner LaFleur

I wanted to ask for your view on something Chairman Chatterjee said this morning at the Platts Energy Podium about how he would like to proceed on the DOE NOPR on grid resilience.

He said he would like to find three votes on an interim step by December 11 that would extend a lifeline to coal and nuclear generation. Such an interim step could be tied, using a sunset provision, to a longer-term policy that gets at concerns over grid resilience and baseload generation, he said.

He said he would not back any proposal that "punts" the issue by calling for a study.

I wanted to reach out to get your comment on the approach he laid out.

Thanks very much. I can be reached at 202-383-2244, and my colleague Jasmin Melvin is 202-383-2135, if you are available to discuss this further.

Maya Weber

---

---

**Maya Weber**  
Associate Editor, Inside FERC

**S&P Global Platts**  
1200 G Street NW, Suite 1000  
Washington, DC 20005  
T: 202.383.2244 |  
[maya.weber@spglobal.com](mailto:maya.weber@spglobal.com)  
[www.spglobal.com](http://www.spglobal.com)

[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Google+](#) | [YouTube](#)



---

The information contained in this message is intended only for the recipient, and may be a confidential attorney-client communication or may otherwise be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, please be aware that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by replying to the message and deleting it from your computer. S&P Global Inc. reserves the right, subject to applicable local law, to monitor, review and process the content of any electronic message or information sent to or from S&P Global Inc. e-mail addresses without informing the sender or recipient of the message. By sending electronic message or information to S&P Global Inc. e-mail addresses you, as the sender, are consenting to S&P Global Inc. processing any of your personal data therein.

**From:** [Neil Chatterjee](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: New colleagues  
**Date:** Tuesday, November 21, 2017 3:05:15 PM

---

Absolutely. Try my cell at that time (b) (6). Safe travels!

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, November 21, 2017 3:03 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>  
**Subject:** Re: New colleagues

I am just boarding. Can I call when I arrive 5 pm from airport?

Sent from my iPad

On Nov 21, 2017, at 3:01 PM, Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)> wrote:

Do you have time for a quick phone call by chance?

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, November 21, 2017 2:50 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>  
**Subject:** Re: New colleagues

Great news thank you!

I am at Reagan Airport about to go home for Thanksgiving. Isn't this where I was when you were confirmed? Is that the secret?

Happy Thanksgiving and see you soon  
Cheryl

Sent from my iPad

On Nov 21, 2017, at 2:47 PM, Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)> wrote:

POTUS has signed the commissions so Kevin and Rich are ready to be sworn in!

**From:** [Neil Chatterjee](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** 2017 Federal Employee Viewpoint Survey Results  
**Date:** Wednesday, August 30, 2017 4:59:00 PM

---

Dear Colleagues,

Thank you for participating in this year's Federal Employee Viewpoint Survey (FEVS), administered by the Office of Personnel Management (OPM). The survey allows employees the opportunity to influence change within the Commission while providing leaders the information necessary to address identified areas of concern and maintain the many distinguished positive aspects of employment at FERC. Based on your feedback from the 2017 survey, I am pleased to share some highlights from the survey results.

Overall Participation Rate – 79%

- 2<sup>nd</sup> highest Commission response rate in FEVS history
- Every office had a rate above 67%
- OALJDR and OED had the highest office response rates with 97% and 95%, respectively

Employee Engagement Index (EEI) – 81%

- Average of 15 questions in 3 categories: leaders lead, supervisors, intrinsic work experiences
- FERC's 2017 results increased by 4 percentage points from 2016
- OGC and OEPI had the highest EEI score among offices, with 91% and 88%, respectively

Global Satisfaction Index – 80%

- Measures employees' satisfaction with their jobs, their pay, and their organization
- FERC's 2017 results showed a 4 percentage point improvement from 2016
- 87% of employees recommend FERC as a good place to work, one of the questions on this index

Please take some time to review the full survey results at the Commission level at [2017 Annual Employee Survey Report](#) xlsx and a summary of the results at [2017 FERC Survey Results Evaluation](#). Each office will be sharing their individual office and division results in the coming weeks.

The hard work, dedication, and commitment to FERC's mission of both leaders and staff from across the Commission are reflected in this year's favorable results. I look forward to meeting with Senior Staff and Commission Offices to address any concerns resulting from the survey, as well as to utilize the insights and recommendations of our staff to allow for the implementation of meaningful office-level improvements.

It is wonderful that FERC employees view their work experiences so favorably and I want to ensure that FERC remains one of the best places to work in the government. Again, I thank you for providing candid feedback on the survey and for all of your hard work.

Chairman Neil Chatterjee

**From:** [Neil Chatterjee](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Announcement: New General Counsel  
**Date:** Tuesday, September 05, 2017 9:45:00 AM

---

Colleagues,

In my as-yet brief time at the Commission, I have come to appreciate even more than I did before I joined the Commission the professionalism, intelligence and dedication of the FERC staff. Your hard work has helped ease my transition into my role here, and I'm pleased to announce that James P. Danly will be joining our ranks as General Counsel at the Commission, effective September 18, 2017. His addition strengthens our already excellent Office of the General Counsel. He has served our country with honor and distinction, and I look forward to his counsel and guidance at the Commission.

Danly comes to the Commission from the energy regulation and litigation group at Skadden, Arps, Slate, Meagher and Flom LLP. Prior to that he served as law clerk to Judge Danny Boggs at the U.S. Court of Appeals for the Sixth Circuit and before that was a managing director of the Institute for the Study of War, a military think tank in Washington, D.C. He also served an International Affairs Fellowship at the Council on Foreign Relations.

Danly is a former U.S. Army officer who served two deployments to Iraq, first with an infantry company in Baghdad and then on staff at Multi-National Force—Iraq, receiving a Bronze Star and Purple Heart.

Danly earned his juris doctor from Vanderbilt University Law School, and his bachelor's degree from Yale University. He is licensed to practice law before the U.S. Court of Appeals for the District of Columbia Circuit.

I also want to thank David Morenoff for his outstanding leadership of the Office of the General Counsel, particularly during the period when the Commission was without a quorum. I am glad that David, who, as you know, has served as FERC General Counsel since February 2017 and previously served as General Counsel and Acting General Counsel, will resume duties as Deputy General Counsel. I look forward to continuing to work with him.

Please join me in welcoming James Danly and thanking David Morenoff.

Chairman Neil Chatterjee

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Awards Tomorrow  
**Date:** Wednesday, January 18, 2017 6:01:00 PM

---

Cheryl,

I know there are a lot of awards, but after further consideration, unless you and Colette disagree, I think the awards should be handed out one at a time. All the recipients have spent many years in public service, so I think it would be appropriate to give them an extra minute or two of recognition and to individualize the process. I like your suggestion of starting with Ann Miles; thanks.

Best,

NB

**From:** [Colette D. Honorable \(via Twitter\)](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Colette D. Honorable (@CHonorableFERC) liked one of your Tweets!  
**Date:** Friday, April 28, 2017 5:46:46 PM



**Colette D. Honorable**  
liked your Tweet.

[View](#)



**Cheryl LaFleur** @CLaFleurF...

I will be very sad to say goodbye to a wonderful colleague and friend.  
[twitter.com/CHonorableFERC...](https://twitter.com/CHonorableFERC...)

[Settings](#) | [Help](#) | [Opt-out](#) | [Download app](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103



**From:** [Colette D. Honorable \(via Twitter\)](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Colette D. Honorable (@CHonorableFERC) liked one of your Tweets!  
**Date:** Tuesday, January 31, 2017 8:41:16 PM



Colette D. Honorable  
liked your Tweet.

[View](#)



**Cheryl LaFleur** @CLaFleurF...

Well said! [twitter.com/chonorableferc...](https://twitter.com/chonorableferc...)

[Settings](#) | [Help](#) | [Opt-out](#) | [Download app](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103

**From:** [Colette D. Honorable \(via Twitter\)](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Colette D. Honorable (@CHonorableFERC) mentioned you in conversation on Twitter!  
**Date:** Monday, May 15, 2017 1:17:46 PM



Colette D. Honorable  
mentioned you.

Reply



**Colette D. Honorable**  
@CHonorableFERC

May 15

[@JDNewsview](#) Isn't it though?  
[@CLaFleurFERC](#) was representing!!!



[View conversation](#)

[Settings](#) | [Help](#) | [Opt-out](#) | [Download app](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103

**From:** [Colette D. Honorable \(via Twitter\)](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Colette D. Honorable (@CHonorableFERC) mentioned you in conversation on Twitter!  
**Date:** Monday, January 30, 2017 9:17:59 PM



Colette D. Honorable  
mentioned you.

Reply



**Colette D. Honorable**  
@CHonorableFERC

Jan 30

Posted my statement today on changes  
[@FERC](#) [@NormanBayFERC](#) and  
[@CLaFleurFERC](#)  
[ferc.gov/media/statemen...](#)



[View conversation](#)

[Settings](#) | [Help](#) | [Opt-out](#) | [Download app](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103

**From:** [Colette D. Honorable \(via Twitter\)](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Colette D. Honorable (@CHonorableFERC) mentioned you in conversation on Twitter!  
**Date:** Wednesday, March 08, 2017 10:17:46 PM



## Colette D. Honorable mentioned you.

Reply



**Shannon M. Bañaga** @vlsmaher

Mar 08

Thanking @CLaFleurFERC and @CHonorableFERC  
for being great role models for women in energy.  
[#womensday2017](#) [#energygeek](#) [#STEMwomen](#)



**Colette D. Honorable**  
@CHonorableFERC

Mar 08

[@vlsmaher](#) [@CLaFleurFERC](#) Thank you  
Shannon! It's an honor to carry out this  
important work with you.



[View conversation](#)

[Settings](#) | [Help](#) | [Opt-out](#) | [Download app](#)

Twitter, Inc. 1355 Market Street, Suite 900 San Francisco, CA 94103

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Fwd: Research: D.C. Circuit Denies Appeal of FLEX LNG's DOE License  
**Date:** Tuesday, August 15, 2017 12:46:09 PM

---

Hi Neil

If you are not already on the Clearview (Christi Tezak) mailing list, you might want to have someone write and get you on it. They report on all major FERC matters, including periodic fuller updates on pending issues and cases. It is interesting to read an external take on what we are going to do or why we did something, and this is one of the more knowledgeable observers.

(The particular update attached is obviously DOE-related, but very FERC-relevant).

Hope things are going well and happy to hear GRDA issuing today.

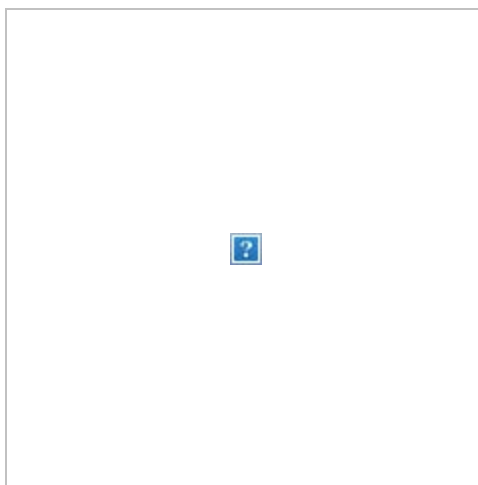
Cheryl

Sent from my iPad

Begin forwarded message:

**From:** ClearView Energy Partners, LLC <[research@CVEnergy.com](mailto:research@CVEnergy.com)>  
**Date:** August 15, 2017 at 12:24:49 PM EDT  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** Research: D.C. Circuit Denies Appeal of FLEX LNG's DOE License  
**Reply-To:** ClearView Energy Partners, LLC <[research@CVEnergy.com](mailto:research@CVEnergy.com)>

[View this email in your browser](#)



Commissioner LaFleur,

\*\*\* this is a flash blast for ClearView Energy Partners, LLC clients \*\*\*

### **D.C. CIRCUIT DENIES APPEAL OF FLEX LNG'S DOE LICENSE**

Today, the U.S. Court of Appeals for the D.C. Circuit (D.C. Circuit) issued a [unanimous opinion](#) upholding the Department of Energy's (DOE) issuance of a license to Freeport LNG Export (FLEX) to export natural gas to non-free trade agreement destinations. Our impression of the oral argument held on February 2, 2017 led us to conclude that the environmental group's license appeal looked likely to fail. It did, however, the Trump Administration is now planning to modify its approach to infrastructure permitting generally in an announcement planned for later today.

The Sierra Club and other environmental groups had pressed the court to find the DOE's review under the *National Environmental Policy Act* (NEPA) and the *Natural Gas Act* (NGA) as insufficient. The DOE first adopted the facility-specific analysis taken by the Federal Energy Regulatory Commission (FERC), and then reviewed the FLEX project in the context of other proposed projects before it at the same time in two DOE-sponsored studies that it developed for context of the then-pending reviews. The first study was developed by the Energy Information Administration (EIA) and the second was developed on DOE's behalf by NERA Economic Consultants. DOE subsequently evaluated the project in the context of an Addendum report that specifically addressed the potential indirect impacts of natural gas exports not captured in the scope of the FERC's review, and a fourth study from the National Environmental Technology Labs to evaluate life-cycle greenhouse gas emissions.

Sierra Club criticized DOE's reliance on these generalized studies, and alleged that the Department was obligated to evaluate regional impacts at a more detailed level. However, the court found DOE's reasoning persuasive when it explained that notwithstanding the likelihood of natural gas originating from some predictable areas, the interconnected nature of the U.S. natural gas system also meant that export volumes could notionally come from anywhere. The DOE's took this higher-level

view, and the court validated it. At the end of the day, the court found that the DOE's review was sufficient to meet its independent agency requirements associated with LNG licensing under NEPA. The court upheld DOE's position that even while some additional analyses sought by the green groups may be possible, they would not necessarily be meaningful to DOE's evaluation of the projects under NEPA.

The D.C. Circuit has set oral arguments in three Sierra Club appeals of the non-FTA licenses for Cove Point, Sabine Pass Trains 5-6, and Corpus Christi for October 18. In Figure 78 of the August 14 edition of the *Regulated Energy Playbook*, published to clients yesterday, we detail the primary arguments advanced in each of the cases. We think that Sierra Club's chances of forcing reconsideration of the NEPA reviews of DOE's license approvals may fail as well, given the court's rationale in today's FLEX ruling.

The court found Sierra Club's public interest challenge in FLEX to be limited to environmental issues, which the court dismissed given the NEPA challenges failed. In three of the four pending cases (the fourth is a challenge to the expansion volumes at Sabine Pass Trains 1-4, but not yet scheduled for oral argument), Sierra Club alleges that DOE's assessment of the public interest is arbitrary and capricious for concluding exports would provide economic and other benefits that outweighed the potential adverse environmental impact.

The appeal against Cove Point, in our view, tracks strongly with the appeal contesting FLEX on the public interest issue, and we think DOE may prevail there. However, Sierra Club contends that DOE inadequately considered the full impacts on the public at large as opposed to the economic benefits primarily enjoyed by shareholders in natural gas production and export companies in the two Sabine Pass appeals and the Corpus Christi case. We will be watching to see whether argument in these cases suggests that the Sierra Club's subsequent appeals resolve the deficiencies enumerated by the court today, or whether, like FERC's reviews, the DOE's license approvals will stand.

In the context of President Trump's planned announcement this afternoon of an Executive Order to "expedite" infrastructure project approvals, we would reiterate a theme we raised in the wake of the

election. Under the Obama Administration, agencies expanded the scope of their environmental reviews, much to the frustration of project applicants frustrated with delays. However, many of those reviews have withstood judicial scrutiny – indeed, the D.C. Circuit rejected all four challenges to the FERC’s NEPA review of LNG export facilities to date (none are currently pending) before upholding DOE today. In that context, a significant reversal of course on permit reviews by the Trump Administration – if quicker-paced reviews turn out to be materially less robust – could create incremental judicial review risk for future projects.

---CLEARVIEW---

*Copyright © 2017 ClearView Energy Partners, LLC, All rights reserved.*

You are receiving this e-mail because you signed up, or you were signed up by your employer, for ClearView Energy Partners, LLC research notes, reports, blasts and updates.

**Our mailing address is:**

ClearView Energy Partners, LLC  
P.O. Box 2703  
Washington, DC 20013-2703

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Did you see this?  
**Date:** Friday, November 17, 2017 2:31:56 PM

---

<https://twitter.com/rtoinsider/status/931600958668394498>

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Dissent  
**Date:** Wednesday, August 23, 2017 3:53:19 PM

---

Nice talking to you today.

Here is my dissent on Artificial Island—the full order (which also includes dissent) is linked:

<http://www.ferc.gov/media/statements-speeches/lafleur/2016/04-22-16-lafleur.asp#.WZ3cm3WGOos>

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Norman Bay](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Early Dismissal on Friday, December 23, 2016  
**Date:** Wednesday, December 21, 2016 3:46:00 PM

---

Dear Colleagues,

In observance of the holidays, I am authorizing a 3-hour early dismissal from your normal tour of duty on Friday, December 23, 2016. Employees who have reported for work or are teleworking on Friday should be placed on excused absence/administrative leave for this period. Employees who are on scheduled leave on Friday will remain on leave. Please check with your supervisor before leaving to avoid any interference with Commission operations.

Thanks for everything that you do to support our mission.

I wish you all a happy and safe holiday season.

Best,

NB

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** FW: [all-naruc] Statement on Hurricanes and Recovery Efforts  
**Date:** Tuesday, September 19, 2017 11:42:00 AM

---

You probably got this but fyi. Thanks for reaching out to them.

---

**From:** President John Betkoski III [mailto:naruc\_president@naruc.org]  
**Sent:** Tuesday, September 19, 2017 10:59 AM  
**To:** Cheryl LaFleur <Cheryl.LaFleur@ferc.gov>  
**Subject:** [all-naruc] Statement on Hurricanes and Recovery Efforts

Dear Members:

As we all know, many of our colleagues and friends in states affected by Hurricanes Harvey and Irma have faced the sort of natural disaster that few of us will ever experience or completely comprehend. Although the actual storms have passed, the efforts to restore, rebuild, and regroup are ongoing.

During and after these tragic catastrophes, restoring power means more than being able to turn on the lights. It means returning to a sense of normalcy and providing safety for all those who need it most.

Though our states may be separated by distance or perspectives, I am grateful that we can come together through our thoughts, prayers, and support of the people and communities affected by these storms. Our colleagues in the Hurricane-ravaged areas are on the frontlines monitoring the situation and many of our state utilities are participating in mutual assistance programs.

Therefore, I would also like to share with you a [Statement of FERC and NERC on Electricity Industry Assistance to Hurricane Irma Recovery](#). Please read the statement, as it not only recognizes the historic context of this event, it rightly praises the efforts to restore service and notes that assistance efforts will not have negative implications regarding Reliability Standard FAC-003-4 Vegetation Management. NARUC supports this joint statement and appreciates the sentiments expressed.

Thank you all for your continued support and dedication to our profession and our communities.

John Betkoski III

NARUC President and Vice Chairman, Connecticut Public Utilities Regulatory Authority

---

You are currently subscribed to all-naruc as: [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov).

To unsubscribe click here: <https://www.naruc.org:83/u?id=147892.3ce2fdf3ce4c8faebe4b3a53d7d250c3&n=T&l=all-naruc&o=3042847>

(It may be necessary to cut and paste the above URL if the line is broken)

or send a blank email to [leave-3050492-124333.c52deb6c48f1725e2f137cece3d473ce@naruc.org](mailto:leave-3050492-124333.c52deb6c48f1725e2f137cece3d473ce@naruc.org)

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Fw: Best Places to Work Rankings  
**Date:** Thursday, December 15, 2016 8:25:07 AM  
**Attachments:** [2016 FERC Best Places Rankings .pdf](#)  
[image001.png](#)

---

FYI

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Anton Porter <Anton.Porter@ferc.gov>  
**Sent:** Wednesday, December 14, 2016 3:23 PM  
**To:** Norman Bay; Jamie Simler  
**Subject:** FW: Best Places to Work Rankings

---

Norman/Jamie

Please hold this information closely as advised by the Partnership. This is great news for the agency!

Anton

--



---

**From:** Shabnam Tehrani  
**Sent:** Wednesday, December 14, 2016 2:22 PM  
**To:** Anton Porter <Anton.Porter@ferc.gov>; Carrie Anderson <Carrie.Anderson@ferc.gov>; Eduardo Ribas <Eduardo.Ribas@ferc.gov>; Alyssa Asonye <Alyssa.Asonye@ferc.gov>  
**Subject:** Best Places to Work Rankings

Hi Everyone,

The attached documents are the full reports from the *Best Places to Work* Rankings Pre-Release Event at the Partnership today. They emphasized to us that this news is embargoed until midnight tonight. Note that only offices with at least 100 permanent employees were included in the subcomponent rankings, which is 5 offices for FERC. I will be sharing each office's one-page report

with the office director and deputy director today.

You can see the full rankings on this page <http://bestplacestowork.org/BPTW/> at 12:01 AM tonight!

**FERC - #4**

OEMR - #4

OE - #6

OGC - #9

OED - #21

OEP - #31

Thank you,

Shabi



**Shabnam Tehrani (Shabi)**  
Technical Advisor to Chief Human Capital Officer  
Federal Energy Regulatory Commission  
(202) 502-6235  
Visit our social media pages:



**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** FW: EIPF - Saturday  
**Date:** Monday, October 02, 2017 5:38:00 PM  
**Attachments:** [EIPF Oct 7 D&I Panel - Prep Document.pdf](#)

---

This is the overall "outline" for Saturday evening. I haven't written my opening yet.....  
I have given many speeches on my journey, but not sure this will be one.  
But I am sure you'd be welcome...

---

**From:** Jessica Cockrell  
**Sent:** Monday, October 02, 2017 5:34 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Subject:** EIPF - Saturday

Cheryl,

Attached is the document Maya Smallwood provided to us regarding your speech on Saturday (it's also included in the meeting invite on your calendar for Wednesday at 2pm). I believe this document is her outline for the entire discussion.

**Jessica L. Cockrell**  
Office of Commissioner LaFleur  
Federal Energy Regulatory Commission  
202.502.8190



**From:** Cheryl LaFleur  
**To:** Norman Bay  
**Subject:** FW: FERC Can Reprise 1993 Delegation Order to Address Quorum Issues  
**Date:** Tuesday, January 31, 2017 3:45:10 PM

---

[More unsolicited help!](#)

**From:** Pierce Atwood LLP [mailto:mail@pierceatwood.com]  
**Sent:** Tuesday, January 31, 2017 1:47 PM  
**To:** Cheryl LaFleur  
**Subject:** FERC Can Reprise 1993 Delegation Order to Address Quorum Issues

[VIEW IN BROWSER](#) | This email may be construed as an advertisement or solicitation. [Find out more](#)

January 31, 2017

## FERC Can Reprise 1993 Delegation Order to Address Quorum Issues

The Federal Energy Regulatory Commission (FERC) will be left without a quorum when Commissioner Norman Bay's resignation becomes official on February 3, 2017 and FERC's ability to issue orders will be limited until the Administration fills a third seat.

There has been much discussion of the absence of a quorum and its impact on FERC's business, particularly on matters that could be affected by the operation of law under the Natural Gas Act and Federal Power Act. This could include new rate, rate schedule, and tariff filings, which become effective after 30 days unless suspended by FERC order, and requests for rehearing, which would be denied by inaction after 30 days. However, in 1993, faced with a similar quorum crisis, FERC issued an Order Delegating Authority to the Secretary and Certain Office Directors, 63 FERC ¶ 61,073 (1993), that provided for the following delegations and confirmed that all existing delegations remain in place as well.

1. To the Secretary, or, in her absence, her designee, authority to:

- Grant requests for rehearing filed under rules 713 and 1902, solely for purposes of further consideration
- Issue other notices or orders as appropriate in order to extend the time within which the Commission would otherwise be required to act

2. To the Director, Office of Pipeline and Producer Regulation, or, in his absence, his designee, authority to:

- Suspend tariff filings for an appropriate length of time under the Natural Gas Act
- Set suspended tariff filings for hearing under the Natural Gas Act
- Take whatever further action is necessary to process those tariff filings

3. To the Director, Office of Electric Power Regulation, or, in his absence, his designee, authority to:

- Suspend rate schedules for an appropriate length of time under the Federal Power Act
- Set suspended rate schedules for hearing under the Federal Power Act
- Take whatever further action is necessary to process those rate schedules

4. To the General Counsel, or in his or her absence, his or her designee,

authority to act upon requests for exempt wholesale generator status under section 32 of the Public Utility Holding Company Act.

We expect FERC to issue a similar delegation order this week before Commissioner Bay departs. [In a podcast issued yesterday](#), Acting Chairman LaFleur stated that staff delegated authority will be increased in anticipation of the lack of quorum. As with the 1993 order, it does not appear that a delegation order could adequately address pending interstate pipeline certificates required to commence construction or other major orders.

For further information, please contact [Energy Practice Group](#) attorneys [Randy Rich](#), [Ruta Skucas](#), or [Andrew Kaplan](#). Randy can be reached at 202.530.6424 or [r-rich@pierceatwood.com](mailto:r-rich@pierceatwood.com); Ruta can be reached at 202.530.6428 or [rskucas@pierceatwood.com](mailto:rskucas@pierceatwood.com); Andrew can be reached at 617.488.8104 or [akaplan@pierceatwood.com](mailto:akaplan@pierceatwood.com).

[James M. Avery](#)  
[Jared S. des Rosiers](#)  
[John W. Gulliver](#)  
[Andrew O. Kaplan](#)  
[Liam J. Paskvan](#)  
[Randall S. Rich](#)  
[Ruta Kalvaitis Skucas](#)  
[Maeve C. Tibbette](#)  
[Sarah B. Tracy](#)

[Energy](#)

Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

157 Capitol Street  
Suite 3  
Augusta, ME 04330

100 Summer Street  
Boston, MA 02110

One New Hampshire  
Avenue  
Portsmouth, NH 03801

72 Pine Street  
Providence, RI 02903

1875 K Street NW, Suite  
700  
Washington, DC 20006

[www.pierceatwood.com](http://www.pierceatwood.com)



This email is intended for general information purposes and as a service to clients and friends of Pierce Atwood LLP. This email may be construed as an advertisement or solicitation and should not be construed as legal advice or a legal opinion on any specific facts or circumstances, nor does it create attorney-client privilege.

To unsubscribe from Pierce Atwood LLP Energy mailing list, [click here](#).  
Copyright © 2017 Pierce Atwood LLP. All rights reserved.



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** FW: House hearing materials  
**Date:** Wednesday, September 13, 2017 4:59:00 PM

---

I cannot find the press article linking Neil's testimony, but it is not posted on the House Committee site.

Link to Neil's testimony: <http://docs.house.gov/meetings/IF/IF03/20170914/106383/HHRG-115-IF03-Wstate-ChatterjeeN-20170914.pdf>

Link to hearing materials: <https://energycommerce.house.gov/hearings/powering-america-defining-reliability-transforming-electricity-industry/>

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** FW: Lady Giga speech  
**Date:** Thursday, September 07, 2017 2:04:56 PM  
**Attachments:** [Lady Giga speech 4-23.doc](#)

---

You might want to read it after a drink or two (like the audience that night)

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, September 07, 2017 2:04 PM  
**To:** Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Subject:** Lady Giga speech

As promised

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** FW: Perry memo  
**Date:** Tuesday, April 18, 2017 11:33:22 AM

---

FYI.

---

**From:** Leonard Tao  
**Sent:** Tuesday, April 18, 2017 10:27 AM  
**To:** Colette D. Honorable  
**Subject:** RE: Perry memo

Thanks.

---

**From:** Colette D. Honorable  
**Sent:** Tuesday, April 18, 2017 9:44 AM  
**To:** Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>  
**Subject:** FW: Perry memo

---

**From:** Rod Kuckro [<mailto:rkuckro@eenews.net>]  
**Sent:** Tuesday, April 18, 2017 9:42 AM  
**To:** Colette D. Honorable  
**Subject:** RE: Perry memo

Yes I made the request on Friday.

Rod Kuckro  
Reporter  
E&E News  
[rkuckro@eenews.net](mailto:rkuckro@eenews.net)  
[www.twitter.com/Rodkuckro](https://www.twitter.com/Rodkuckro)  
[www.linkedin.com/in/rodkuckro](https://www.linkedin.com/in/rodkuckro)  
202-446-0449

---

**From:** Colette D. Honorable [[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)]  
**Sent:** Tuesday, April 18, 2017 9:39 AM  
**To:** Rod Kuckro  
**Cc:** Leonard Tao  
**Subject:** RE: Perry memo

Good morning Rod-

Have you made a FOIA request already? I've copied Len Tao of OEA who can assist us and apprise him of your request. Thanks-

Colette

---

**From:** Rod Kuckro [<mailto:rkuckro@eenews.net>]  
**Sent:** Monday, April 17, 2017 7:41 PM  
**To:** Colette D. Honorable  
**Subject:** Re: Perry memo

Thank you. I know it will be revealed through my FOIA request but that could take-- how long?  
Frankly, why does FERC need a FOIA request in this sort of thing. Makes no sense.

Sent from my iPhone

On Apr 17, 2017, at 7:30 PM, Colette D. Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Let me check. I'll get back to you in the morning. Thanks for your interest.

Sent from my iPad

On Apr 17, 2017, at 4:18 PM, Rod Kuckro <[rkuckro@eenews.net](mailto:rkuckro@eenews.net)> wrote:

You're welcome. Any chance you can share that self-nomination list? We never talked about it.

Sent from my iPhone

On Apr 17, 2017, at 4:09 PM, Colette D. Honorable  
<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Thanks Rod! Great being with you today. I skimmed the self nomination list and didn't see DOE on it, FYI.

---

**From:** Rod Kuckro [<mailto:rkuckro@eenews.net>]  
**Sent:** Monday, April 17, 2017 3:26 PM  
**To:** Colette D. Honorable  
**Subject:** Fwd: Perry memo

Sent from my iPhone

Begin forwarded message:

**From:** Amy Carlile <[acarlile@eenews.net](mailto:acarlile@eenews.net)>  
**Date:** April 17, 2017 at 2:43:14 PM EDT  
**To:** Rod Kuckro <[rkuckro@eenews.net](mailto:rkuckro@eenews.net)>, Peter Behr <[pbehr@eenews.net](mailto:pbehr@eenews.net)>  
**Subject:** Perry memo

<https://www.scribd.com/document/345406140/Energy->

[Memo#from\\_embed](#)

Amy Carlile  
Editor, Energywire  
[acarlile@eenews.net](mailto:acarlile@eenews.net)  
202-446-0440  
[@acarlile](#)

**E&E NEWS**

122 C Street NW 7th Floor Washington, DC  
20001

[www.eenews.net](http://www.eenews.net) | [@EENewsUpdates](#)

Energywire, Climatewire, Greenwire, E&E Daily,  
E&E News PM, E&ETV

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** FW: Trump issues executive order freezing hiring for federal workforce  
**Date:** Monday, January 23, 2017 12:48:24 PM

---

**From:** POLITICO Pro [mailto:politicoemail@politico.com]  
**Sent:** Monday, January 23, 2017 12:40 PM  
**To:** Colette D. Honorable  
**Subject:** Trump issues executive order freezing hiring for federal workforce

By Matthew Nussbaum

01/23/2017 12:04 PM EDT

President Donald Trump moved today to make good on a campaign promise to shrink the size of the federal government, issuing an executive order to freeze federal hiring. The military was exempted from the order's constraints.

The move is one of Trump's first official acts in office and follows a campaign in which he pledged to take aim at the way Washington does business.

*To view online:*

<https://www.politicopro.com/energy/whiteboard/2017/01/trump-issues-executive-order-freezing-hiring-for-federal-workforce-082641>

Was this Pro content helpful? Tell us what you think in one click.



[Yes, very](#)



[Somewhat](#)



[Neutral](#)



[Not really](#)



[Not at all](#)

You received this POLITICO Pro content because your customized settings include: Energy: all tags. To change your alert settings, please go to <https://www.politicopro.com/settings>

This email was sent by: **POLITICO, LLC**  
1000 Wilson Blvd. Arlington, VA, 22209, USA



**From:** [Neil Chatterjee](#)  
**To:** [Cheryl LaFleur](#); [Robert F. Powelson](#)  
**Subject:** Fw: Valero Filing re Colonial Tariff  
**Date:** Saturday, September 02, 2017 8:34:15 PM  
**Attachments:** [DOC090217.pdf](#)  
[ATT00001.txt](#)

---

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Segal, Scott <[scott.segal@bracewell.com](mailto:scott.segal@bracewell.com)>  
**Sent:** Saturday, September 2, 2017 8:18 PM  
**To:** Neil Chatterjee  
**Cc:** Robert Ross; Richard Walsh  
**Subject:** Valero Filing re Colonial Tariff

---

Mr. Chairman, attached is the document filed by Valero requesting emergency relief and expedited consideration of a waiver of the Reid vapor pressure (RVP) specification for conventional and reformulated gasoline present in the Colonial pipeline tariff. Also appended to the filing is the broad waiver of the RVP regulatory requirement already issued by the US Environmental Protection Agency on Wednesday. It is our understanding that Colonial supports timely FERC intervention in this matter. Further, discussions with EPA and the Department of Homeland Security likewise support timely federal action to ensure motor fuels restored along the Colonial line as expeditiously as possible. State actors in Texas, including the Railroad Commission, the Texas Council on Environmental Quality, and the Office of the Governor have been actively involved in attempts to timely resolve this matter.

We hope the FERC can take action on this matter as soon as possible. The EPA RVP waiver was designed to remove bottlenecks in getting motor fuel to market that resulted from Hurricane Harvey. FERC intervention as soon as possible will help effectuate this decision of the federal family - helping restore production in the Gulf and protecting consumers around the country.

Thanks, and let us know if additional information is needed. ss/

---

**SCOTT SEGAL**

Partner

[scott.segal@policyres.com](mailto:scott.segal@policyres.com)

T: +1.202.828.5845 | F: +1.800.404.3970

**POLICY RESOLUTION GROUP | BRACEWELL LLP**

2001 M Street NW, Suite 900 | Washington, D.C. | 20036-3310

[policyres.com](http://policyres.com) | [profile](#) | [download v-card](#)



#### CONFIDENTIALITY STATEMENT

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Fwd: Arrangements for Wednesday's event  
**Date:** Tuesday, September 26, 2017 6:41:42 PM

---

It looks like you are slated to speak.

Sent from my iPad

Begin forwarded message:

**From:** Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Date:** September 25, 2017 at 3:43:02 PM EDT  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** FW: Arrangements for Wednesday's event

[For Wednesday](#)

---

**From:** Mary O'Driscoll  
**Sent:** Monday, September 25, 2017 3:25 PM  
**To:** Meghan Estenson <[Meghan.Estenson@ferc.gov](mailto:Meghan.Estenson@ferc.gov)>; Andrew Holleman <[Andrew.Holleman@ferc.gov](mailto:Andrew.Holleman@ferc.gov)>  
**Cc:** Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>  
**Subject:** Arrangements for Wednesday's event

Good afternoon,

We're continuing to make final arrangements for Wednesday, and wanted to find out if there is anything more that you and your Commissioners need in advance of the celebration.

Also, here is an outline of the program for tomorrow. Please let us know if you have any concerns:

### FERC@40 Celebration

Music to start (*Celebrate, Dancing Queen*)

NC opens with brief history (remarks drafted)

<!--[if !supportLists]-->• <!--[endif]-->Remarks continue with development of FERC over years, what it is now  
<!--[if !supportLists]-->• <!--[endif]-->Invites colleagues to say a few words  
<!--[if !supportLists]-->○ <!--[endif]-->Cheryl

<!--[if !supportLists]-->o <!--[endif]-->Rob

NC back, does brief intros of former Chairmen and commissioners

<!--[if !supportLists]-->• <!--[endif]-->Specifically chairmen Curtis, Moler, Hoecker, Massey, Wood, Kelliher.

<!--[if !supportLists]-->• <!--[endif]-->Invites them and the other former Commissioners to say a few words.

NC cuts cake with Cheryl, Rob (photo)

Family photo with all Commissioners

Distribution of cake/cupcakes to all

<!--[if !supportLists]-->• <!--[endif]-->(Cue music: *Welcome Back, September, Stayin' Alive, We Are Family*)

**Attendees at Wednesday's FERC@40 celebration:**

<!--[if !supportLists]-->• <!--[endif]-->Charles Curtis

<!--[if !supportLists]-->• <!--[endif]-->Pat Wood

<!--[if !supportLists]-->• <!--[endif]-->Betsy Moler

<!--[if !supportLists]-->• <!--[endif]-->Jim Hoecker

<!--[if !supportLists]-->• <!--[endif]-->Joe Kelliher

<!--[if !supportLists]-->• <!--[endif]-->Bill Massey

<!--[if !supportLists]-->• <!--[endif]-->Charles Trabandt

<!--[if !supportLists]-->• <!--[endif]-->Mike Naeve

<!--[if !supportLists]-->• <!--[endif]-->Phil Moeller

<!--[if !supportLists]-->• <!--[endif]-->Marc Spitzer

<!--[if !supportLists]-->• <!--[endif]-->Tony Clark

Mary O'Driscoll

Director, Media Relations

Office of External Affairs

Federal Energy Regulatory Commission

(202) 502-8680



**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Anton Porter](#); [Cheryl LaFleur](#)  
**Subject:** Fwd: FERC Alert  
**Date:** Friday, June 02, 2017 7:00:20 AM

---

Good morning. FYI- I saw on the news that there are electricity outages in the area.

C

Sent from my iPad

Begin forwarded message:

**From:** FERC Alert <[swnalert@sendwordnow.com](mailto:swnalert@sendwordnow.com)>  
**Date:** June 2, 2017 at 6:57:23 AM EDT  
**To:** Colette Honorable <[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)>  
**Subject:** FERC Alert  
**Reply-To:** <[r-swna-4479668116@PHX-mail.sendwordnow.com](mailto:r-swna-4479668116@PHX-mail.sendwordnow.com)>

All FERC users are unable to login to the network. Technicians are investigating the issue.

The sender provided the following contact information.

Sender's Name: FERC Alert

Sender's Email: [security@ferc.gov](mailto:security@ferc.gov)

Sender's Contact Phone: 12025028911

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Fwd: Nice Tribute  
**Date:** Thursday, September 28, 2017 7:25:45 PM

---

Thank you so much! Hope the meeting went well. Cheryl

Sent from my iPad

Begin forwarded message:

**From:** Anita Decker <[anita@nwppa.org](mailto:anita@nwppa.org)>  
**Date:** September 28, 2017 at 6:19:22 PM EDT  
**To:** Cheryl LaFleur <[Cheryl.lafleur@ferc.gov](mailto:Cheryl.lafleur@ferc.gov)>  
**Subject:** Nice Tribute

Cheryl,  
I got to hear Chairman Chatterjee speak at NCPA today. He is so very  
complementary of you.

Just wanted to share.  
Anita

---

Anita J. Decker  
Executive Director  
[\(360\) 816-1441](tel:(360)816-1441) | [\(360\) 487-6372](tel:(360)487-6372) cell  
[9817 NE 54th Street, Ste 200, Vancouver WA 98662](mailto:anita@nwppa.org)  
[anita@nwppa.org](mailto:anita@nwppa.org)  
[www.nwppa.org](http://www.nwppa.org)



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Fwd: POLITICO Pro Q&A: FERC Commissioner Rob Powelson  
**Date:** Thursday, November 02, 2017 7:36:38 AM

---

Very good interview

Sent from my iPad

Begin forwarded message:

**From:** "POLITICO Pro Energy" <[politicoemail@politicopro.com](mailto:politicoemail@politicopro.com)>  
**Date:** November 2, 2017 at 5:02:14 AM EDT  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** POLITICO Pro Q&A: FERC Commissioner Rob Powelson  
**Reply-To:** "POLITICO subscriptions" <[reply-fe89137172620c7475-1178985\\_HTML-637920703-1376319-0@politicoemail.com](mailto:reply-fe89137172620c7475-1178985_HTML-637920703-1376319-0@politicoemail.com)>

## **POLITICO Pro Q&A: FERC Commissioner Rob Powelson**

By Darius Dixon

11/02/2017 05:00 AM EDT

Rob Powelson, who joined FERC this summer, has found himself serving as something of an ambassador from the states during one of the agency's most turbulent periods.

A Republican with a more than eight-year tenure as a Pennsylvania energy regulator, Powelson made headlines recently for saying that he didn't join FERC "to go blow up the markets" after Energy Secretary Rick Perry unveiled a controversial grid proposal aimed at propping up coal-fired and nuclear generation.

His five years as chairman of the state commission included Hurricane Sandy in 2012, and the 2014 "polar vortex" — an event Perry often cites to justify his proposed rule. But where the Energy Department's plan chides the reliability of natural gas during that cold snap, Powelson said "there were enough sins in there that everybody had some responsibility" and that grid operators are adapting to the "new normals of weather."

We're at an "inflection point" for the future of the electricity markets, Powelson told POLITICO in a recent interview. He said he wouldn't stand in the way of states that want to do more to address climate change — "If states want to want to value carbon, they should be able to do it" — but he urged patience from everyone waiting for FERC action on pricing reform and state policies.

*This interview has been edited for length and clarity.*

**Your home state is a big chunk of the PJM market. But last week Pennsylvania's state legislature approved a resolution supporting the DOE proposal while the utility regulator called the plan "unwieldy, untimely and impractical."**

As I often said in my prior life: God forbid the legislature has to make a decision that the PUCs have to make — raise rates, fine companies, revoke licenses. That's why you have independent agencies like FERC and state public utilities commissions that have to do economic regulation and safety regulation.

I think there are forces at play that wanted to put that marker out. When you peel it back, I think now back in Pennsylvania, as of Friday, there's 500 trillion cubic feet of natural gas under the ground. If you're the Marcellus Shale Coalition, you're like "What happened to us in this discussion?"

The legislature put a marker down ... but at the end of the day, the resolution is not binding. It's not an act of law.

**Pennsylvania is among the states that may consider out-of-market policies to help nuclear. So, what keeps you up at night more — addressing state subsidies or the pricing issues?**

I'm a states' rights advocate, but there are two things that drive what we do here. There's the Federal Power Act, and there's the Natural Gas Act. FERC Order 888 created this wholesale construct in the market. In the mid-2000s, probably 26 or so states ... did [renewable portfolio standards]. Republican states, Democratic states — those RPSs have driven strong investments in renewables. ... Pennsylvania, and other states, are [asking], "Do we embed in the RPS a nuclear standard?" Some are doing that after the fact.

And then there are some who have said these RPSs have caused a distortion in the market as we get to grid parity and we get more scale of renewables and the impact that that's having. ... These state policies obviously drove an outcome. Today, an unintended consequence is that some people say these states have not valued nuclear.

There are a lot of moving parts. To FERC's credit, we look at the markets and how they're functioning and how we value things like resiliency, and how we keep markets functioning. That's what I'm looking at. This is an inflection point. No doubt about it.

**For you, is anything other plant retirements driving market policy changes?**

If there is a deep concern about grid resiliency, and we can use events like the polar vortex, the recent hurricanes, and we can use derechos — these new weather events, the new normals of weather. The RTOs are saying, "Look, the velocity of these storms and the impact they have on the generation fleet, we think, yeah, we should do a deeper dive and value resilient resources." On the flip side to that is you've had states that have looked at things like microgrids, and they're doing grid resiliency.



The polar vortex was alarming in the sense you had a 24 percent forced outage rate. There were enough sins in there that everybody had some responsibility. But then you go to the next year, February of 2015, on another very bad cold snap there wasn't a 24 percent forced outage rate and the system performed. Right after 2014, PJM put forth the construct of capacity performance. And, by the way, we're not 100 percent into the capacity performance [process]. We have another auction of capacity performance results and then we're fully into a fully integrated CP. I personally want to see where we stand there. That's a longer term view. I want to see how capacity performance is working and ... how it deals with reliability.

**Why isn't there an agreed upon set of facts around the polar vortex?**

Capacity performance was a direct outcry of the polar vortex. ... I was told, as chairman, that capacity performance would provide the needed uplift compensation metrics to deal with these types of events going forward — meaning that these baseload resources will be adequately compensated by this.

**In your mind, has that turned out to be true?**

I'm still waiting. When we get to 100 percent, I think we'll have a story to tell.

**You've crossed paths with Perry a couple of times since the proposal came out. Have you made your views clear to him?**

To his credit, he's looking at this issue in terms of — as the head of DOE — reliability, resiliency. He's looking at the sustainability of these markets.

There are a lot of moving parts to this conversation. I don't mind that there's a little bit of impatience. Chairman [Neil] Chatterjee and I are the new FERC guys. I get it. This is an issue that has been elevated in the conversation of energy policy. I've been very direct in my position in support for markets.

**Commissioner Cheryl LaFleur has often talked about the "doors" to how that conflicts with states gets resolved: planned re-regulation, unplanned re-regulation, litigation and/or some kind of harmonization.**

The state policy changes are ongoing with us. ... Personally, I'd like to see us get our hands around that conversation. If states want to want to value carbon, they should be able to do it. They've done it with things like the [Regional Greenhouse Gas Initiative]. California has a cap and trade model. States have said, "Look, in lieu of a hard price on carbon on the national level, there are mechanisms for valuing it." And it's not my job to tell those states you can't do that.

**Is it FERC's job to tell them they should do that?**

I don't think so. What we're saying is that if you're going to design constructs, you better make sure they adhere to certain market principles. Trying to answer your question, yes, post-technical conference, there's a genuine commitment to handle the state piece. There are a couple of options, but I'll be straight up with you, I can't get into where they would go.

**FERC's authority over the RTOs is fairly absolute. Can you see any scenario where FERC overrides the RTOs and the states to impose something akin to what Perry has proposed?**

I think we'd be hard-pressed to not engage stakeholders like our states and our RTOs, independent market monitors.

**Is there a chance FERC expands the footprint of the DOE proposal to include areas outside of PJM, New York and New England?**

I've thought about it. I don't have any preconceived outcome. Most people would say that this is more of a PJM, New England, NYISO issue. But there's not a lot of coal left in New England.

I'm trying to be patient here and seeing where we go internally with staff recommendations.

**How do you view your role with FERC after eight-plus years at the state-level?**

My biggest takeaway is that I respect the independence of FERC. I worked for three governors.

What's very important to me is maintaining the independence of this agency because the people that work here look for that kind of guidance. In my view, not that there's been issues in my short tenure here, but it's important that you maintain that. The same could've said under the Obama administration. Our engagement with the states is now, more than ever, so critical.

Some have argued that it's been the imperialistic FERC, at times — that we've been very top-down.

**The DOE NOPR hasn't necessarily helped improve the image of FERC's independence.**

The NOPR, based on my cursory review of the state comments — and we're doing forecasting — have been 98 percent against. Obviously, this is a big issue. It's an inflection point for the FERC.

**You've said this is an inflection point a few times.**

We've come through the conversations post-Order 888 in the 1990s, to the future of the markets to ... today, the \$64,000 question: What's working and what's not working in markets, and how to do we keep those markets sustainable, long-term.

**If there's a deficiency, how do you fix it fast enough to make a difference?**

To Secretary Perry's credit, he has certainly stimulated a conversation or — as some would say — a call to action. That's healthy. I'm an impatient regulator, by nature. But some of this stuff has to be thought through. We have to develop a record and we have internal capacity to look at what's working and not working in markets.

If I could stress one thing, I need everybody in this town to remain calm, understand that the FERC is working hard around these issues.

I'm actually kinda giddy to be here at this point in time. It's a good challenge for us to have. The big question is, where do we go?

**Is the DOE proposal at all distracting?**

No, it's nothing personal. I think they were trying to say is that we've had all these things and when you lose the quorum, the train stops. ... You can't take up a notational vote on an issue of this magnitude.

Neil and I have only been on the job less than [three] months. I'm asking people to be patient with us too. We're the new people here. And it'd be nice to have two other colleagues to be part of this conversation.

*To view online:*

<https://www.politicopro.com/energy/story/2017/11/politico-pro-q-a-ferc-commissioner-rob-powelson-164284>

**You received this POLITICO Pro content because your customized settings include: Key phrase: lafleur. To change your alert settings, please go to <https://www.politicopro.com/settings>**

---



---

This email was sent to [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov) by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

---

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Fwd: REMINDER: Join CEA as We Talk FERC, DOE and State Energy Markets  
**Date:** Tuesday, November 07, 2017 2:15:14 PM

---

This is the NARUC breakfast I mentioned. I have GAL ok for this one and the storage breakfast also.

Sent from my iPad

Begin forwarded message:

**From:** James Voyles <[jvoyles@consumerenergyalliance.org](mailto:jvoyles@consumerenergyalliance.org)>  
**Date:** November 6, 2017 at 4:19:19 PM EST  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** REMINDER: Join CEA as We Talk FERC, DOE and State Energy Markets  
**Reply-To:** James Voyles <[jvoyles@consumerenergyalliance.org](mailto:jvoyles@consumerenergyalliance.org)>



## CEA Breakfast Panel

*DOE, FERC and the States: Federal Regulation of State Energy Markets.*

### Speakers

Anthony Pugliese, Chief of Staff, FERC  
Bernard McNamee, Deputy General Counsel, Energy Policy, DOE

---

**WHEN:** 7:30 to 8:50am on Monday, November 13th, 2017  
Breakfast will be served at 7:30am and the panel will begin at 8am.

**WHERE:** Ruth Ballroom, Hilton Baltimore

---

This should be an excellent opportunity to engage with federal policymakers on the issues and state level impacts within the DOE and FERC proposed rulemaking.

[REGISTER NOW](#)



This event is not sponsored by NARUC nor is a part of the NARUC Annual Meeting and Education Conference.

---

This email was sent to [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)  
Consumer Energy Alliance · 2211 Norfolk Street · Suite 410 · Houston, TX 77098 · USA

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Fwd: September 19 newsclips  
**Date:** Tuesday, September 19, 2017 9:01:31 AM

---

I'm sure you saw you're mentioned in Curt Weldon's story in The Hill.  
I know we are meeting today. See you soon.

Sent from my iPad

Begin forwarded message:

**From:** MediaDL <[MediaDL@ferc.gov](mailto:MediaDL@ferc.gov)>  
**Date:** September 19, 2017 at 8:53:05 AM EDT  
**To:** NewsDL <[NewsDL@ferc.gov](mailto:NewsDL@ferc.gov)>  
**Subject:** September 19 newsclips



DAILY  
NEWS CLIPS  
OFFICE OF EXTERNAL AFFAIRS  
FEDERAL ENERGY REGULATORY COMMISSION  
Happy Birthday to #FERC@40!

Tuesday, September 19, 2017  
website

Visit our [News Clips](#)

## TOP STORIES

[Washington Week: FERC preps for meeting; White House reaffirms Paris stance](#)

## ELECTRIC

[Xcel recommends Midwest Reliability Organization as SPP grid overseer](#)

[Avista and Hydro One of Ontario ask regulators to approve their merger](#)

[U.S. is the land of opportunity for Canadian utilities](#)

[Washington absolutely must save the EMP commission](#)

## GAS/LNG/OIL PIPELINES

[FERC lets Rover resume HDD at key sites](#)

[FERC OKs Rover work with a warning on compliance](#)

[Critics say corporate relationships may be distorting market needs](#)

[Greens demand FERC review climate impacts of two Marcellus pipes](#)

[Sierra Club wields Sabal Trail ruling against Atlantic Coast, Mountain Valley](#)

[Pipeline foes cite recent ruling](#)

[FERC overrules New York permit denial for Millennium gas pipeline](#)

[FERC, New York at odds over pipeline permits](#)

[Roadblocks for LNG exports monitored](#)

[Williams to finish Atlantic Sunrise in 10 months](#)

[National Fuel plans to modernize parts of Pa. gas system](#)  
[Kinder Morgan unit plans to drop Wyo. gas processing plant](#)  
[Editorial: Dizzying contradictions: power, pipeline, permits](#)

## **OTHER AGENCIES**

[Perry disputes grid models, denies renewable regs pre-emption](#)

## **STATES**

[FACTBOX: Florida load normalizes, outages fall](#)  
[Michigan PSC postpones LCR until 2018](#)

## **INTERNATIONAL/MISC.**

[Mexico to solicit renewables-related transmission](#)

## **Top Stories**

[SNL.com](#)

Monday, September 18, 2017 9:53 AM ET

### **Washington Week: FERC preps for meeting; White House reaffirms Paris stance**

By Molly Christian

After a long hiatus, the Federal Energy Regulatory Commission this week will hold its first monthly meeting since January, further paving the way for the agency to whittle down a backlog of major project applications, rate cases and other pending issues.

The Sept. 20 meeting will be held by temporary FERC Chairman Neil Chatterjee, newly confirmed Commissioner Robert Powelson and Commissioner Cheryl LaFleur, who at one time served as the agency's chairman. The commission has not held a monthly meeting since January, shortly before former Chairman Norman Bay left the agency and reduced the number of sitting commissioners to two — short of the three needed to achieve a quorum that allows FERC to decide on significant interstate infrastructure projects and other regulatory matters.

While waiting on new commissioners, FERC staff issued delegated orders on certain matters, subject to further order. With its quorum back, the commission could reverse some of the staff's decisions. The agenda for the Sept. 20 meeting does not appear to include high-profile or controversial matters, but industry members will soon get a glimpse of how FERC's new members lean on key issues.

Chatterjee, who is chairing FERC while the U.S. Senate considers the nomination of Kevin McIntyre to that post, has voiced support for coal generation and could press for policy changes to give the fuel more support in wholesale power markets. Chatterjee told lawmakers at a Sept. 14 hearing that the grid appeared stable but did not rule out potential regulatory fixes to make baseload plants more competitive if the commission identifies reliability risks resulting from coal and nuclear plant closures.

Other pressing issues before FERC include whether and how to facilitate state clean energy goals in FERC-regulated electricity markets, a proposed rule to advance use of energy storage resources, and a backlog of energy infrastructure projects totaling about \$14 billion in private capital.

#### Senate to move on more nominations

The energy sector could get a better sense of FERC's thinking on those subjects after the Senate votes on President Donald Trump's two other nominees to the commission. On Sept. 19, the Senate Energy and Natural Resources Committee will vote on McIntyre and Senate Democratic aide Richard Glick's nominations to FERC, as well as consider candidates for key posts at the U.S. Department of Interior and Department of Energy. If the committee approves the nominations, they will head to the full Senate for approval.

The Senate Environment and Public Works Committee will also consider several nominations this week for agencies touching on energy, including assistant administrators for the U.S. Environmental Protection Agency and Jeffrey Baran's nomination to a new term at the Nuclear Regulatory Commission.

The U.S. House of Representatives is out of session this week but will reconvene the last week of September, when the House Energy and Commerce Committee's Energy Subcommittee will hold the second of two hearings on grid reliability. The first featured Chatterjee, Gerry Cauley, North American Electric Reliability Corp's president and CEO, and Patricia Hoffman, Acting Assistant Secretary for DOE's Office of Electricity Delivery and Energy Reliability.

Other witnesses were due to testify, but the subcommittee split the hearing into two parts. A witness list for the second hearing has yet to be released but could include the heads of several power industry groups asked to appear at the original hearing, including the Nuclear Energy Institute, American Wind Energy Association and the American Coalition for Clean Coal Electricity.

The hearings are meant to explore a range of possible reliability risks, including outages from extreme weather events that some are tying to climate change. President Trump has dismissed the link between climate change and the severity of recent hurricanes Irma and Harvey, but members of his cabinet still hope to work with other countries on the issue.

White House Chief Economic Advisor Gary Cohn requested a meeting with senior climate and energy ministers ahead of the United Nations General Assembly meeting, which starts in New York on Sept. 19. The meeting is aimed at helping the Trump administration forge a global strategy on lowering greenhouse gas emissions despite the president's decision to pull the U.S. out of the Paris climate agreement.

The White House faced a minor uproar over the weekend after the Wall Street Journal reported the Trump administration was considering staying in the pact "under the right conditions." The story generated speculation that Trump was softening his stance on withdrawal, but the White House quickly dismissed the idea. Trump's official position when he announced the Paris exit in June was that the U.S. would consider staying in the agreement if the country got a better deal, although many signatories to the pact have said they were unwilling to renegotiate.



Another big energy development this week will be the U.S. International Trade Commission's decision on whether domestic solar cell and module manufacturers have been hurt or threatened by rising imports. The ITC is scheduled to issue its decision on the matter Sept. 22. Defenders of the trade action say imports are unfairly punishing domestic manufacturers, but opponents say additional safeguards against imports would increase the cost of solar technology, disadvantaging the energy source against fossil fuels and other resources.

[Return to Top](#)

## Electric

The Energy Daily  
September 19, 2017

### Xcel recommends Midwest Reliability Organization as SPP grid overseer

With the Southwest Power Pool planning to dissolve its unit overseeing compliance with federal reliability rules on its grid, Xcel Energy has recommended that job should go to the Midwest Reliability Organization, which performs the same role for SPP's neighboring grid operator, the Midcontinent Independent System Operator.

SPP announced in July that it would no longer serve as the "regional entity" enforcing grid reliability rules on behalf of the North American Electric Reliability Corp. (NERC). At that time, NERC called on participants in SPP's market—which ranges across 14 south-central and Great Plains states—to make recommendations on what entity should take over that role in SPP.

SPP is the only U.S. regional transmission organization (RTO) that still carries a dual role as a reliability entity and grid operator. SPP also said its RTO footprint no longer aligns with the geographic area where it oversees reliability.

In a September 8 press release, Xcel recommended that SPP select the Midwest Reliability Organization, or MRO, as its new compliance authority, saying the MRO could consolidate operations across the Midcontinent Independent System Operator and SPP and save money for utilities such as Xcel with operations in both RTOs.

Minnesota-based Xcel Energy is weighing in because its Texas-New Mexico operating company – Southwestern Public Service Co.—is in SPP.

Sources have said since July that the most obvious candidates to take over the SPP reliability work are MRO, the Texas Reliability Entity or SERC Reliability Corp., which covers much of the Southeast. All three are contiguous with SPP's footprint.

[Return to Top](#)  
[SNL.com](#)

Monday, September 18, 2017 6:32 PM ET

### Avista and Hydro One of Ontario ask regulators to approve their merger

By Jeff Stanfield

Avista Corp. and Hydro One Ltd. are asking regulators to approve their plan to merge

across national boundaries with far flung, noncontiguous service territories.

Hydro One is Canada's largest electricity transmission and distribution service provider and distributes power to over 1.3 million residential and business customers covering approximately 75% of the geographic area of Ontario.

Avista provides electric generation, transmission and distribution services to 378,000 retail customers in Washington, Idaho and Montana and distributes natural gas to 342,000 retail customers in Washington, Idaho and Oregon. Avista subsidiary Alaska Electric Light and Power Co. provides electric generation, transmission and distribution services to 17,000 retail customers in Juneau, Alaska.

Pursuant to a merger agreement announced in July, Avista would become a subsidiary of Hydro One and Avista's stock would be delisted from the New York Stock Exchange. The Province of Ontario will own a substantial but noncontrolling share of the merged company. The \$5.3 billion purchase price would be comprised of an equity purchase of \$3.4 billion and indirect assumption of about \$1.9 billion in debt.

The proposed deal is subject to approval by a wide range of regulatory approvals, including that of the Washington Utilities and Transportation Commission, Idaho Public Utilities Commission, Oregon Public Utility Commission, Montana Public Service Commission, Alaska Regulatory Commission, the Federal Energy Regulatory Commission, the Federal Communications Commission and clearance of the Committee on Foreign Investment in the United States.

Avista and Hydro One have now formally begun seeking those approvals, including that of FERC and several state commissions. In their joint application to the Washington Utilities and Transportation Commission, the companies said that while the Ontario Energy Board regulates the rates and practices of certain affiliates of Hydro One, it has no say over the the proposed merger, and no other Canadian authorities need to sign off on the deal.

In ticking off some of the benefits of the proposed deal, the companies explained that as the trend toward electric and gas utility consolidation continues, Avista is one of the smallest investor-owned utilities remaining in North America. The merger will place the combined companies in the middle range of investor-owned utilities on the continent in terms of size, the companies said, and will allow them to spread costs of new technology and infrastructure for the benefit of nearly two million customers.

Sharing technology and other benefits of scale will not occur in the near term, but cost savings will flow through to customers in future general rate cases, the companies said. However, Avista and Hydro One promise to flow through to Avista's retail customers in Washington, Idaho and Oregon a combined rate credit of at least \$31.5 million over a 10-year period.

The companies also reported that Avista's board of directors will retain authority over certain regional matters without any obligation to obtain separate authorization from the Hydro One Board. Avista will keep its brand name, and its headquarters will remain in Spokane, Wash. Avista will not have any workforce reductions and will keep its existing management team and office locations in each of its service areas. Avista will also keep its compensation and benefit practices and power to negotiate with employee bargaining units, the companies said.

Until 2015, the Province of Ontario owned Hydro One and predecessor Ontario Hydro but has since become an investor-owned utility. On Nov. 5, 2015, Hydro One completed its initial public offering on the Toronto Stock Exchange by way of a

secondary offering of common shares by the province, with the goal of 60% of the company being held by private investors.

As of July 31, the province owned 49.9% of Hydro One's shares. Assuming the merger is completed, the province's level of ownership will decline to below 45%. The Ontario Electricity Act of 1998 restricts the Province from owning less than 40%, according to the merger applications.

Hydro One connects generating facilities operated by Ontario Power Generation Inc. and a number of privately owned companies. Ontario Power is a province-owned Crown corporation.

[Return to Top](#)

EnergyWire

September 19, 2017

GRID

## U.S. is the land of opportunity for Canadian utilities

[Saqib Rahim](#), E&E News reporter

Hurricane Irma had left Florida's grid reeling, and U.S. EPA wanted all hands on deck.

Among the recruits: four huge power plants operated by Tampa Electric. The natural gas- and coal-fired generators could belt out 4,668 megawatts at full tilt, which the state wanted to run without liability. On Sept. 10, EPA relaxed enforcement standards for these stations, agreeing that they were necessary "to ensure adequate supply of electric power."

Hurricane Irma is probably not how Nova Scotia-based Emera Inc., TECO's parent, expected to make its money. But in a way, the disaster highlights exactly why the Canadian utility expanded to the United States in the first place.

Emera's Florida utility is regulated, meaning whatever the company does in the recovery, regulators will help it get its money back and then some.

That's why, despite the disaster, Credit Suisse Group AG analysts Andrew Kuske and Paul Tan felt confident the company would be made whole. "EMA's path to regulatory recovery for storm-related damages should not be negatively affected for the underlying utilities," they wrote last week. (Credit Suisse has disclosed business with Emera in the last year.)

It's a less-than-excellent time to be in the U.S. power business, with demand flat and natural gas suppressing the price of electrons. But Emera and a handful of other Canadian companies have shown in recent years that they see a growth opportunity their home country can't provide: regulated U.S. utilities.

Right next to the Berkshire Hathaways and Duke Energys of the world, they're vying for some of the most coveted businesses on the U.S. grid. Where demand is growing, capital projects are needed and — most importantly — regulators will allow them a high rate of a return.

Moody's Investors Service counts \$36.5 billion of Canadian acquisitions over the last two years. The figure includes Fortis Inc.'s nearly \$12 billion takeover of Michigan transmission giant ITC Holdings Corp. It accounts for a smattering of smaller deals in natural gas and power utilities working from Alaska to Idaho to Missouri to Virginia.

"The U.S. is ripe with opportunity, probably more so than what domestic Canadian

players are seeing in Canada," said Jeremy Fago, U.S. power and utilities leader at PwC. "It's not just a generation shift; it's all of the infrastructure and logistics to support that generation shift. It's a bit of a perfect storm in the U.S."

The deal for TECO, in September 2015, came just two months after the Florida utility announced it was for sale.

Emera muscled in with an offer few could match: \$10.4 billion to buy all of TECO's stock and assume all \$3.9 billion of its debts.

In a conference call, Emera President and CEO Chris Huskilson beamed that the move would "essentially double the company."

Emera, once a utility serving tiny Nova Scotia, had gradually expanded into the Canadian Maritimes, New England and the Caribbean. But with few targets available in Canada, the company needed somewhere else to grow. TECO fit the bill.

"Our patience has really paid off. And we've been preparing ourselves for a transaction of scale with a regulated utility for some time," Huskilson said.

By acquiring TECO, Emera would become one of the 20 largest utilities in North America. It would obtain regulated gas businesses in New Mexico and Florida and regulated power in Florida. It would go from serving about 900,000 customers to serving 2.4 million customers.

The deal was so big that Emera's own books would be inverted: Instead of making half its revenue from Canada, it would make about 25 percent. More than 70 percent of its earnings would come from the United States.

"TECO's service territory, located in Florida, a state with high population growth is [the] envy of all major electric utilities," Greg Jones and Dot Matthews, analysts with CreditSights, wrote that year.

State and federal regulators approved the deal, and it closed in July 2016. Emera said it would keep the employees, buildings and subsidiary names of the company it bought.

Fortis looking for more U.S. deals

Fortis' deal to buy ITC was cut from similar cloth.

ITC's willingness to sell went public in November 2015. By February 2016, Fortis had stepped in with a \$11.3 billion offer, debt and all.

Fortis' motive, betrayed by years of successively larger acquisitions, was to finally go big in the United States. ITC represented the largest deal that Fortis, once a humble utility in Newfoundland, had ever signed.

Now it was hoping to become one of the 15 largest utilities in America. ITC owned and ran some 15,600 miles of power lines across the American heartland, from the Upper Midwest down to the Great Plains.

These power lines enjoyed "supportive [Federal Energy Regulatory Commission] regulation," with higher-than-average returns on equity, the companies noted.

When the deal closed in October 2016, it came with a quirk: ITC would be taken off the New York Stock Exchange. From now on, the value of these assets would be represented in Fortis' new ticker on the NYSE: FTS. On Oct. 19, President and CEO Barry Perry rang the NYSE's opening bell.

"There is a focus in the U.S. of switching to natural gas and renewables," Perry told Canada's Financial Post.

Perry said Fortis would continue to look for expansion opportunities in the United States because "we don't really see much opportunity" in Canada.

Many of Canada's large utilities are "crown corporations" with heavy public ownership — and the financial and political restraints that come attached.

"If you're looking to grow in Canada, there's not a lot of options. There's not a lot of companies that you can look to acquire," said Gavin MacFarlane, a vice president at Moody's.

Earnings potential

How are Canadian companies paying for all this? The answer: wide-open capital markets.

"Utilities' financing is very cheap right now," said Travis Miller, a utilities analyst with Morningstar Inc. "They're willing to pay up for growth opportunities and higher-quality earnings potential."

Interest rates remain at post-recession lows. In terms of equity, regulated utilities still have their reputation as one of the safest, highest-value investments around, which means equity is also relatively cheap.

Utilities historically treasure their "investment-grade" ratings, the grade that brings in cash from pension funds and other institutions — also known as the biggest investors on Wall Street.

But in Emera's and Fortis' cases, the deals were structured to push investment grade to the limit — and not over it.

In July, Hydro One Ltd., a utility 49.9 percent owned by Ontario, announced its first-ever acquisition in the United States. The target was Avista Corp., which sold power and gas to more than 700,000 customers in Washington, Idaho, Oregon and Alaska.

The rationale? Hydro One wanted to diversify from a 100 percent Ontario business to one that earned cash across geographies. The deal would allow it to expand from a rate base of \$14.1 billion to a total rate base of \$17.1 billion.

And it wanted some regulatory freedom: In Ontario, returns on equity were 8.8 percent, but Avista enjoyed ROEs between 9.4 and 12.9 percent.

The companies hope to have approval from all state and federal regulators by the end of 2018. If they do, the company will rank as a top-20 utility in North America by enterprise value. And another thing: If it goes through, Avista will come off the NYSE.

Twitter: [@SaqibSansU](#) Email: [srahim@eenews.net](mailto:srahim@eenews.net)

[Return to Top](#)

[Thehill.com](#)

September 19, 2017

## Washington absolutely must save the EMP commission

By Former Rep. Curt Weldon, Opinion Contributor — The Views Expressed By Contributors Are Their Own And Not The View Of The Hill

Only Washington bureaucrats could be so stupid they would terminate the

Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, also known as the Congressional EMP Commission — just when North Korea threatened to attack the United States with EMP.

On Sept. 2, North Korea tested a thermonuclear H-bomb warhead for their intercontinental missiles capable of striking the United States. North Korea boasted their new warhead can generate “super-powerful EMP against a vast region.”

EMP is like super-energetic lightning. Except instead of striking a point it can cover an entire nation, like the continental United States, with an EMP field.

A nuclear EMP attack would destroy electronics everywhere, cause planes to crash, stop cars and rail traffic, blackout electric grids and other critical infrastructures that make modern civilization, and life itself, possible. Eventually, millions would die from starvation, disease, and societal collapse.

The Congressional EMP Commission warned that a nationwide blackout lasting one year could kill up to 90 percent of the American people.

Thus, a nuclear EMP attack would be far deadlier than a nuclear strike that blasts a city.

North Korea knows this, which is why their state media describes the new thermonuclear warhead as capable of both blasting cities and making an EMP attack: “The H-Bomb, the explosive power of which is adjustable from tens of kilotons to hundreds of kilotons, is a multifunctional thermonuclear weapon with great destructive power which can be detonated even at high altitudes for super-powerful EMP attack according to strategic goals.”

The Congressional EMP Commission has been warning for years — and now is obviously proven right — that North Korea knows about EMP and has been developing capabilities to make a nuclear EMP attack.

Indeed, in a recent article (published before North Korea’s Sept. 2 nuclear test), Dr. William Graham, chairman of the Congressional EMP Commission, warned that North Korea’s two satellites orbiting over the U.S. may pose an EMP threat:

After massive intelligence failures grossly underestimating North Korea’s long-range missile capabilities, number of nuclear weapons, warhead miniaturization, and proximity to an H-Bomb, the biggest North Korean threat to the U.S. remains unacknowledged. North Korea has two satellites in orbit, and more to follow, that could be nuclear-armed for high-altitude electromagnetic pulse (EMP) attack that could blackout North America for months to years, killing millions ... This point appears to be beyond the comprehension of most, including secretaries of Defense, the military leadership, and the usual ‘experts’ who appear in the press.

Stupidly, the Department of Defense and the Department of Homeland Security intend to let the EMP Commission terminate on Sept. 30. Despite the ominous and growing EMP threat from North Korea, no one at DOD or DHS has asked Congress to continue the EMP Commission.

The House Armed Services Committee may establish a new EMP Commission and replace the existing EMP commissioners in the FY2018 National Defense Authorization Act (NDAA). But there is no substitute for the existing EMP Commission, which comprises the greatest body of expertise in the Free World.

The EMP Commissioners have proposed plans to protect the U.S from the existential

threat that is EMP—opposed by lobbyists for the electric power industry.

I am one of the founders of the original EMP Commission, along with former Maryland Republican Rep. Roscoe Bartlett. Together, between 1995-2001, we held numerous hearings on the EMP threat, establishing the EMP Commission in the FY2001 NDAA under Title XIV to begin the process of protecting our nation.

Terminating Title XIV, as proposed in the House NDAA, is another stupid idea, as it would reduce the Congressional EMP Commission to the status of a defense contractor and destroy its independence.

I appeal to my colleagues on the Senate Armed Services Committee to replace the House provision on the EMP Commission with this:

“The Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, as described in the FY2001 Floyd D. Spence National Defense Authorization Act, Public Law 106-398, Title XIV, with all the powers and authorities invested in the EMP Commission under Title XIV, is hereby re-established. The nine EMP commissioners, including the EMP Commission chairman, originally appointed to serve on the EMP Commission are hereby re-appointed. Any new commissioners to fill vacancies on the EMP Commission shall be appointed by the secretary of Defense, in consultation with the chairmen and ranking members of the Senate and House Armed Services Committees. The commission shall deliver a report to Congress on threats to the United States from nuclear and non-nuclear EMP attack, natural EMP from solar storms, and other threat vectors to military and civilian critical infrastructures, 18 months from the date that the EMP Commission chairman certifies that the commission has received adequate funding, security clearances, and other support to commence work.”

Hats off to Rob Powelson, my former staffer, newly appointed to the U.S. Federal Energy Regulatory Commission. Commissioner Powelson, I am sure, will continue the fight to protect our nation, even if the EMP Commission is destroyed.

Former Rep. Curt Weldon (R-Pa.) served as vice chairman of the House Armed Services Committee and of the House Homeland Security Committee. He sponsored the legislation that gave the United States a National Missile Defense, and was co-founder of the Congressional EMP Commission.

[Return to Top](#)

## Gas/LNG/Oil Pipelines

Gas Daily

September 18, 2017

### FERC lets Rover resume HDD at key sites

By Maya Weber ,Eric Brooks

The US Federal Energy Regulatory Commission Monday gave the 3.25-Bcf/d Rover Pipeline project the go-ahead to resume horizontal directional drilling work at nine sites where the agency had halted work in May after releases of drilling fluids into Ohio wetlands.

While the new permission does not apply to every paused site, it does cover a key area important to the first phase of the project: the Captina Creek drill site in

southeast Ohio . Its location along the Clarington Lateral stands between several other upstream supply laterals and the project's mainlines.

In a letter Monday, Office of Energy Projects Director Terry Turpin said Rover had sufficiently satisfied the obligations imposed by commission staff in response to the inadvertent release of drilling mud at an HDD site near the Tuscarawas River — as well as the contamination of drilling mud at that location — to allow work to restart.

The agency specified that Rover may resume work at the following locations only: Captina Creek, Middle Island Creek (mileposts 24.78 and 25.30), Highway 151, Interstate 75, Sandy Creek, Prairie Lane, State Highway 3, Maumee River, and Indian Fork.

Several of those areas are sites Rover classified as “critical drill” sites in its February 2017 implementation plan for the project.

In its May 10 order halting some work, FERC allowed drilling to resume at a majority of Mainline A sites, but it blocked all drilling at Mainline B sites. Mainlines A and B are two 42-inch-diameter pipelines running in parallel west-northwest across Ohio , transporting production volumes from Ohio , Pennsylvania , and West Virginia to downstream delivery interconnects in northwestern Ohio .

The drilling re-authorization comes more than two months following the planned July 1 startup of the project’s Phase 1 facilities, which are designed to include both mainlines, as well as four compressor stations and four supply laterals. On September 1, Rover placed into service a modified Phase 1A, which includes Mainline A facilities and no compressor stations. To this day, no compressors have been placed into service.

Flows on Rover have helped drive incremental US Northeast production gains in September. Of its roughly 700 MMcf/d of average flows so far, an estimated 200-300 MMcf/d is estimated to be “new,” or incremental, production. The balance has been composed of volumes that, prior to Rover, were typically delivered into Texas Eastern Transmission and Dominion Energy Transmission in Ohio .

Prices at Dominion South for November delivery rallied 13 cents on Intercontinental Exchange following the Monday order.

The 3.25-Bcf/d Rover Pipeline project has been closely watched by gas market participants due to its large size and expected market impact, not only on production growth in the US Northeast but also on higher outflows to neighboring regions such as the US Midwest and Southeast and eastern Canada .

Amid the construction, the project has drawn intense scrutiny for environmental impacts in Ohio and West Virginia . After drilling releases in Ohio , FERC had ordered a third-party contractor review of the HDD work.

In his letter Monday, Turpin credited Rover with making sufficient progress in restoring some affected areas and developing specific plans to follow recommendations of that contractor, J.D. Hair & Associates, as well as staff recommendations for the nine crossings.

"Commission staff finds that utilization of these measures will help to ensure the risk of future inadvertent releases is minimized," Turpin said. He also noted that Rover has developed procedures to protect against future contamination of drilling mud by petroleum hydrocarbons.

In giving permission for that work to restart, FERC noted the decision does not have bearing on FERC's ongoing investigation into drilling fluid contamination at the



Tuscarawas River site, and the cause of that contamination.

[Return to Top](#)

EnergyWire

September 19, 2017

PIPELINES

## FERC OKs Rover work with a warning on compliance

[Jenny Mandel](#), E&E News reporter

The Federal Energy Regulatory Commission yesterday authorized an Energy Transfer Partners LP subsidiary to resume tunneling work that regulators had put on hold after a massive drilling fluid spill in wetlands near the Tuscarawas River in Ohio in April.

In a notice, FERC staff said Rover could restart horizontal directional drilling at nine road and river crossings, approving plans put forward by the company with support from independent consultants and spelled out in detail by FERC last month ([Energywire](#), Aug. 24).

Those requirements include using extra pressure tracking devices at the drillhead as it bores under obstacles and keeping additional independent inspectors on site to monitor for unintended releases of drilling fluid.

The restart will help Rover meet its commitments to complete the pipeline by the end of this year. Work on laying pipe for much of the \$4.2 billion, 713-mile natural gas pipeline project has continued since FERC stopped certain work in May, and a portion of the pipeline was put into service at the end of August, but the company was unable to make progress on the final crossings necessary to complete the project.

Even as FERC granted Rover permission to move forward, officials warned the company that its continued cooperation was required as the agency investigates the April release of an estimated 2 million gallons of drilling slurry that was later found to be contaminated with traces of diesel fuel.

"We remind Rover ... that the Office of Enforcement (OE) continues to investigate the underlying cause of the drilling mud contamination, and we expect Rover to cooperate fully with OE staff with respect to that investigation," FERC wrote.

Rover did not immediately comment on the announcement.

Twitter: [@JennyMandel1](#) Email: [jmandel@eenews.net](mailto:jmandel@eenews.net)

[Return to Top](#)

EnergyWire

September 19, 2017

PIPELINES

## Critics say corporate relationships may be distorting market needs

[Jenny Mandel](#), E&E News reporter

Natural gas pipeline permitting should be completely overhauled to more critically assess shippers' claims around the market need for their pipelines, industry critics charge in a new report out today.

In the [report](#), the groups Oil Change International, Public Citizen and the Sierra Club

argue that the Federal Energy Regulatory Commission and state-level public service commissions are being misled by pipeline developers that profess a need for natural gas transmission that in many cases does not exist.

The authors point to corporate affiliations between pipeline companies and end users like utility holding companies as a key problem for several major pipeline projects currently in development. As a case study, they point to the proposed Mountain Valley pipeline, which is organized as a joint venture co-owned of EQT Midstream Partners LP, NextEra US Gas Assets LLC, Con Edison Transmission Inc. and two other midstream firms, with EQT — a natural gas processor with major interests in the Marcellus and Utica shale formations — as the operator.

The Mountain Valley pipeline's capacity is 100 percent subscribed by corporate cousins of the pipeline owners, a situation that the authors say puts it at risk for misleading assertions about demand for shipping capacity on the pipeline as the companies make their case to FERC for project approval.

As a result, the authors say, "The New York utility arm of Con Edison (Con Ed) could end up hitching its customers to over \$60 million per year in largely excess costs, while its transmission affiliate recoups profit as part owner of the pipeline."

The Mountain Valley pipeline is currently under environmental review before FERC. But it is also at the center of an ambitious lawsuit that challenges FERC's granting of eminent domain power to pipeline companies for the benefit of private interests, in a manner that landowners say trample their constitutional property rights ([Energywire](#), Sept. 13).

The report also flags as vulnerable the Atlantic Coast pipeline proposed by Dominion Energy Inc., Duke Energy Corp., Piedmont Natural Gas Co. and Southern Co.; the PennEast pipeline being developed by New Jersey Resources Corp.; and the Nexus pipeline, a joint project of DTE Energy Co. and Enbridge Inc.

The critique also homes in on the 14 percent return on equity that FERC authorizes for new pipeline projects as a particular weakness. That rate, which the authors note was established 20 years ago, is out of step with today's low interest rates and incentivizes building new projects when they may not be needed, the report argues.

Finally, the authors take issue with regulators' failure to consider a bigger perspective on energy development as they weigh approvals for assets that could be in operation for 40 years or more.

"If power demand continues to flatten and decrease, and if necessary regulatory and legislative action to curb climate change is implemented, the pipelines being proposed now to facilitate production growth in the Appalachian Basin could be significantly underutilized," they wrote.

The authors take issue with FERC's resistance to considering alternatives to gas transmission in the portion of environmental reviews where such considerations are required.

For the PennEast project, that section read in part, "Because the purpose of the project is to transport natural gas, and the generation of electricity from renewable energy sources or the gains realized from increased energy efficiency and conservation are not transportation alternatives, they are not considered or evaluated further in this analysis."

That failure to consider alternatives to natural gas pipelines exposes the regulatory process to risk that pipelines will amount to white elephant projects as the energy

economy moves in other directions, the authors say.

The report warns that the combination of pipelines that may not truly be needed now but are being justified based on cozy corporate structures and overly generous guaranteed returns, layered with changing technologies and climate imperatives to move away from fossil fuel, could leave utility ratepayers saddled with long-term payments to support infrastructure that is barely used.

That argument largely aligns with environmentalists' proposal of a "carbon bubble" that overvalues fossil-fuel-based energy companies, based on the idea that many oil and gas resources cannot and ultimately will not be developed, as the world eventually conforms to greenhouse gas emissions limits to address climate change ([Greenwire](#), Oct. 28, 2016).

Natural gas industry advocates, in contrast, describe the fuel as a cleaner alternative to coal for baseload electric power and a source of energy that is forecast by many analysts to see major demand growth both in the U.S. and around the world. A new analysis of world energy markets to 2040 by the U.S. Energy Information Administration envisions natural gas growth outpacing that of other fossil fuels over the coming decades and total utilization of natural gas far outstripping that of renewables by 2040 ([Energywire](#), Sept. 15).

A permitting hiatus

To address the pipeline permitting problems identified in their assessment, the report authors call for FERC to cease all permitting of interstate natural gas pipelines while it initiates a review of long-term market demand for gas and of its rates of return on equity for pipeline projects.

They call on state regulators to step in as formal intervenors in all FERC pipeline dockets to represent ratepayers whose payments could go up with new pipeline development and to review potentially cozy contracts between developers and any off-takers with which they may be affiliated.

In fact, FERC is moving in the opposite direction as the confirmation of two new commissioners has returned the agency to a quorum that will allow it to resume consideration of major actions after a hiatus that began in February. The commission's first public meeting in months will take place tomorrow.

One of the body's first major actions after it resumed work was approval of the Nexus pipeline last month ([Greenwire](#), Aug. 28).

The groups' call for state regulators to hold a hard line against pipeline development also runs up against the strong economic development that states like Pennsylvania, Ohio and West Virginia have seen from new natural gas production, and expectations that local economies will continue to boom for as long as gas production and pipelines bring in tax revenues and jobs.

Twitter: [@JennyMandell](#) Email: [jmandel@eenews.net](mailto:jmandel@eenews.net)

[Return to Top](#)

The Energy Daily  
September 19, 2017

**Greens demand FERC review climate impacts of two Marcellus pipes**  
BY JIM DAY

Foreshadowing likely litigation targeting the projects, environmental groups Monday called the Federal Energy Regulatory Commission's environmental reviews of the controversial Atlantic Coast and Mountain Valley natural gas pipelines "fatally flawed" and demanded the commission conduct supplemental reviews to determine the projects' impacts on greenhouse gas emissions from combustion of the shale gas they carry.

In comments filed with FERC Monday, the Sierra Club and other green groups pointed to a ruling by the U.S. Court of Appeals for the District of Columbia Circuit last month that flatly rejected FERC's oft-stated position that the greenhouse gas (GHG) impacts from gas pipelines are not "reasonably foreseeable" and therefore do not merit detailed analysis under National Environmental Policy Act (NEPA) reviews. In its August 22 ruling, the court said such GHG analyses are do-able and thus FERC violated NEPA requirements that it take a "hard look" at impacts of Enbridge's Sabal Trail pipeline in Florida and nearby states.

Citing that ruling, the Sierra Club suggested the same flaw infected FERC's final environmental impact statements (EIS) on two projects aimed at increasing takeaway from the Utica and Marcellus gas field—the Atlantic Coast pipeline proposed by Duke Energy and Dominion and EQT Midstream's Mountain Valley project.

The greens suggested FERC could only remedy those flaws by conducting supplemental environmental reviews of the two pipelines—a process that could take months and create a forum for public debate over the potential climate impacts of the pipelines, which already face fierce opposition from greens and some landowners over potential impacts on water quality and forests, along with eminent domain concerns.

The commission, which is now controlled by appointees of the industry-friendly Trump administration, appears unlikely to grant the greens' requests for a supplemental EIS—a refusal that the greens indicated would lead to a quick date in court.

"In light of the recent decision by the D.C. Circuit Court of Appeals in *Sierra Club v. FERC* [regarding Sabal Trail], FERC must revisit its impacts analysis in the EIS for the Atlantic Coast Pipeline," said the environmental groups, which used similar language in their demand for a new greenhouse review of the Mountain Valley pipeline. "Pursuant to the D.C. Circuit's opinion, ... this analysis is not overly speculative and should inform the decision-making process. FERC's position to the contrary renders the Atlantic Coast Pipeline EIS fatally flawed."

The greens pointed to several passages of the Sabal Trail decision where the court rejected FERC's reasons for not conducting detailed GHG analyses. The opponents said FERC had used almost identical reasoning in the final environmental reviews of the Mountain Valley and Atlantic Coast pipelines.

Specifically, they called out FERC's finding in the Atlantic Coast EIS that the study of end-use combustion of the pipeline's gas as an indirect greenhouse effect was not warranted. In contrast, the greens noted, the D.C. court in its Sabal Trail ruling said that burning that pipe's gas for power generation "is not just 'reasonably foreseeable,' it is the project's entire purpose."

Similarly, the greens said FERC's conclusion in the environmental reviews that there is no accepted methodology to determine a project's impacts on the climate ran up against the D.C. Circuit's direction to FERC to explain why it does not use the Obama administration's "social cost of carbon" methodology.

The Mountain Valley pipeline would carry about 2 billion cubic feet per day (cf) of shale gas from Pennsylvania and West Virginia to an interconnection in Virginia with the Transco pipeline that serves markets in the Southeast and Mid-Atlantic regions. The nearby Atlantic Coast pipeline would carry 1.5 billion cf from West Virginia to customers in Virginia and eastern North Carolina, with the bulk of the gas going to generators owned by Duke and Dominion.

Both projects received favorable environmental reviews from FERC this summer, but they have come under heightened scrutiny as opponents are putting increasing pressure on the Democratic governors of Virginia and North Carolina to block them due to environmental concerns and questions about the need for new pipeline capacity amid tepid growth in power demand.

The Mountain Valley and Atlantic Coast developers did not respond to questions about the FERC filings Monday, but both have said previously that the FERC environmental reviews were exhaustive and fully considered.

Since the Sabal Trail decision, FERC authorized Enbridge and DTE Energy's Nexus gas pipeline in Ohio and Michigan, saying its GHG analysis was adequate even in light of the court ruling because the commission did determine the amount of GHG gas emissions that could result from combustion and that those emissions would not have a significant impact on the climate. FERC also said the circumstances of the Nexus project differed factually from Sabal Trail in that the gas would not necessarily be delivered to gas plants.

FERC could make similar arguments if it declines to supplement the environmental reviews for the Mountain Valley and Atlantic Coast pipelines. The commission did determine how much carbon dioxide-equivalent could be emitted from combustion of the gas carried in the pipelines, and it is not clear what the end use will be for all of the gas, particularly for the Mountain Valley project, which will deliver gas into the Transco system.

Even so, the Sierra Club Monday said those analyses fell far short of the "hard look" at impacts required by NEPA.

"[FERC] failed to provide an analysis that would meaningfully inform the public or decision-makers about this indirect effect—including its scope, significance, cumulative impact or potential mitigation and alternatives," the Sierra Club wrote of the Mountain Valley analysis. It said FERC wrote only five sentences in the final EIS regarding the project's GHG impacts, despite acknowledging that climate change could have far-reaching consequences.

[Return to Top](#)

[SNL.com](#)

Monday, September 18, 2017 3:29 PM ET

## **Sierra Club wields Sabal Trail ruling against Atlantic Coast, Mountain Valley**

By Sean Sullivan

The Sierra Club showed how it plans to use a recent court victory against the Federal Energy Regulatory Commission when the group made the decision part of a demand to reopen the environmental reviews of the Atlantic Coast and Mountain Valley gas pipeline projects.

"In light of the recent decision by the D.C. Circuit Court of Appeals in *Sierra Club v.*

FERC ... FERC must revisit its impacts analysis in the environmental impact statement (EIS) for the Atlantic Coast pipeline" and Mountain Valley, Sierra Club staff attorney Elly Benson wrote in a Sept. 18 letter to the regulator.

FERC staff had issued a positive final environmental impact statement for each of the two pipeline projects months earlier.

The Sierra Club, representing many environmental groups in two Sept. 18 requests to the commission, said FERC should reopen the records for the projects "for the purpose of taking additional evidence regarding greenhouse gas emissions and climate impacts" and issue supplemental environmental impact statements. As it does that, the group said, FERC should also address "deficiencies" with the environmental review that were already highlighted by the opposition.

In an Aug. 22 court decision, a majority at the U.S. Court of Appeals for the District of Columbia Circuit granted a petition by the Sierra Club and other groups and vacated FERC approval orders for the Enbridge Inc.-led Sabal Trail pipeline and other components of the Southeast Market Pipelines project. The court sent the matter back to FERC for additional analysis of downstream emissions from power plants connected to the pipeline. Observers have predicted that the decision could spell trouble for FERC pipeline reviews and even stall projects. (U.S. Court of Appeals for the D.C. Circuit, No. 16-1329)

The D.C. Circuit decision was a shot in the arm for those who until now have had little luck stopping the federal approval of pipeline projects. On Aug. 30, the New York State Department of Environmental Conservation used the decision to deny water permits for a Millennium Pipeline Co. LLC lateral project, even though the project was already approved by FERC. The state agency said a "material change in applicable law" had rendered the FERC environmental review "inadequate and deficient."

In the latest round, FERC declared Sept. 15 that the state had waived its authority to issue the permits, because it took longer than a year to make the decision.

"The court's ruling was crystal clear," Kelly Martin, director of the Sierra Club's Beyond Dirty Fuels campaign, said in a statement accompanying the group's request to FERC. "FERC's past reviews of fracked gas pipelines have been woefully inadequate."

Aaron Ruby, a spokesman for Atlantic Coast project developer Dominion Energy Inc., called the Sierra Club filing "a desperate, last-minute delay tactic."

"I doubt it will be successful," Ruby said. "The FERC already evaluated downstream greenhouse gas emissions in the ACP [Atlantic Coast pipeline]'s final EIS, so there's no need for further analysis. The EIS concluded that not only would the ACP not significantly contribute to climate change, but it could actually offset regional greenhouse gas emissions since much of the gas will be used to replace higher-emitting coal plants."

The Atlantic Coast pipeline project would put in place over 560 miles of greenfield pipeline. It would provide up to 1.5 Bcf/d of natural gas transportation capacity from a Dominion supply header in West Virginia to delivery points in Virginia and North Carolina, including interconnects with Transcontinental Gas Pipe Line Co. LLC and Columbia Gas Transmission LLC. Atlantic Coast Pipeline LLC is a partnership of Dominion, Duke Energy Corp. and Southern Co.

The Mountain Valley project would install about 300 miles of pipeline. It would provide up to 2 Bcf/d of gas transportation capacity from West Virginia to the

Columbia and Transco systems. Mountain Valley is a joint venture of EQT Midstream Partners LP and affiliates of NextEra Energy Inc., RGC Resources Inc., WGL Holdings Inc. and Consolidated Edison Inc.

In addition to the Sierra Club challenge, eminent domain lawsuits by landowners and opposition groups have targeted FERC and the two projects. (FERC dockets CP15-554, CP15-555, CP16-10, CP16-13)

[Return to Top](#)

Gas Daily  
September 18, 2017

## Pipeline foes cite recent ruling

By Kate Winston

After a recent federal appeals court victory, the Sierra Club on Monday asked the Federal Energy Regulatory Commission to do an extra environmental review of two major proposed pipeline projects in the eastern US .

"The court's ruling was crystal clear," Kelly Martin, director of the Sierra Club's Beyond Dirty Fuels campaign said in a statement. "FERC's past reviews of fracked gas pipelines have been woefully inadequate.

"It's time for FERC to be honest about what we have known for decades — these fracked gas pipelines are a threat to our lives, our communities and our planet," Martin added.

Sierra Club argued that FERC must do a supplemental environmental impact statement for Dominion Energy's 600-mile Atlantic Coast Pipeline and Supply Header Project, as well as EQT Midstream Partners' 300-mile Mountain Valley Pipeline.

The group claimed that FERC must revisit its environmental analysis for the projects in light of the DC Circuit Court of Appeals' August 22 decision in *Sierra Club v. FERC* (16-1329).

In that case, the court found that FERC's environmental review of the Sabal Trail pipeline and other segments of the Southeast Markets Pipeline lacked enough information on downstream greenhouse gas emissions .

Sierra Club has already used the case to oppose several other pipelines, including Transcontinental Gas Pipe Line's Atlantic Sunrise project and Millennium Pipeline's Eastern System Upgrade.

In its Monday letter about the ACP proceeding, Sierra Club said, "Several holdings from the decision apply to FERC's environmental review of the ACP, and indicate that FERC has impermissibly downplayed and avoided legally sufficient disclosure of the project's impacts here."

For example, the group said FERC downplayed ACP's downstream greenhouse gas emissions by noting that it would displace some coal use and potentially offset some regional GHG emissions . But the DC Circuit rejected this approach, Sierra Club argued.

"As with the Sabal Trail EIS, the ACP EIS makes no attempt to assess whether total emissions would be reduced or increased, or what the degree of reduction or



increase would be,” the letter said. “Thus, the ACP EIS similarly fails to fulfill its primary purpose.”

FERC issued a final EIS for the ACP and Supply Header projects in July (CP15-554, CP15-555). The 1.5 Bcf/d ACP project would span from West Virginia through Virginia and then into North Carolina. According to Dominion, 68% of the supplies would serve electric generation in North Carolina and Virginia and 24% would serve local gas utilities.

Dominion pushed back against Sierra Club’s claims. “This is nothing more than a desperate, last-minute delay tactic, and I doubt it will be successful,” said Dominion spokesman Aaron Ruby.

“The FERC already evaluated downstream greenhouse gas emissions in the ACP’s final EIS, so there’s no need for further analysis,” Ruby said. “The EIS concluded that not only would the ACP not significantly contribute to climate change, but it could actually offset regional greenhouse gas emissions since much of the gas will be used to replace higher-emitting coal plants,” he added.

Meanwhile, Sierra Club raised similar concerns about the Mountain Valley Pipeline (CP16-10). In the MVP EIS, FERC spent most of its discussion of downstream GHGs explaining why it could not perform a more thorough analysis, the group said.

But the DC Circuit found in *Sierra Club v. FERC* that the EIS needs include a discussion of the significance of this indirect effect as well as the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, the group argued.

EQT spokeswoman Natalie Cox said that the MVP project team worked diligently to provide accurate and comprehensive information to FERC, noting that FERC’s final EIS includes a comprehensive discussion of GHG emissions.

“We respect the opinion of those who disagree; however, we also understand that despite our efforts to design a route with the least overall impact to the environment, and despite pipelines’ record as the safest way to transport natural gas, some will continue to oppose underground, natural gas infrastructure,” Cox said.

The MVP project would span from northwestern West Virginia to southern Virginia, and provide 2 Bcf/d of capacity to markets in the Mid- and South Atlantic regions of the US.

FERC issued a final EIS for the MVP project in June. The review also included the related Equitrans Expansion Project (CP16-13), which would use compression to transport 0.4 Bcf/d north-south on Equitrans’ existing system through interconnections to other systems, including the MVP.

[Return to Top](#)

[Utilitydive.com](#)

September 18, 2017

## **FERC overrules New York permit denial for Millennium gas pipeline**

AUTHOR

[Robert.Walton@TeamWetDog](mailto:Robert.Walton@TeamWetDog)

Dive Brief:

Federal energy regulators on Friday overruled a New York decision last month to deny a water quality certification to the 8-mile Valley Lateral pipeline proposed by



## Millennium Pipeline.

The Federal Energy Regulatory Commission on Friday [issued an order](#) ruling the New York Department of Environmental Conservation waited too long to make a decision and had "waived" its authority on the matter.

The short lateral would connect from Millennium Pipeline to a [680 MW natural gas plant](#) being developed by Competitive Energy Ventures. Two other pipeline companies will reportedly seek similar waivers from FERC.

### Dive Insight:

The implications of FERC's ruling could stretch beyond the Millennium proceeding and may signal a commission getting more involved in infrastructure development, even if it means overruling state regulators.

New York received Millennium's application in late 2015 but only denied it last month. According to FERC, by not acting within a year the commission ceded its authority.

"We find that the New York DEC, by failing to act within the one-year timeframe required by the [Clean Water Act], waived its authority to issue or deny a water quality certification," the commission wrote.

Williams and National Fuel, two other pipeline companies, have indicated they [would seek similar waivers](#) for their Constitution and Northern Access pipelines, Reuters reports.

Natural gas companies say that in recent years citizen opposition to pipelines and plants has made it nearly impossible to site new infrastructure in New England, [potentially threatening fuel supplies](#) to generators during extreme weather events.

Those companies praised the decision, while environmentalists worried it could signal that new FERC appointees could overrule other state decisions on pipeline infrastructure. Green groups [question the need for new pipelines](#) and argue federal regulators do not properly account for ecological risks tied to pipeline development.

"States unquestionably have the authority to rule whether a dirty, dangerous fracked gas pipeline violates clean water laws, and nowhere is FERC granted the right to override that authority," Sierra Club Atlantic Chapter Director Roger Downs said in a statement. "Donald Trump and his nominees have once again proven to be nothing more than industry shills protecting corporate polluter profits over the rights of Americans to access clean water."

New York's decision to deny the water quality certificate followed an August [ruling](#) from D.C. Circuit Court, which found that federal regulators [should have considered the impacts of climate change](#) when considering a project last year.

Environmentalists have long pushed FERC to factor in climate risks, but the newly-constituted commission does not appear likely to let those considerations prevent pipeline development.

Acting Chairman Neil Chatterjee and Commissioner Robert Powerlson, both [confirmed](#) in August, pledged to support infrastructure development in their Senate confirmation hearings. And nominee Kevin McIntyre, expected to become chairman if confirmed, [wrote in testimony](#) last week that FERC "does not have a climate change mission" and that the commission's decisions already take into account potential risks.

"It is my understanding that current commission requirements already require consideration of the greenhouse gas emissions associated with the construction and operation of proposed natural gas facilities, as well as impacts potentially resulting from climate change," McIntyre wrote.

[Return to Top](#)

**The Daily Star**  
September 18, 2017

## **FERC, New York at odds over pipeline permits**

By Joe Mahoney CNHI State Reporter

ALBANY — A decision by federal regulators to overturn the Cuomo administration's denial of a water permit to a natural gas transmission project could help break the logjam that has ensnared controversial pipeline projects proposed for western New York and the Oneonta region, an energy industry leader said Monday.

Gavin Donahue, president of the Independent Power Producers of New York State, said the Sept. 15 decision by the Federal Energy Regulatory Commission in a case involving what would be an 8-mile stretch of the Millennium Pipeline is "a very positive sign" that the Northern Access Project and Constitution Pipeline projects will gain similar approvals from the federal agency.

"What I'm encouraged by is the pace of the response, with FERC seeing what New York state was trying to do and saying, 'Wait a minute. This doesn't pass the smell test,'" Donahue said in an interview.

Donahue said the directive from FERC has rekindled industry hopes that similar waivers will be granted to National Fuel Gas Co.'s Northern Access Project, which would slice across parts of Niagara County, as well as the Constitution project that would impact Delaware, Schoharie, Chenango and Broome counties.

Northern Access and Constitution have been blocked by the state Department of Environmental Conservation, an agency under the control of Gov. Andrew Cuomo.

In a statement regarding FERC's decision, DEC officials said they are considering "all legal options to protect public health and the environment."

FERC's action was seen by environmental activists as a departure from its practice of allowing state regulators to evaluate water-quality impacts from pipeline projects.

The federal agency said in its order that state regulators may deny an application if it does not meet Clean Water Act requirements. But in the Millennium project, "New York DEC declined to take that step or to otherwise timely act on Millennium's application."

Anne Marie Garti, an environmental lawyer from Delaware County who has been a leader in an activist group called Stop the Pipeline, said the legal issues surrounding the state's denial of the water permit for Constitution are very different than those enveloping the Millennium project.

Garti, who is also involved in ongoing litigation regarding FERC's approval of the Constitution project, predicted the would-be developers of that pipeline "will lose" because DEC complied with the legal standards outlined by FERC in its decision on Millennium.

But a spokesman for the Constitution project, Christopher Stockton, said the developers are pursuing "all options" to knock out the DEC denial of the permit needed by the transmission system.

He said the company will "seek a similar Clean Water Act Section 401 waiver determination directly from FERC," in line with a federal court ruling cited by FERC in its decision regarding Millennium.

Karen Merkel, a spokeswoman for National Gas, called the FERC ruling "a positive step for the natural gas industry."

But she added that "our argument with regards to the Northern Access Project is substantially different. We continue to wait for a decision."

Under Cuomo's direction, New York has become the only state with shale gas deposits to ban the drilling technique known as horizontal hydraulic fracturing, which is used to tap the subterranean supplies trapped beneath layers of rock.

FERC's decision to upend the denial from the Cuomo administration was ripped by Maya Van Rossum, director of the Delaware Riverkeeper Network. In an interview, she called the action "wholesale robbery of states' rights."

"They have been working very hard to undermine states' authority over these pipeline projects," she said of federal regulators. "It's a huge demonstration that Congress needs to hold hearings to investigate what is happening with this out-of-control agency."

National Fuel has signaled that its \$500 million Northern Access project would include a 22,214 kilowatt compressor station in the town of Pendleton as well as a new natural gas dehydration station in Wheatfield.

The developers of the proposed \$700 million Constitution Pipeline, led by Williams Partners, have suggested a major expansion of an existing compressor station in the Schoharie County town of Wright.

Joe Mahoney covers the New York Statehouse for CNHI's newspapers and websites. You can reach him at [jmahoney@cnhi.com](mailto:jmahoney@cnhi.com).

[Return to Top](#)

## Gas Daily

September 18, 2017

### Roadblocks for LNG exports monitored

By Maya Weber

While touting increased estimates of recoverable US natural gas reserves that could support greater US LNG exports, an industry advocate Monday described several potential regulatory and legal roadblocks confronting the sector.

Speaking at an Energy Bar Association event on LNG exports fueled by hydraulic fracturing, Ben Norris, senior counsel of the American Petroleum Institute, said API is monitoring state and local bans, moratoria and regulations, as well as risks tied to litigation over the National Environmental Policy Act, tough-to-predict trade policies from the Trump administration and lower oil prices.

Colorado, Pennsylvania and Ohio are among states that continue to be on his radar,

he said. In Colorado , several front-range communities have been eying local regulations. Meanwhile, in Ohio , there also have been attempts at local bans targeting the midstream sector, such as by towns opposing the Nexus Gas Transmission project, he noted.

Another speaker on the panel, Branko Terzic, managing director, Berkeley Research Group, suggested that the US , with its well-developed pipeline network, lacks the same level of risk to the ability to transport gas to export projects faced in other countries.

Norris said, however, "I think there is increasingly a transit locality risk."

While most such local attempts to ban midstream siting are pre-empted by US Federal Energy Regulatory Commission authorities, Norris said they still present "judicial risk." If such bans are put on the ballot and ratified, they may be subject to post-election challenges that involve a host of different laws and doctrines that differ from traditional pre-emption doctrines, he said.

Also making Norris' watch list were state rules focused on induced seismicity, for instance in Oklahoma , Ohio and Kansas , and severance taxes such as those debated in Colorado , Ohio and Pennsylvania .

Attempts at fracking bans, he noted, have spread from "fringe" states to some producing states such as California and "frontier" states such as Florida .

NEPA risks seen at federal level

One of the biggest threats at the federal level, according to Norris, is an expansion of litigation risk related to NEPA. He called a recent DC Circuit Court of Appeals victory for the Sierra Club against FERC in relation to the Sabal Trail Pipeline "a little bit alarming" in terms of how it could affect the midstream sector.

In that case, the court vacated the certificate orders and found that FERC should have provided more information about downstream emissions from power plants or better explained its rationale for declining to quantify such emissions .

Issues raised in the litigation could be considered in legislative reform of NEPA and or through executive actions, he suggested.

Separately, trade policy has the potential to be a "joker in the deck," Norris suggested, "as this administration continues to take a different approach to free trade than previous administrations." While LNG exports to Mexico and Korea have begun with some reliance on the North American Free Trade Agreement and the US -Korea Free Trade Agreement, he questioned what the impacts on future LNG infrastructure would be if the US pulls out of those agreements.

"All of this is very much in flux" and has the ability to affect upstream, midstream and LNG export infrastructure, he said. Among other things, the industry is concerned about potential weakening of investor protections and investor-state dispute provisions in the agreements, he said.

He also raised concern about the presidential directive for a Commerce Department investigation into whether steel imports are harming national security.

On the positive side, Norris pointed to increased estimates of ultimate recovery of natural gas in the US , driven by innovation amid the low price environment, allowing more gas than was estimated in 2012 or 2013 to be produced by existing wells.

[Return to Top](#)

## Gas Daily

September 18, 2017

### Williams to finish Atlantic Sunrise in 10 months

By Harry Weber ,Eric Brooks

Williams said Monday it is on target to bring its Atlantic Sunrise pipeline expansion fully online within 10 months, now that it has officially begun construction of the greenfield portion of the 1.7-Bcf/d Northeast gas takeaway project.

The timeline released in a company statement means the \$3 billion Transcontinental Gas Pipe Line project is expected to be in full service in mid-July 2018, in line with previous forecasts. Site preparation for two compressor facilities got underway Friday, and the operator plans to begin pipeline work in Pennsylvania as early as September 25.

Environmental groups and some landowners have so far failed to persuade courts and regulators to block the pipeline, which is part of a wave of new gas infrastructure that is designed to increase the flow of gas to demand centers in the Midwest and Southeast.

"There isn't any pending litigation which affects our right to start pipeline construction as scheduled. I can't speculate on potential outcomes for other pending suits," Williams spokesman Christopher Stockton said.

Atlantic Sunrise is expected to bolster production in the northeastern part of Pennsylvania, where output has generally flat-lined in recent years as a result of limited takeaway options. Between 2011 and 2014, production in the region more than quadrupled, rising from an average 1.6 Bcf/d to 8 Bcf/d. By 2017, gas production volumes have averaged 8.5 Bcf/d this year to date, underscoring the sharp slowdown in growth rates, data compiled by Platts Analytics' Bentek Energy show.

The Transco expansion is majority backed by regional producers, including Cabot Oil & Gas, which has subscribed to 850 MMcf/d, or 50% of the total project capacity. In addition, several downstream end-users have also subscribed to project capacity, including Duke Energy Carolinas and Southern Company, to bring incremental Marcellus shale supplies to their service areas in the US Southeast.

Transco was authorized to begin partial mainline service this month, and 400 MMcf/d of contracts from Zone 6 in southeastern Pennsylvania to Station 85 in Zone 4 were executed for a 10-month period starting September 1 this year, at a reservation rate of 20 cents/Dt per day and a commodity charge of 1.9 cents/Dt. Southbound flows measured at the Milepost 1575 South meter have increased to an average 1.57 Bcf/d this month to date, up 285 MMcf/d from the August daily average, Platts Analytics data show.

While the partial-service capacity supports higher outflows from the Northeast, existing system constraints limit the amount of production growth the partial service path will offer. Completing the greenfield pipeline work should alleviate that issue.

Williams said the 186 miles of pipeline installation will be broken into eight different spreads, six of which will be working concurrently in eight Pennsylvania counties. Beyond legal and regulatory issues, weather also will play a factor in Atlantic Sunrise beginning full service on its current schedule. Hurricane Harvey's impact last month

exposed the limitations of onshore and offshore oil and gas operators during big storms that roll through the Gulf of Mexico .

At full service, the expansion will transport up to 1.7 Bcf/d of incremental volumes from gathering and production meters in northeastern Pennsylvania to as far south as Transco's Station 85 pooling point in Alabama . It is also expected to be a major primary supply source for Dominion Energy's Cove Point LNGexport terminal in Maryland , which receives gas from an interconnect between Transco and Dominion Energy Cove Point Pipeline in northern Virginia .

The greenfield Pennsylvania facilities that were authorized for construction comprise the major market-impacting components of the project. In addition to the construction of the new pipeline and compressor stations in Pennsylvania , Transco is also implementing mainline system upgrades to support higher bi-directional, Northeast-to-Southeast flow capacity.

Atlantic Sunrise has faced much opposition to get to this point, due in part to Pennsylvania 's central role in the growth of the region's gas production alongside its proximity to large population centers.

Among other things, it has battled 40 environmental and community groups that wrote a letter to Pennsylvania Governor Tom Wolf and DEP Secretary Patrick McDonnell objecting to the project and urging that certain permits be rejected. A group of nuns that owns a property that the pipeline will pass through also objected to granting Williams an easement.

So far, Williams has overcome those obstacles, and in its statement Monday it sought to turn the page on the controversy by pointing to the jobs, economic growth and energy security the project will support.

"As we begin construction of the greenfield facilities, we are committed to installing this infrastructure in a safe, environmentally responsible manner and in full compliance with rigorous state and federal environmental permits and standards," said Micheal Dunn, Williams chief operating officer.

[Return to Top](#)

[SNL.com](#)

Monday, September 18, 2017 5:16 PM ET

## **National Fuel plans to modernize parts of Pa. gas system**

By Ximena Mosqueda-Fernandez

National Fuel Gas Supply Corp. plans to ask the Federal Energy Regulatory Commission for permission to replace old natural gas pipeline and compression facilities in Pennsylvania with new infrastructure.

National Fuel filed a Sept. 14 request to place its FM100 modernization project in the commission's pre-filing review process. National Fuel is a subsidiary of National Fuel Gas Co.

Through the project, National Fuel would abandon in place 57 miles of 12-inch-diameter to 24-inch-diameter pipeline, comprising 53 miles of 1950s vintage bare steel pipe and 4 miles of newer coated steel pipe in Cameron, Clearfield, Elk, McKean and Potter counties in Pennsylvania. The project would also include abandoning and removing the Costello compressor station in Potter County.

The old infrastructure would be replaced with 30 miles of new coated steel pipeline

and 12.5 miles of FlexSteel Pipeline Technologies Inc. pipe, ranging from 12-inch-diameter to 16-inch-diameter lines. The new pipeline, which would provide bidirectional transportation services to customers, would run from McKean County to an interconnection with National Fuel Lines YM50 and YM224 in Potter County. A 1.2 mile, 24-inch-diameter pipeline loop would be built in Potter County to take on redirected transportation services on Line YM224.

National Fuel would also install new compression equipment near an interconnection with NFG Midstream Clermont LLC in McKean County and a measurement and regulation facility at the eastern end of the proposed pipeline in Potter County. (FERC docket PF17-10)

[Return to Top](#)

[SNL.com](#)

Monday, September 18, 2017 3:52 PM ET

## **Kinder Morgan unit plans to drop Wyo. gas processing plant**

By Ximena Mosqueda-Fernandez

Colorado Interstate Gas Co. LLC asked the Federal Energy Regulatory Commission for authorization to abandon natural gas processing facilities in Wyoming.

Under the requested authorizations, Colorado Interstate Gas would abandon in place facilities related to the Rawlins processing plant, a combination lean oil and fractionation facility that processes wet natural gas volumes from the Wind River Basin in north central Wyoming. Related facilities, including liquids pipelines, measurement equipment and rail loading facilities, would be sold. The facilities, all in Carbon County, Wyo., are no longer needed for Colorado Interstate Gas' mainline transportation operations, according to the company.

The transportation and measurement facilities would be sold to Sinclair Wyoming Refining Company.

In a Sept. 14 filing with the commission, Colorado Interstate Gas said it had decided on abandonment due to a downward trend in wet gas production in the area and mechanical issues with the facilities. The company noted that long-term projections suggest production levels will keep going lower.

"The need for processing natural gas has also been progressively diminishing as volumes decreased below the plant's minimum volume of approximately 60,000 Mcf/d to efficiently process the gas," Colorado Interstate Gas said.

Colorado Interstate Gas, a subsidiary of Kinder Morgan Inc.'s El Paso Pipeline Partners LP, said the mechanical problems would require about \$24 million to fix. (FERC docket CP17-493)

[Return to Top](#)

**Times-Herald Record**

September 18, 2017

## **Editorial: Dizzying contradictions: power, pipeline, permits**

Pay attention. We're going to be addressing an issue with several moving parts and space is limited.



The issue is the almost-completed 650-megawatt CPV power plant towering over Route 6 in the Town of Wawayanda. Specifically, should it be allowed to proceed to completion? The feds say yes, the state says not yet and a lot of local residents say never.

Here's the situation today. In a dizzying two-week period, a plan to build a 7.8-mile-long pipeline to deliver natural gas to the Competitive Power Ventures facility was: 1) Rejected by the state Department of Environmental Conservation on the grounds that the Federal Energy Regulatory Commission's environmental review of the \$57.3 million project was "inadequate and deficient" and 2) In effect, given the go-ahead when the FERC merely said the DEC had waived its right to deny the application because it had waited too long.

The flurry of activity was over an application for a Clean Waters Act permit by Millennium Pipeline Co. and permits to allow the pipeline to cross streams and disturb wetlands. The DEC says that it twice issued notices to Millennium saying its application was incomplete, claiming that gave the state agency more time to make its decision. FERC said no.

There's no doubt the state has been less than speedy in handling this matter, as FERC suggests, but speed isn't always a plus. Also, in rejecting the pipeline plan, the DEC did not mention its impact on water, but rather, it asked FERC to "reopen the evidentiary record" to hear testimony about greenhouse gas emissions associated with burning natural gas from the power plant, or for an environmental impact statement.

More work for FERC. The DEC's delays and rejections of the pipeline applications all point to deficient reviews by FERC. Far be it for us to suggest any inter-agency feuding between the state and the feds, but we are in a new anti-regulation era in Washington, D.C.

Millennium says it will go ahead and build the pipeline. CPV says it hopes to be operating early next year. The DEC is likely to go to court to challenge the FERC ruling.

But wait, there's one other complicating factor that is already in the courts - federal trials involving bribery charges against Joe Percoco, a former longtime top aide to Gov. Andrew Cuomo, and Peter Galbraith Kelly Jr., a former CPV executive. Those charges have raised doubts about the entire permitting process for the CPV plant, so much so that Orange County Executive Steve Neuhaus, a Republican, and as rabid a pro-development type as you can find, issued a statement saying, "Regardless of what one feels about CPV or Millennium, the arrests of people associated with the CPV project call each and every aspect of its approval into question."

His Democratic opponent this election year, Pat Davis, said when the DEC rejected the pipeline: "The interests of our residents should not be outweighed by those who seek to circumvent the rules, especially when it puts our environment and the health of our families at risk."

We agree, gentlemen. Without trust, the project should not be allowed to proceed.

[Return to Top](#)

## Other Agencies

Greenwire

September 18, 2017



DOE

## Perry disputes grid models, denies renewable regs pre-emption

[Christa Marshall](#), E&E News reporter

Energy Secretary Rick Perry told Senate lawmakers that his agency would not preempt state renewable portfolio standards and questioned models of high levels of wind and solar energy for the electric grid, according to documents obtained by E&E News and submitted to the Senate Energy and Natural Resources Committee.

In questions for the record obtained by a Freedom of Information Act request, Perry pushed for everything from cutting the Strategic Petroleum Reserve to shifting DOE programs to "early stage" research.

The pre-emption issue came up at an April event in New York City, where Perry suggested his department could intervene in state energy planning deemed a threat to baseload coal and nuclear plants ([Energywire](#), April 26).

But when pressed by Sen. Maria Cantwell (D-Wash.) about the issue, Perry wrote in the 82-page [document](#), "there is no national renewable portfolio standard authority that could serve as a basis under which the department could preempt state renewable portfolio standards."

Perry also highlighted shortcomings of models supporting the feasibility of high levels of renewables on the grid. Last year, the National Renewable Energy Laboratory concluded that wind and solar could supply 30 percent of the annual power for the nation's Eastern grid without reliability concerns ([Greenwire](#), Aug. 31, 2016).

Perry praised that and similar studies as important building blocks but said they were not definitive.

"The studies, however, did not conclusively model the impact of high penetrations of variable renewable energy. For example, the study indicating the potential for 80 percent renewable generation showed modeling feasibility only if there were also grid changes equivalent to building over 40 new 1,000 megawatt transmission lines across the nation," he wrote.

The answers were submitted in July, before the release of DOE's grid study analyzing factors affecting baseload power. That study concluded that natural gas was a chief driver of recent coal plant retirements. While Perry has made similar comments before on many topics, his answers provide more detail about the department's thinking on budget planning and regulations.

For example, Perry was pressed on whether DOE would meet its commitments on efficiency standards, considered by environmentalists to be a chief federal tool in cutting energy use and emissions. Perry pledged that in fiscal 2018, DOE would fund all necessary steps to finalize legally required efficiency standards and test procedures and meet all statutory deadlines.

"DOE is committed to meeting its legislatively mandated deadlines for covered appliances and equipment," Perry wrote.

Similarly, he pledged that DOE would "follow the law" in funding Advanced Research Projects Agency-Energy projects, despite the president's budget proposal to eliminate the program.

E&E News released portions of the answers last week in which Perry expanded on

his views of the national labs and climate change (E&E Daily, Sept. 13). Perry said there currently is not a process in place for a "red team" exercise to review climate science and reiterated earlier comments that humans are driving climate change. Perry said there are other multiple factors driving warming temperatures, even though most scientists say humans are the main cause.

"As I have previously stated, the climate is changing and man is having an impact. There are several 'control knobs' which contribute to that change," he wrote. DOE did not respond to a request for comment.

The answers were submitted after reports emerged that Russian hackers could disable the electric grid. Perry was asked how cybersecurity could be a top priority if President Trump's budget proposes slashing cybersecurity programs.

Many of the proposed funding cuts resulted from completion of earlier activities, he said. DOE has put together a "multiyear plan" for cybersecurity that leverages "technical and financial resources from industry and government," he added.

On Friday, Perry said recent storms show the importance of the Strategic Petroleum Reserve, which Trump proposed cutting in half ([see related story](#)).

In his earlier responses, Perry said he supported a shrunken SPR.

"While the SPR continues to remain a vital national energy security asset, given increased reliance on and availability of domestic sources of production, the administration believes the U.S. can meet its energy security requirements with a smaller SPR," Perry said.

Reporter Kevin Bogardus contributed.

Twitter: [@christa\\_mars](#) Email: [cmarshall@eenews.net](mailto:cmarshall@eenews.net)

[Return to Top](#)

## States

Megawatt Daily  
September 18, 2017

### FACTBOX: Florida load normalizes, outages fall

By Matthew Eversman

With electric service restored to more than 1 million customers over the weekend, power demand and prices continued to normalize in the area impacted by Hurricane Irma's path through Florida nine days ago.

#### Prices

Florida next-day on-peak power was assessed in the high \$30s/MWh Monday, up from Friday's assessment in the low \$30s/MWh and last week's average in the low \$30s/MWh, according to S&P Global Platts data.

The same assessment hit a recent low of \$24/MWh on September 11, a day after Irma made landfall in Florida. Before that it had averaged in the high \$20s/MWh in September.

#### Outages

On September 11 there were nearly 8 million customers without power, according to

the Edison Electric Institute. About 330,000 remained without power Monday afternoon, including:

Florida Power & Light: 204,100, down from 1,004,915 Friday afternoon

Duke Energy Florida : 115,447, down from 206,765

Florida Keys Electric Cooperative: 6,615, down from 12,124

Power demand

With limited remaining outages and commerce picking back up, power demand in Florida is nearing year-ago levels.

Florida electricity demand climbed above 41 GW as of 4 pm EDT, according to Energy Information Administration data. Demand Friday topped out at just above 40 GW. Florida demand on September 18, 2016, peaked at 42.4 GW.

Restoration efforts

More than 60,000 utility workers continue to work around the clock restoring power to the remaining affected customers, EEI said.

Florida Power & Light has assembled the largest restoration workforce in US history — more than 27,000.

[Return to Top](#)

**Megawatt Daily**  
September 18, 2017

## **Michigan PSC postpones LCR until 2018**

By Stephanie Tsao, S&P Global Market Intelligence

A Michigan agency will put off until 2018 the requirement that electric providers source a portion of their power from in-state generation, as Michigan businesses, schools and legislators have voiced concern that the rule will force customers to buy from monopoly utilities.

Saying the state power grid's reliability is at stake, the Michigan Public Service Commission issued an order on Friday that includes guidelines for electricity providers to demonstrate adequate power supply. But the commission will wait until 2018 to begin implementing a local clearing requirement (LCR) that requires a portion of the state's power to be local.

Providers will have to comply with the in-state generation requirement while demonstrating to the PSC in late 2018 to early 2019 that they have enough supply for the 2022 planning year, according to press statement released by the commission.

The PSC opened a new contested case to "more fully examine the issue of implementing a locational requirement for electric generating resources," according to the release. The requirement was "too contentious" for commission staff and stakeholders to put forward a consensus proposal, PSC chair Sally Talberg told Platts by phone shortly after issuing the order.

The in-state generation requirement has raised so much opposition that Michigan Representative Gary Glenn threatened to take action during a September 12 House Energy Policy Committee meeting to hold the commission "accountable." Glenn,

chair of the committee, feels the location requirement is a back-door attempt to force customers back to the state's largest utilities — DTE Energy and Consumers Energy — which own most of the state's generation, he told Platts in August.

In a September 15 statement, Glenn affirmed that he "will explore all possible avenues of recourse to ensure no locational requirement goes into effect at any time."

Local capacity is critical because the peninsular state is limited in terms of how much power it can import and has had a number of plant retirements, according to an issue brief the PSC issued with the order. The state's new energy law, which took effect April 20, authorizes the commission to work with MISO to determine the local clearing requirement, according to the issue brief.

"The new law is clear that all electric providers must contribute to and support the reliability of our electric system," the commission said in its release.

Energy Choice Now, a ratepayer advocacy group, denounced the PSC's order, saying it "cripples" the state's choice market, which is limited to 10% of the power demand in the state, according to a September 15 release. If alternative suppliers cannot comply with the demonstration requirements, they could get hit with stiff capacity charges, the agency said in its issue brief.

[Return to Top](#)

## International/Misc.

**Megawatt Daily**  
September 18, 2017

### Mexico to solicit renewables-related transmission

By Daniel Rodriguez

Mexico's Energy Secretariat will call an auction for several power transmission projects in November, with an eye toward linking more renewable power sources to hungry markets. Results of the auction are expected to be announced in July.

"It is imperative to connect those areas of the republic that are farthest from the central region and have large renewable energy resources," Mexico's Energy Secretary Pedro Joaquin Coldwell said Monday at a webcast event from Mexico City.

SENER, the secretariat, will head open, competitive and transparent auctions to ask private companies to finance, develop and operate the transmission lines. SENER will choose which projects to auction from its National Electric System Development Program, known as PRODESEN.

Among PRODESEN's projects are the \$1.1 billion, 1,800-km, 400 kV, HVDC line from Chiapas-Quintana Roo and the \$1 billion, 1,900-km, 400 kV HVDC line from Sinaloa to Baja California Sur.

Awarded companies will receive compensation from Mexico's wholesale electricity market, Coldwell said. "With this, Mexico will be able to match the development of transmission lines with its growing [power] demand," he added.

To satisfy growing energy demand, Mexico expects that total installed capacity in the country will reach 113,269 GW by 2031 from 73,510 GW today.

The share of natural gas-fired, combined-cycle plants will grow to 39% in 2031 from 37% today. Clean capacity will rise to 50% from 29%.

Mexico could face bottlenecks for renewables

Cesar Hernandez Ochoa, Mexico's electricity deputy secretary, said at the event that the country will face multiple bottlenecks to connect renewable energy capacity if it doesn't develop transmission lines.

SENER's auction structure implements industry feedback received by Mexico's state utility CFE for the auctioning of its \$1.2 billion Oaxaca-Mexico Central Region HVDC transmission line.

A 174-page general contract for transmission projects was published by SENER at its website Monday.

At the event, Jose Alba, Iberdrola's country manager for Mexico, said the industry supported SENER's plan. Iberdrola, along with General Electric, Siemens, Hydro-Quebec, Berkshire Hathaway's TransCanyon and Sempra Energy's IEnova, have expressed interest in building transmission lines in Mexico.

A new tariff system for transmission infrastructure will provide certainty to awarded companies, said Guillermo Garcia Alcocer, president commissioner of CRE, Mexico's Energy Regulatory Commission.

The regulation CRE approved for transmission lines auctioned by the government allows the income required to build the project to be directly transferred into the country's transmission rate. "This gives a guaranteed income and gives certainty to projects," Alcocer noted.

Mexico has 53 transmission regions, of which 12 have a congestion alert, which opens a door for reinforcement projects, he added.

By 2024, Mexico needs \$205.1 billion (\$11.5 billion) in new transmission projects, Eduardo Meraz Ateca, general director of CENACE, Mexico's National Electricity Control Centre, said at the event.

Mexico's Wind Energy Association has said that all generation projects in Mexico face severe interconnection challenges due to lack of transmission capacity. If the system is not expanded soon, the association sees that the country's wind capacity will grow to 12 GW by 2022 rather than 2020 from 6 GW in 2018.

[Return to Top](#)

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Fwd: The Energy 202: Trump's energy policies have endeared him to establishment Republicans  
**Date:** Monday, October 09, 2017 9:01:12 AM

---

See third story

Sent from my iPad

Begin forwarded message:

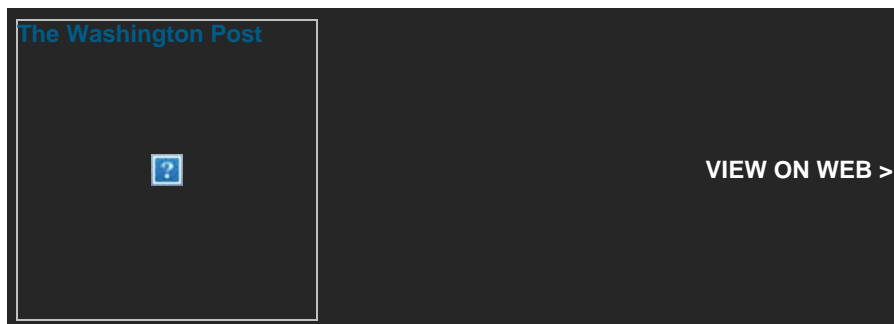
**From:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Date:** October 9, 2017 at 8:59:21 AM EDT  
**To:** "[wkuncik@verizon.net](mailto:wkuncik@verizon.net)" <[wkuncik@verizon.net](mailto:wkuncik@verizon.net)>  
**Subject:** Fwd: The Energy 202: Trump's energy policies have endeared him to establishment Republicans

My retweet of rob mentioned in the Post

Sent from my iPad

Begin forwarded message:

**From:** The Washington Post <[email@washingtonpost.com](mailto:email@washingtonpost.com)>  
**Date:** October 9, 2017 at 8:46:10 AM EDT  
**To:** [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
**Subject:** The Energy 202: Trump's energy policies have endeared him to establishment Republicans  
**Reply-To:** The Washington Post <[email@washingtonpost.com](mailto:email@washingtonpost.com)>



Analysis on the energy and environment debate.  
Not on the list? [Sign up here.](#)

## The Energy 202



## Your daily policy charge

---



Share



Share



Tips/Feedback

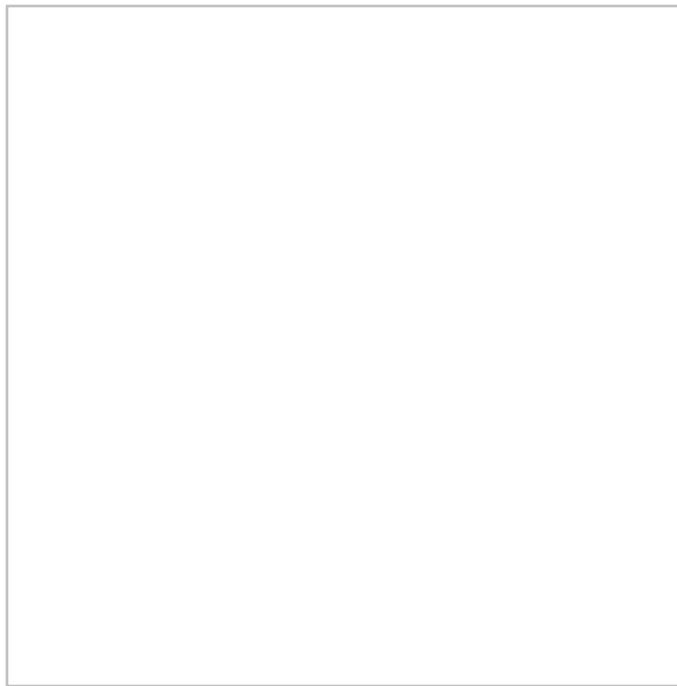
## Trump's energy policies have endeared him to establishment Republicans



**BY DINO GRANDONI**

*with Paulina Firozi*

**THE LIGHTBULB**



A sign on a door of the Environmental Protection Agency in Washington. (AP Photo/Pablo Martinez Monsivais)

A year and a half ago, Andrew Wheeler, a prominent coal lobbyist who worked for years for Senate Republicans, joined many other “establishment” Republicans in criticizing the long-shot candidacy of political newbie Donald Trump.

In February 2016, ahead of the Super Tuesday primaries, Wheeler laid out in a Facebook post a skepticism of Trump’s character, business acumen and viability as a general-election candidate.

He wrote that Trump was a “bully,” one who “hasn’t been that successful” in business and who “has more baggage than all of the other Republican



candidates combined.” He wrote that Trump was a candidate who “has demonstrated through the debates and interviews that he doesn’t understand how the government works.”

But what truly precluded Trump from becoming president, Wheeler wrote in the since-deleted Facebook post [obtained by The Energy 202](#), was his propensity to bully. “This alone should disqualify him from the White House.”

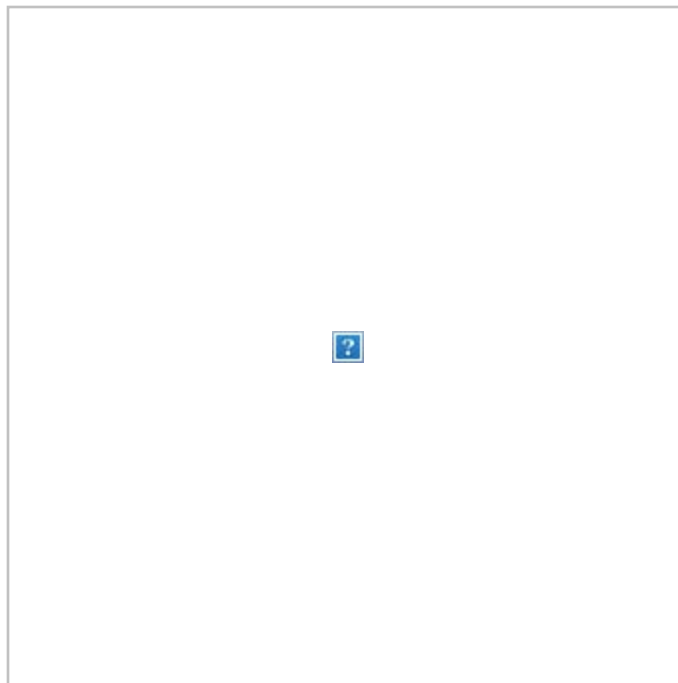
**Fast-forward to now:** President Trump [nominated](#) Wheeler on Thursday to be deputy administrator of the Environmental Protection Agency.

In an interview on Friday, **Wheeler explained to me how he went from critic of Trump to a volunteer for the eventual GOP nominee to, ultimately, Trump’s choice for the No. 2 EPA position -- a nomination that has engendered some of the harshest condemnation of the administration from environmentalists to date.**

“I was just looking at the debates and what I saw on the news, and I hadn’t

focused on what he was saying,” Wheeler said this week of Trump, “and when I started looking into what he was saying and what his campaign and what his candidacy was about, I was fully on board.”

Read Wheeler's full, six-point critique [here](#):



A Feb. 29, 2016 Facebook post from Andrew Wheeler, now President Trump's nominee to the No. 2 post at the Environmental Protection Agency.

**Rewind to 2016:** Back in February of that year, Wheeler was working as a volunteer consultant for energy and environmental policy for the campaign of Sen. Marco Rubio (R-Fla.).

Ahead of the "Super Tuesday" vote in 11

states, Rubio was in a crowded race for the GOP presidential nod. The biggest hurdle between Rubio and a spot on the general-election ticket was Trump.

Friends of Wheeler — who has spent nearly a decade lobbying for energy companies such as coal giant Murray Energy — encouraged him to post on his personal Facebook page the day before the mega-primary a plea to those considering voting for Trump to reconsider.

“I’m from Ohio and have a lot of friends in Ohio who vote on Super Tuesday,” Wheeler told The Post, “and a couple of friends had said to me when I was working for Rubio that I ought to post something about the campaign.”

About three months later, Trump [gave a major energy policy speech](#) in North Dakota, where for the first time he laid out his “energy dominance” agenda emphasizing the development of domestic fossil-fuel resources.

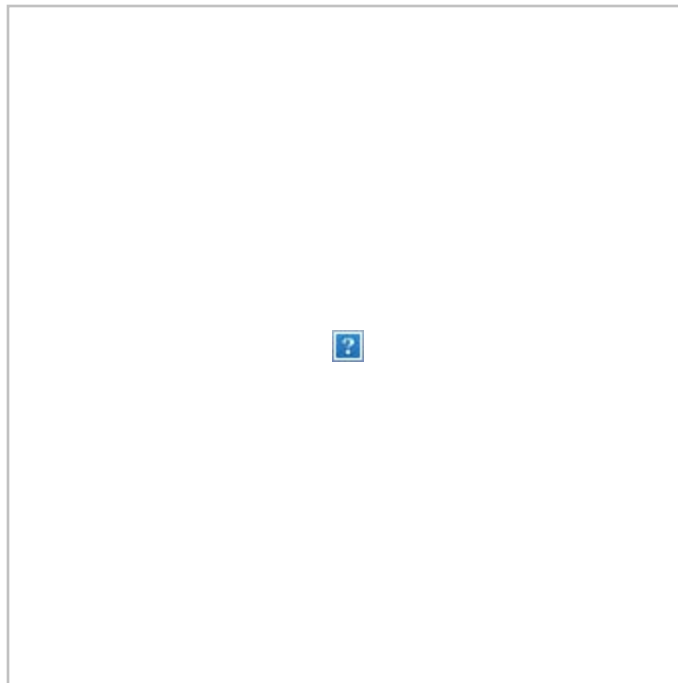
In that May 2016 speech, Trump promised to “cancel” the Paris climate accord and

undo Obama administration efforts to give the EPA broader authority to regulate water pollution as part of the “Waters of the United States,” or WOTUS, rule.

“I think the federal government should get out of the way,” Trump told the crowd.

“We have so much potential energy, people wouldn’t even believe it.”

“A lot of my friends in the Republican energy and environment field here in D.C. were impressed with that speech,” Wheeler said this week.



Donald Trump talking about energy policy at an event in Bismarck, N.D., in May 2016. (REUTERS/Jonathan Ernst)

Wheeler said he was finally swayed in June when Trump spoke at [a closed-door](#)

fundraising dinner in Wheeling, W.Va., hosted b Robert Murray, chief executive of Murray Energy, and attended by Wheeler. After leaving Capitol Hill, Wheeler worked as an energy consultant and lobbyist for Faegre Baker Daniels Consulting, where his clients have included Murray Energy. (Wheeler has also represented utility holding company Xcel Energy and the Nuclear Energy Institute, which lobbies for the U.S. nuclear industry.)

“It was about a 40-minute energy speech that [Trump] gave,” Wheeler told The Post. “He didn’t use notes. He didn’t use a teleprompter. I really thought it was the most comprehensive energy speech by a presidential candidate I had ever heard.” After that, Wheeler said he joined the Trump campaign as one of two volunteer energy and environmental policy consultants.

“I didn’t talk to a lot of people about being on the campaigns,” Wheeler said.

**Rewind even more:** Wheeler has been working in Washington since the early 1990's, starting as a career

employee at the EPA in the George H.W. Bush administration and making a name for himself on Capitol Hill where he worked for more than a decade for the Senate Environment and Public Works Committee.

If confirmed by the Senate, Wheeler will become [the latest](#) former staffer for Sen. James M. Inhofe (R-Okla.), the committee's former chairman, to join the EPA, now being run by another Oklahoma Republican, Scott Pruitt. Both Inhofe and Pruitt are known for questioning the scientific consensus that human activity is warming the planet.

Wheeler may join Ryan Jackson, Inhofe's former chief of staff who became Pruitt's chief of staff; and Amanda Gunasekara, who will advise the EPA administrator on air and climate issues.

**Bigger picture:** Wheeler isn't the first "establishment" Republican to join the Trump administration. You don't have to look beyond Trump's Cabinet for other examples, which include Energy Secretary Rick Perry (who once called Trump "[a](#)

cancer on conservatism”) and Housing and Urban Development Secretary Ben Carson (who once questioned Trump’s religious faith).

Many Republicans will never see eye to eye with Trump on some issues, such as rewriting free-trade agreements or ramping up infrastructure spending.

But they can agree with the president on reining in the EPA.

Like other Republicans once apprehensive of Trump, Wheeler changed his tune after Trump articulated an energy and environmental platform (and, of course, once it became increasingly clear that Trump would win the GOP nomination).

**Trump's emphasis on environmental deregulation is one of the several ways the unconventional Republican has endeared himself to the party's pre-2016 establishment.**

Just take a look at one of Trump's harshest election critics, Jeb Bush. Last December, the former Florida governor heaped praise on Trump for

choosing Pruitt as EPA administrator. "I cannot think of a person more suited to lead the Environmental Protection Agency," Bush wrote in [a CNN op-ed](#).

**Looking forward again:** As Wheeler prepares to join the EPA, the agency is reviewing pollution rules that the Obama administration placed on coal-fired power plants that, in turn, affect coal suppliers such as Murray Energy.

They include rules regulating how much mercury coal plants can emit into the air and [how](#) a byproduct of those power plants called coal ash is disposed of.

Environmental groups harshly criticized Trump for nominating Wheeler. Citing his time in Inhofe's office, Melinda Pierce, legislative director at the Sierra Club, said, **"There actually could not have been a worse choice for this highly influential position."**

Expect to see Senate Democrats ask Wheeler whether he will recuse himself from working on any EPA rules he lobbied on.

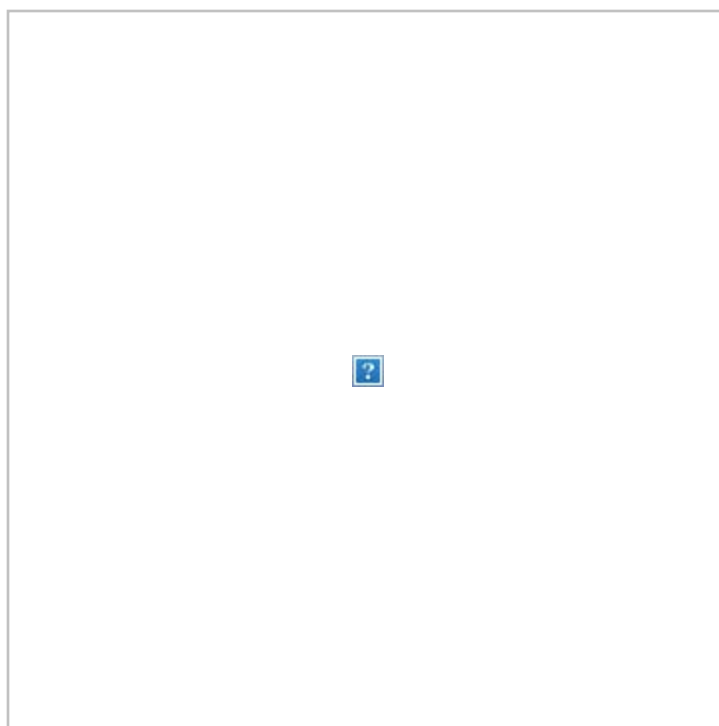


You are reading **The Energy 202**, our must-read tipsheet on energy and the environment.

Not a regular subscriber?

[SIGN UP NOW](#)

## POWER PLAYS



Scott Pruitt after the swearing-in ceremony for the U.S. ambassador to Canada in September. (REUTERS/Joshua Roberts)

-- **Fight or flight:** Here's the latest on the investigations into Cabinet members' flying habits...

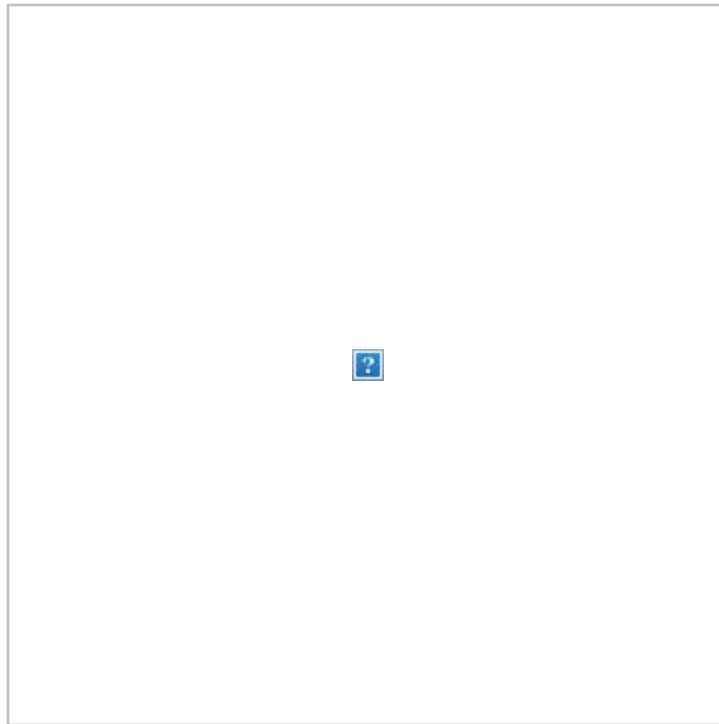
- The EPA's inspector general is now probing **Scott Pruitt's** use of military

and private flights, [reports](#) our colleague Brady Dennis. Pruitt took at least four chartered and military flights costing \$58,000 since February, per recent disclosures that led to the inspector general's investigation. The IG's office initially began examining Pruitt's frequent travel to his home state of Oklahoma.

- **Rick Perry** can't exactly get in trouble from the White House for a chartered flight he took in September, the day before Tom Price **resigned as HHS secretary** over his own use of private planes. That's because Perry's trip that came at the request of the White House, *The Hill* [reports](#). Otherwise, Perry appears to prefer flying Southwest or United.
- Interior Secretary **Ryan Zinke** is facing new criticism about his travel — often accompanied by his wife, who is managing a Republican campaign in Montana — that included stops at political fundraisers and donor events. *Mic* has a full report [here](#): "Two sources close to the Interior Department described an internal effort to hide the

presence of Lola Zinke on the official trips where she accompanied her husband."

That brings the total number of inspector general investigations into Cabinet members' flying habits up to **at least five**, as The Post's Drew Harwell, Lisa Rein and Jack Gillum [report](#).



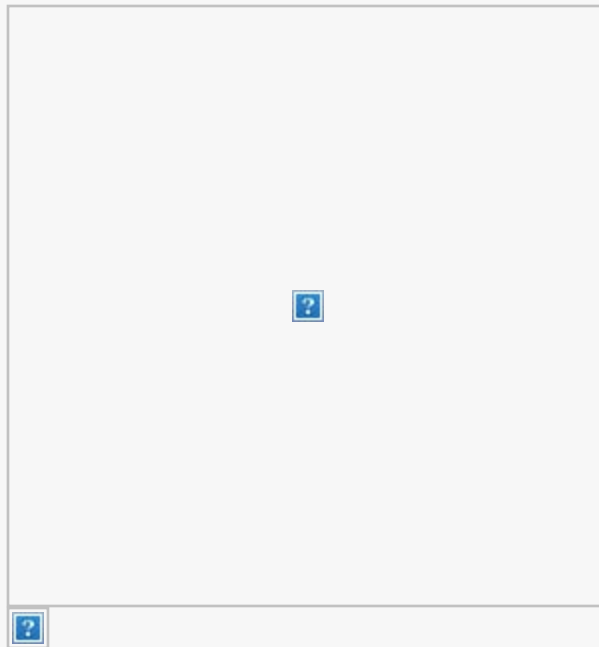
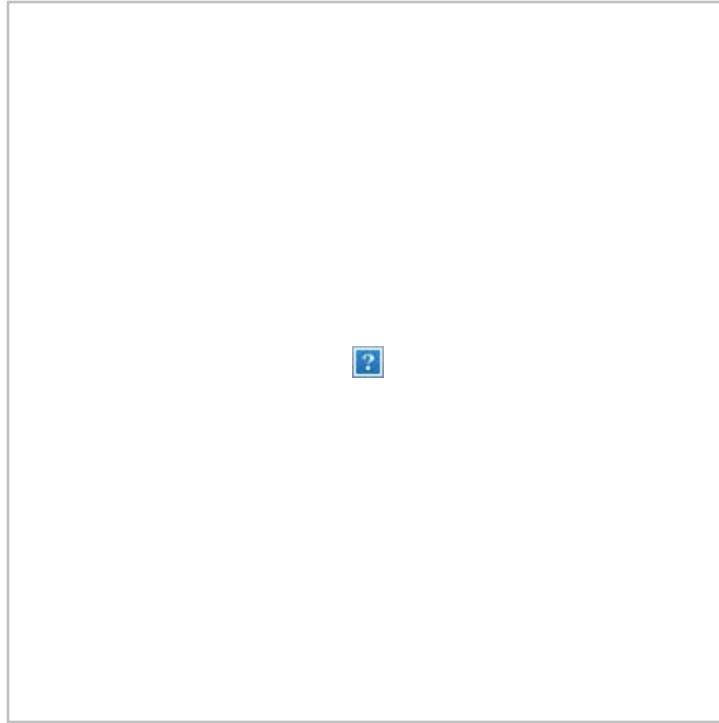
**-- The latest on Puerto Rico:**

- There are still people dying in Puerto Rico in the aftermath of Hurricane Maria. But the government has been slow to update its official death toll. [According to BuzzFeed](#), funeral home directors say they have buried far

people than accounted for in the official tally. And elected officials and people on the island have said they have buried people without notifying the government.

- Last week, The Energy 202 [wrote](#) about the importance of getting Puerto Rico's communications system up and running in order to restore electricity. Now, Google's parent company, Alphabet, says it's here to help. The FCC approved Alphabet's application to provide emergency cell service to Puerto Rico through solar-powered balloons, Reuters [reports](#).
- Puerto Rico Gov. Ricardo Rosselló has said that he will ask lawmakers for a long-term relief package by January, Bloomberg [reports](#).
- Meanwhile, as the recovery efforts continue, the political tensions are rising. FEMA administrator Brock Long said in an interview Sunday that criticism from San Juan mayor Carmen Yulín Cruz has been ignored. "We filtered out the mayor a long time ago, we don't have time for the political noise," Long said.

Watch part of Long's interview here:



**OIL CHECK**



Rick Perry delivers a statement during a International Atomic Energy Agency meeting in Vienna, Austria. (EPA-EFE/CHRISTIAN BRUNA)

### **-- Friction between FERC and Perry:**

Two little-noted comments from two of the three current members of the Federal Energy Regulatory Commission last week are big deal for the fate of Perry's proposal to recover more revenue for coal-fired and nuclear power plants.

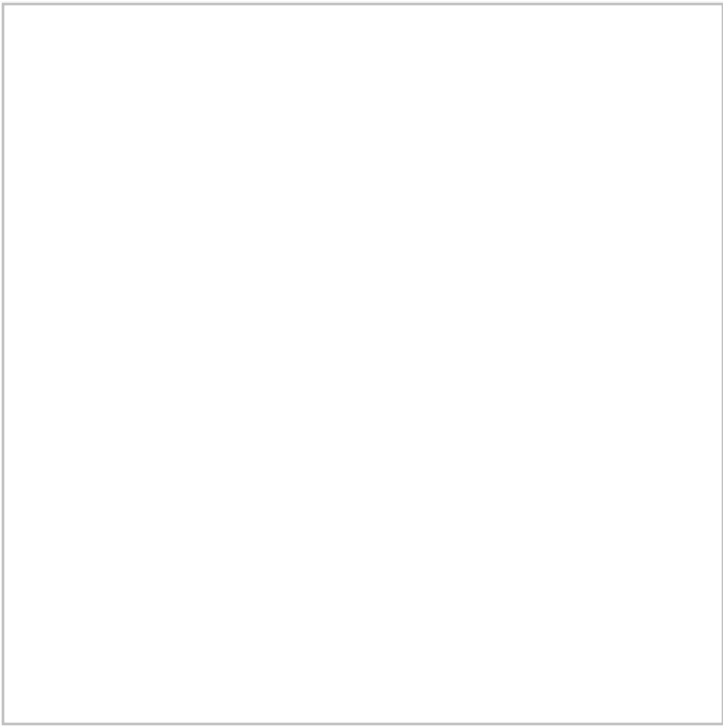
**Background:** Last month, Perry directed FERC to look into issuing new regulations to ensure that coal and nuclear plants were paid properly for adding to the reliability of the electric grid. In short order, representatives from other parts of the energy sector — including oil, gas, wind and

solar — [banded together](#) in opposition to the the quick pace Perry wants those changes to be made.

**What just happened:** It looks like two FERC commissioners share some of those apprehensions. **Robert Powelson**, a FERC commissioner appointed by Trump, told an audience at the annual meeting of the Organization of PJM States, [according to SNL Financial](#):

"We will not destroy the marketplace," Powelson said. "Markets have worked well and markets need to continue to work well." He added, "I did not sign up to go blow up the markets."

Following Powelson's remarks, **Cheryl LaFleur**, another FERC commissioner who was appointed by President Obama, issued her own "hear! hear!" on Twitter:



**Why it matters:** Even with the implicit support of the third FERC commissioner, Neil Chatterjee, who has already signaled he could be receptive to the move ([saying recently](#), “I believe that generation, including our existing coal and nuclear fleet, need to be properly compensated to recognize the value they provide to the system”), Perry doesn't seem to have the FERC votes he needs to get the sweeping electricity-market regulations he wants.

-- **Trump couldn't save this one:** The latest in a string of coal plants to announce it is shuttering is the Monticello power plant in Texas, The Houston Chronicle [reports](#). "The



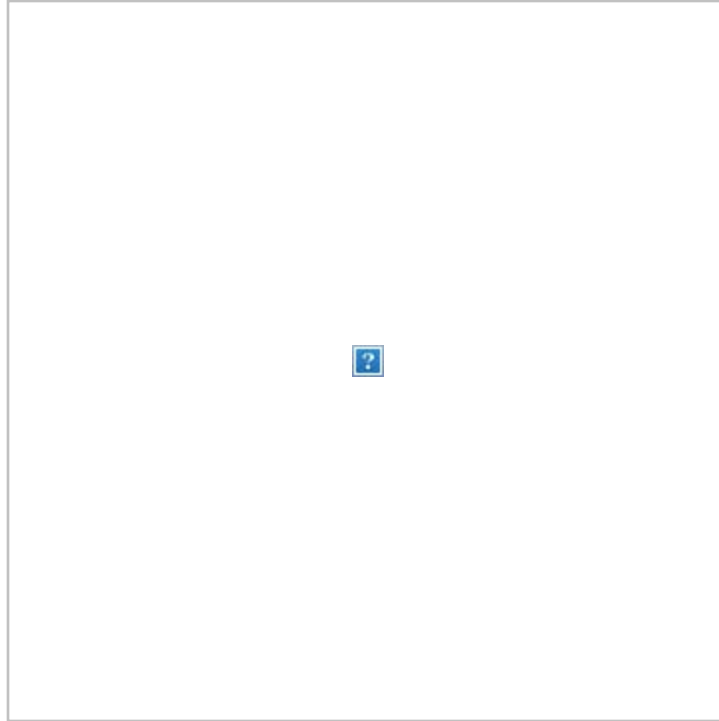
market's unprecedented low power price environment has profoundly impacted its operating revenue and no longer supports continued investment," Curt Morgan, CEO of Dallas-based Vistra, said in announcing the closure of the 1,800-megawatt facility.

**What's important here:** News of FERC's ongoing review of the U.S. electricity markets, which may send more revenue to coal and nuclear power plants — and in general, the Trump administration's pro-coal priorities — weren't enough to give operators at Luminant, a subsidiary of Vistra Energy, the confidence to keep the plant going. (Although it's worth noting that Texas's deregulated electricity market, contained within the state's borders, is not subject to the same interstate FERC jurisdiction most other U.S. electricity markets are.)

-- **That was quick:** Yet again following a major Atlantic storm — this time, Hurricane Nate — oil production in the Gulf of Mexico was halted. But a line buried in a Bureau of Safety and Environmental Enforcement [report, pointed out](#) by Bloomberg News, indicates: “No damages have been reported.” Already Chevron and

Enbridge workers are returning to offshore platforms.

## ALTERNATIVE UNIVERSE



Elon Musk speaking during an event at the Hornsdale wind farm in September 2017. (Carla Gottgens/Bloomberg)

### **-- Ironman wants to rescue Puerto Rico:**

Tesla chief executive Elon Musk tweeted to Puerto Rican Gov. Rosselló with an idea: Let Tesla help to rebuild the island's electric grid with a high-tech solar grid. The two had a back-and-forth over the weekend about the idea.

Musk said that he had previously built solar grids for small island, tweeting that there "is no scalability limit, so it can be done for

Puerto Rico too."

From Musk and Rosselló:



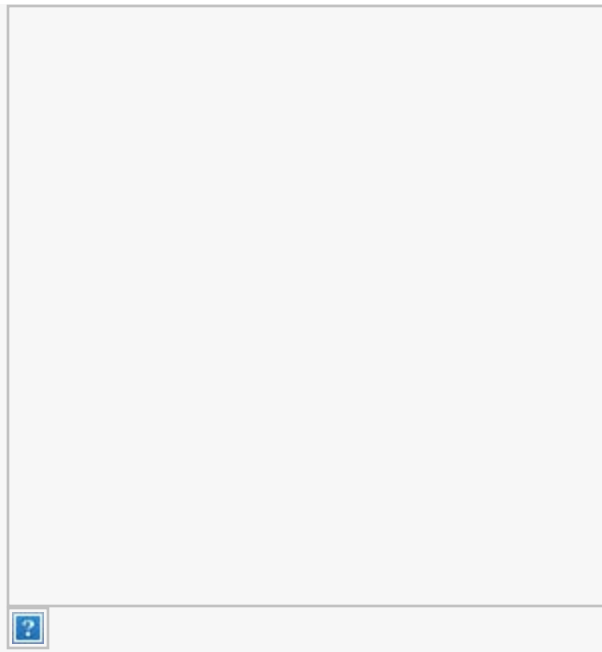


The Post's Brian Fung [writes](#): "While Musk's idea wouldn't solve Puerto Rico's current crisis — 90 percent of the island is still without power, and many people are having trouble getting clean water — it could set the

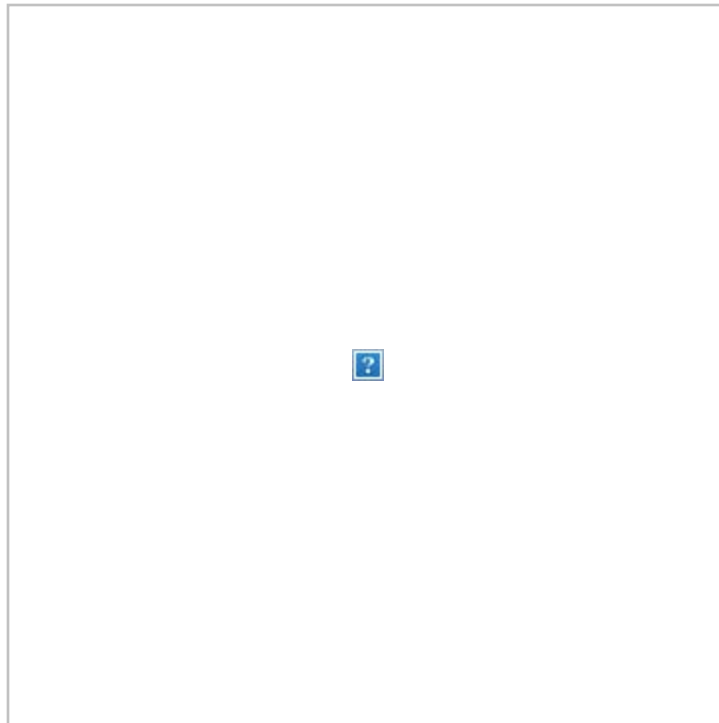
island on the path to sustainable, renewable energy, which could reduce its dependence on imported fossil fuels and ultimately bolster its economy.”

And for Puerto Rico, which has some of the highest energy prices in the world, a shift to solar power could help with the island’s economic woes.

However, Musk may be too starry-eyed here. As The Post’s Chris Mooney [wrote](#) last month: "at least until battery storage becomes more widely affordable, islanded grids could not solely be powered by the sun, which is only out during the day. They would instead need to alternate solar with some continuing use fossil fuels to ensure a continual electricity supply."



## THERMOMETER



On Sunday, a man sits on a bench overlooking a beach covered in debris scattered by Hurricane Nate in Biloxi, Miss.  
(REUTERS/Jonathan Bachman)

**-- Another weekend, another hurricane:**

After making landfall twice over the

weekend, Hurricane Nate was downgraded quickly into a tropical depression on Sunday as it moved inland, [report](#) The Post's Joel Achenbach and Patricia Sullivan. There have not been any reports of deaths or severe property damage, they add. A spokesman for the Mississippi Emergency Management Agency cited resources like sea walls, and updated building codes in place since Hurricane Katrina in 2005 as preventing extensive damage. Nate was the first hurricane since Katrina to come ashore in Mississippi, and the fourth this year to hit the United States.

The New York Times summed up the feeling in Biloxi, Miss. well with this headline: "[In a Season of Monsters, Gulf Coast Feels Lucky All It Got Was Nate.](#)"

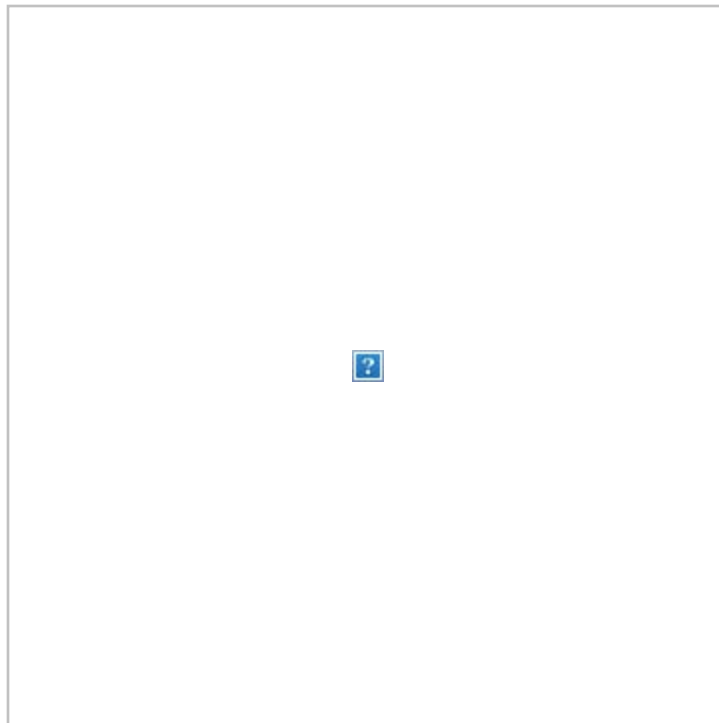
Here are some of the images of heavy rains as Nate passed through: From CBS News' David Begnaud:



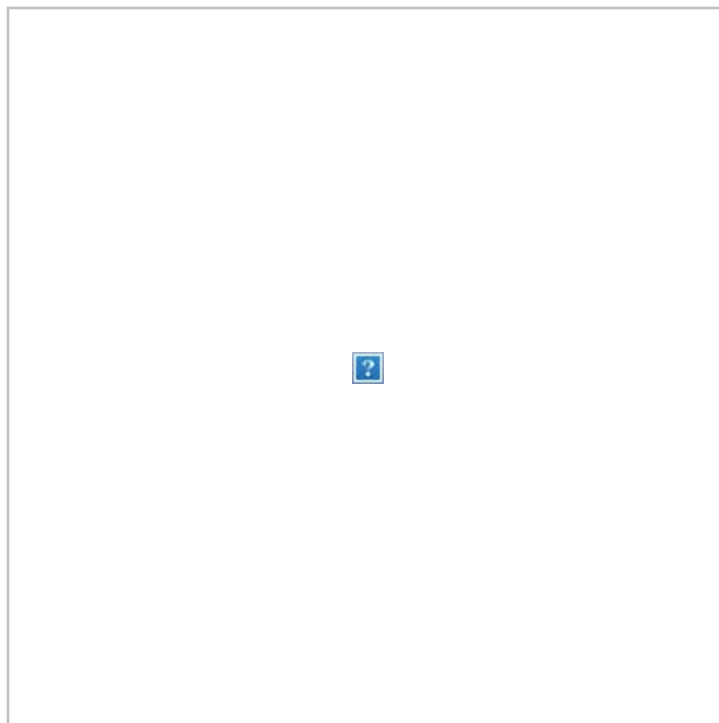
The Weather Channel's Mike Seidel:







From National Geographic photographer  
Mike Theiss:



## Today

- The House Agriculture Committee holds a listening [session](#) on the Farm Bill.

## Coming Up

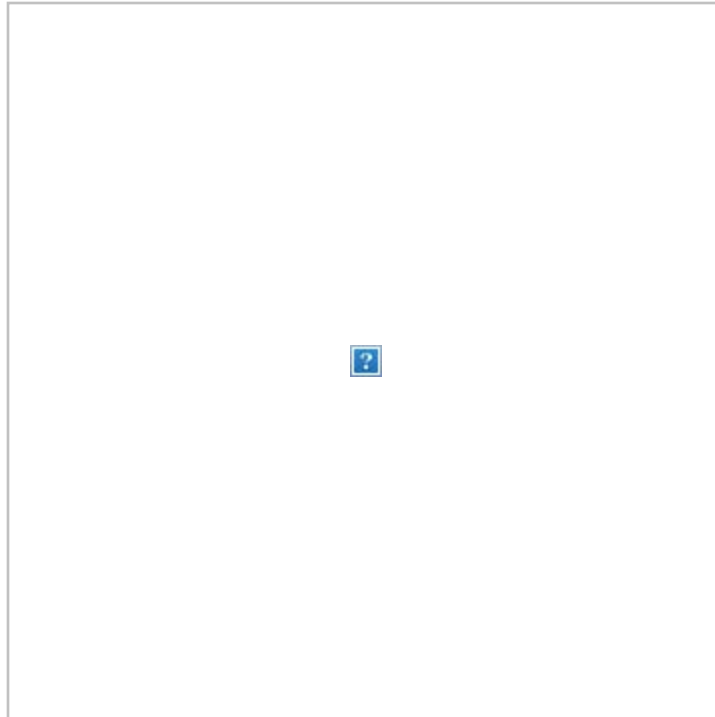
- The Atlantic Council holds an [event](#) on trade dialogue and the role of energy for the United States and China on **Tuesday**.
- The World Resources Institute holds an [event](#) on “Open Government for Climate Action” on **Tuesday**.
- The Heritage Foundation and Pacific Legal Foundation hold an [event](#) on the WOTUS debate on **Tuesday**.
- The Fissile Materials Working Group and International Panel on Fissile Materials hold an [event](#) to launch a research report on the use of highly enriched uranium in Russia on **Wednesday**.
- The House Agriculture Committee holds a public [hearing](#) on the agenda for the Commodity Futures Trading Commission on **Wednesday**.
- The House Natural Resources Subcommittee on Federal Lands holds

a legislative [hearing](#) on various bills on **Wednesday**.

- The House Natural Resources Subcommittee on Energy and Mineral Resources holds a legislative [hearing](#) on the outer continental shelf bill on **Wednesday**.
- Energy Secretary Rick Perry will testify before the The House Energy and Commerce Subcommittee on Energy during a [hearing](#) on the Energy Department's missions and management priorities on **Thursday**.
- The House Natural Resources Subcommittee on Water, Power and Oceans holds a legislative [hearing](#) on **Thursday**.
- The Center for Strategic and International Studies holds an [event](#) on the International Energy Agency's Renewable Energy Market Report for 2017 on **Thursday**.
- Bloomberg hosts its third annual Sustainable Business [Summit](#) starting on **Thursday**.
- The Bipartisan Policy Center holds an [event](#) with former Energy Secretary Ernest Moniz on **October 18**.

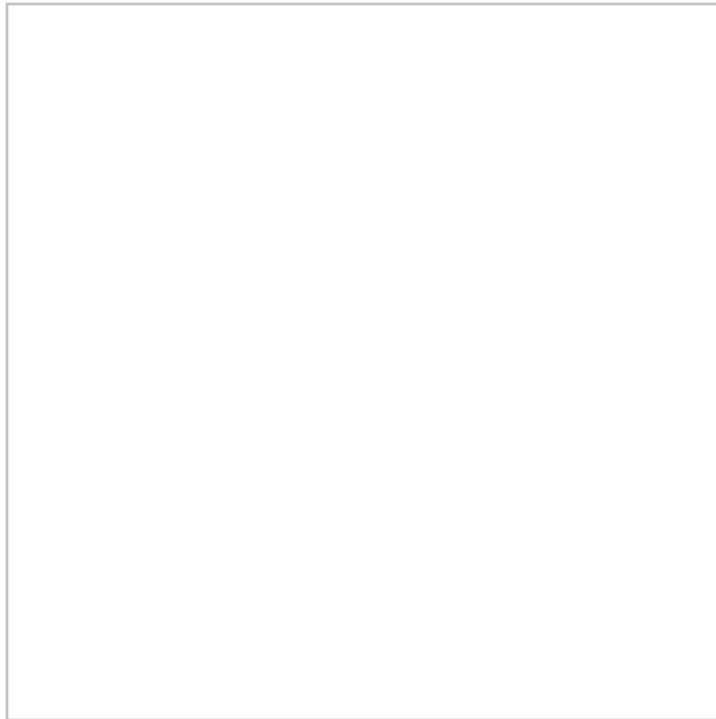
## EXTRA MILEAGE

Nate first made landfall as a Category 1 storm near the mouth of the Mississippi River:



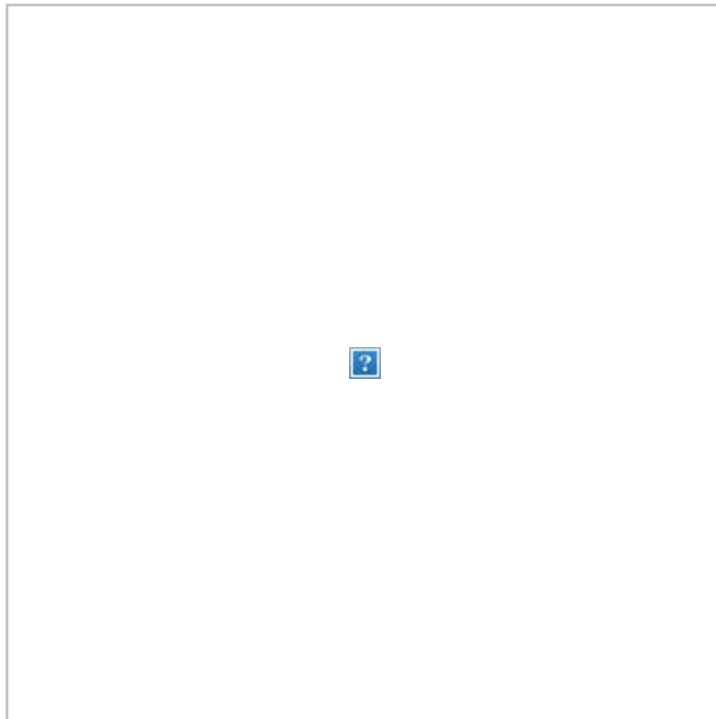
Hurricane Nate makes landfall on the Gulf Coast

Tropical Storm Nate weakened over  
Alabama:



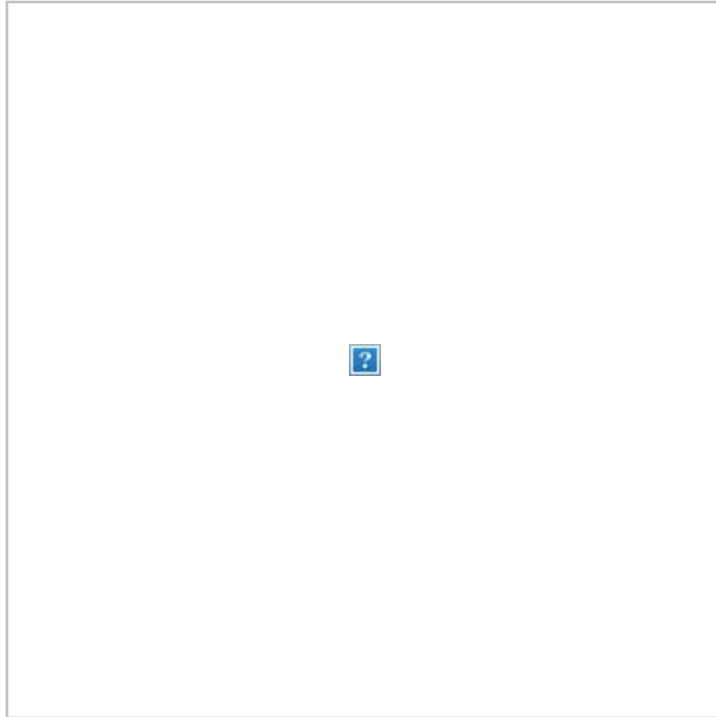
Tropical Storm Nate weakens over Alabama

In Oklahoma City, heavy rain waters rush  
through the Lake Overholser Dam:



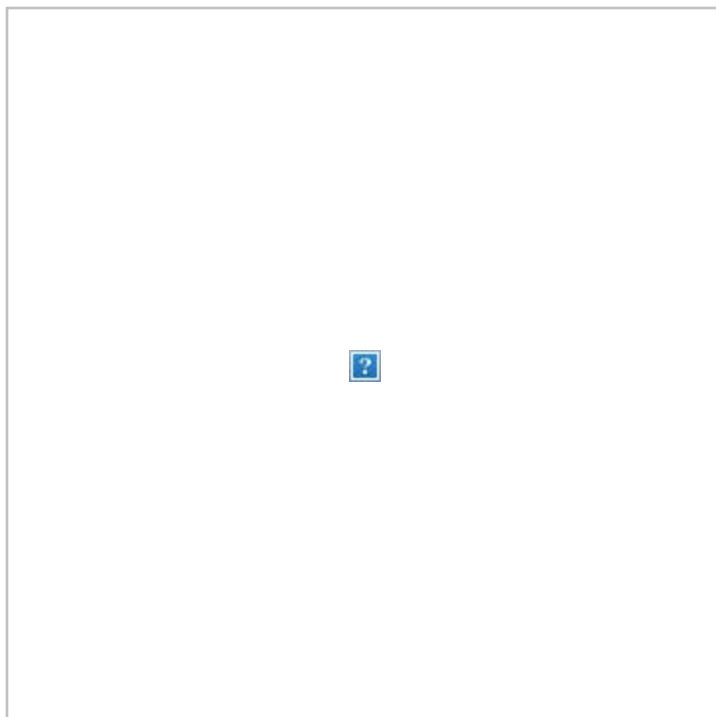
Heavy rain waters rush through Oklahoma City dam

A Puerto Rican man confronted Vice  
President Pence during his visit to the island:



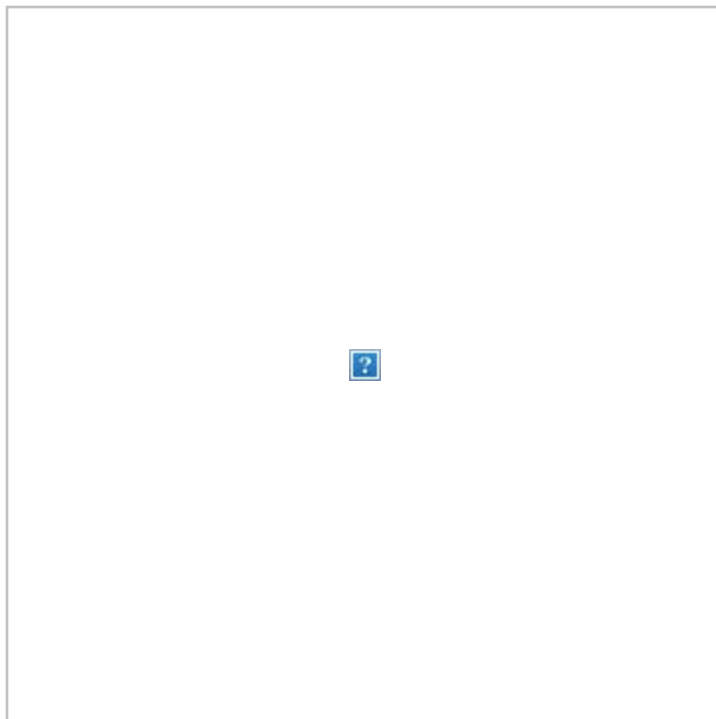
Angry man confronts Pence in Puerto Rico

On Saturday Night Live, Kate McKinnon as Ruth Bader Ginsburg shares her thoughts on working with Justice Neil Gorsuch:





Weekend Update: Ruth Bader Ginsburg on Neil Gorsuch - SNL

Trevor Noah reacts to a Fox News pundit who lashed out at him for getting involved in America's gun control debate:



Between the Scenes - The All-American Gun Debate: The Daily Show

Share The Energy 202:  Twitter  Facebook

Trouble reading? [Click here](#) to view in your browser.

You received this email because you signed up for The Energy 202 or because it is included in your subscription.

For additional free newsletters or to manage your newsletters, [click here](#).

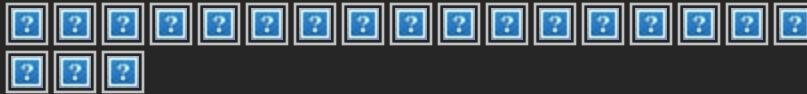
We respect your [privacy](#) . If you believe that this email has been sent to you in error or you no longer wish to receive email from The Washington Post, [click here](#). [Contact us](#) for help.

2017 The Washington Post, 1301 K St NW, Washington DC 20071

The Washington Post



*Democracy Dies in Darkness*





**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Norman Bay](#)  
**Subject:** Fwd: Women emPOWERing Women's Meet the Commission Leaders Series presents Chairman Norman Bay on Nov.30, 2016, 12 noon - 1 pm  
**Date:** Tuesday, November 15, 2016 9:37:00 PM  
**Attachments:** [image003.png](#)

---

Sent from my iPad

Begin forwarded message:

**From:** Eduardo Ribas <[Eduardo.Ribas@ferc.gov](mailto:Eduardo.Ribas@ferc.gov)>  
**Date:** November 15, 2016 at 1:36:24 PM EST  
**To:** FERC-HQ <[FERC-HQ@ferc.gov](mailto:FERC-HQ@ferc.gov)>  
**Subject:** **Women emPOWERing Women's Meet the Commission Leaders Series presents Chairman Norman Bay on Nov.30, 2016, 12 noon - 1 pm**



*Women emPOWERing Women's*  
**Meet the Commission Leaders Series**  
presents:  
**Chairman Norman Bay**

**Wednesday, Nov. 30, 12 noon -1 pm**  
**Room 3M-4A&4B**

Chairman Norman C. Bay was nominated by President Obama to the Federal Energy Regulatory Commission in January 2014 and was confirmed by the U.S. Senate for a term that expires June 30, 2018. He served as a Commissioner at FERC from August 4, 2014 through April 14, 2015. From July 2009 to July 2014, Chairman Bay was the Director of the Office of Enforcement (OE). In December 2013, a leading energy publication listed Chairman Bay as one of the 10 most influential people in energy.

Chairman Bay is from New Mexico. He is a graduate of Dartmouth College and Harvard Law School. He and his wife, Yuri, live in Washington, D.C.

*Women emPOWERing Women's (WEW's) mission is to provide an opportunity for members to interact, mentor, learn, and build skills applicable to the workplace by networking with peers and agency leaders and by maintaining an open and educational forum for improving industry knowledge and personal and professional development.*

*Membership in the WEW Employee Resource Group is open to all Commission employees.*

**For more information or to sign up to become a member, email us at [wew@ferc.gov](mailto:wew@ferc.gov).**

For more information on employee resource groups and to see a listing of currently active groups, visit <http://fercnet/newfercnet/OED/diversity/apply.asp>.

All Commission employees are welcome to attend the event!

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** FYI  
**Date:** Friday, October 27, 2017 4:24:02 PM

---

## **Latest U.S. State to Offer Nukes a Lifeline Is Connecticut (1)**

- Governor will review bill in context of overall budget
- Nuclear reeling under competition from cheap gas, renewables

By Jim Polson  
(Bloomberg) --

Connecticut took a step toward propping up nuclear energy on Thursday, wading into a national debate over how to keep aging reactors running that's become so intense that even the Trump administration is weighing in.

A bill passed Thursday and sent to Connecticut Governor Dannel Malloy directs agencies to consider above-market power agreements for Dominion Energy Inc.'s Millstone plant, the state's sole nuclear plant. In seeking to shore up its profitability, Connecticut is following in the footsteps of New York and Illinois which have already offered subsidies to keep money-losing operations there open.

Millstone is facing the same pressures from cheap natural gas and renewable energy that have led to a wave of reactor closures and prompted some states to offer subsidies. Just last month, U.S. Energy Secretary Rick Perry laid out a plan to reward nuclear and coal plants for their ability to supply around-the-clock power, a proposal that's drawn fierce opposition because of concerns it'll undermine the nature of competitive markets.

Dominion's chief executive officer, Tom Farrell, meanwhile described the Connecticut bill as "a path forward to retain 1,500 well-paying jobs and Millstone's substantial environmental, energy, and economic benefits for Connecticut."

The Connecticut House of Representatives voted in favor of the Millstone measure after the state's senate approved the bill last month. Dominion rose the most on an intraday basis since May.

"Our office will review this bill and it will be considered in the context of the overall budget," Chris Collibee, a spokesman for the governor, said by phone.

Dominion said in August it was limiting its hedging of 2018 production from the plant pending the outcome of legislation. If the plan is adopted, customers may pay a premium for nuclear power, set in a competitive auction alongside wind, solar and hydro.

"Millstone could sell about half of its output into this auction," Shahriar Pourreza, an analyst for Guggenheim Securities LLC, said by phone Wednesday. "It's a very good chunk."

D US Equity  
Graphic Dashboard»

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Good read!  
**Date:** Friday, October 27, 2017 7:12:14 AM  
**Attachments:** [NRGCEORemarks.pdf](#)

---

I'm heading up to Hershey today to address this group as well with former colleagues.

**From:** [Cheryl LaFleur](#)  
**To:** [CO3](#); [CO2](#); [CH1](#); [Andrea Spring](#); [Ann Miles](#); [Anna Cochrane](#); [Anton Porter](#); [Arnie Quinn](#); [Carmen Cintron](#); [David Andrejczak](#); [David Morenoff](#); [David Ortiz](#); [Eduardo Ribas](#); [Jamie Simler](#); [Jignasa Gadani](#); [John Wood](#); [Joseph McClelland](#); [Kimberly Bose](#); [Larry Parkinson](#); [Lee Ann Watson](#); [Leonard Tao](#); [Max Minzner](#); [Michael Bardee](#); [Nathaniel Davis](#); [Nils Nichols](#); [Terry Turpin](#)  
**Subject:** Heads up on another staffing announcement to issue today  
**Date:** Thursday, February 02, 2017 11:23:00 AM

---

Dear colleagues,

Following up on yesterday's staffing announcements, I want to update you on some changes in the Office of the General Counsel to be announced today.

First, I will today inform staff and announce publicly that David Morenoff has been named General Counsel, effective immediately. In addition, yesterday Max Minzner informed me that he has decided to leave the agency to pursue other opportunities. I would like to thank Max for all his service to the agency, and for his leadership and assistance during the transition of the last week. Please join me in congratulating David and wishing Max well in his future endeavors.

Thank you very much for everything you and your teams are doing.  
Cheryl

*Acting Chairman Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Robert F. Powelson](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Hello to FERC Staff  
**Date:** Wednesday, September 06, 2017 9:33:00 AM

---

Dear Team 888:

I wanted to take this opportunity to express to all of you my sincere appreciation for your hard work and dedication to the Commission during this time of transition. As Chairman Chatterjee mentioned in his email a few weeks back, you have been extremely welcoming and your professionalism is evident as we get back up and running with a quorum. I would also be remiss in not thanking and saluting former Chairman LaFleur for her steadfast commitment and dedication to the Commission during the past seven months.

As we gear up for the September 20<sup>th</sup> open meeting, I wanted to take this opportunity to introduce you to my team members. They are as follows:

1. Brett Rendina  
Brett is a former associate at McGuire Woods LLP in Washington, where he worked in the firms' energy practice. Brett also worked for me at the PA PUC during my tenure as Chairman. He is proud graduate of the University of Pennsylvania and Villanova Law School.
2. April Ballou  
April began her career at FERC working in the Office of the General Counsel. April joined my team in Pennsylvania back in 2010 as my chief legal advisor. In 2016, she was promoted to be my Chief of Staff, where she worked on numerous energy related matters facing the PA PUC. She is proud graduate of the University of Virginia and Washington & Lee Law School.
3. Meghan Estenson  
Meghan began her career here at 888 working with former Commissioner Tony Clark as his confidential assistant. Meghan has been an incredible asset to me during this transition and I'm blessed to have her back for another tour of duty.
4. Jesse Hensley  
Jesse has joined our team on a detail assignment. He is coming from the Office of Energy Policy & Innovation. Previously, Jesse served as an advisor to Commissioner Moeller. He is a proud Maryland Terrapin.

Please accept my hearty thanks once more, along with my warm personal regards and best wishes to all of you for your continued commitment to the Commission. I think it's fair to say we have a lot of great opportunities ahead of us.

Commissioner Robert F. Powelson

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** HELP  
**Date:** Tuesday, September 26, 2017 1:59:06 PM

---

Hey, I hate to bother with you this one but can you let Anthony know that I'm okay taking the meeting alone today. Thanks.

**From:** [Cheryl LaFleur](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Leadership announcement  
**Date:** Thursday, January 26, 2017 8:56:00 AM

---

Dear colleagues,

As you may have already heard, I was notified by the White House yesterday that I have been named Acting Chairman of the Commission, effective immediately. I wanted to reach out to all of you to say that it is an honor to be asked to lead the Commission once again. I also want to thank Norman Bay for his leadership of the Commission these last two years. I look forward to continuing to work with him, Colette Honorable, and the terrific staff throughout the agency, as well as future colleagues when they arrive.

I thought it was important to send this note to you before the announcement goes public this morning. I will also be taping a podcast with OEA soon to help answer some of the questions that you might have about the transition and its impact on the Commission and our work. In the meantime, it is important to keep that work moving forward, and all of you will play a vital role in making that happen. Thank you all for your continued hard work and dedication to the agency's mission.

Finally, since it is also team spirit day: go Patriots!

My best,  
Cheryl LaFleur

*Acting Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)*



**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Lunch  
**Date:** Wednesday, November 16, 2016 5:45:45 AM

---

Good morning Norman-

I wanted to advise you that I may not make it to lunch today. Running errands and have appointments in Arlington. Just wanted to give you a heads up. Have a great day!

Colette

Sent from my iPad

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** my Aspen speech  
**Date:** Wednesday, September 13, 2017 5:02:00 PM  
**Attachments:** [Aspen Speech 2017.docx](#)

---

My public views on baseload and markets paying for competencies

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** National Anthem  
**Date:** Wednesday, October 18, 2017 4:13:21 PM

---

Pledge and national anthem?

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Re:  
**Date:** Friday, October 06, 2017 1:10:14 PM

---

It was good to catch up on this one!

---

**From:** Neil Chatterjee  
**Sent:** Friday, October 6, 2017 8:37:00 AM  
**To:** Robert F. Powelson  
**Subject:** Re:

Fake news

Sent from my iPhone

On Oct 6, 2017, at 8:34 AM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Thanks for sharing with us!

By Darius Dixon and Esther Whieldon

10/05/2017 04:29 PM EDT

Skadden attorney John Shepherd Jr. is expected to be named FERC's next head of enforcement, according to two sources with knowledge of the plans.

Shepherd co-authored a [paper](#) for the Energy Law Journal in 2010 calling for new due process rules within the FERC enforcement office, which polices energy markets for manipulation, and has made headlines for levying multi-million dollar fines against firms like JPMorgan Chase and Barclays. Shepherd co-authored the paper with William Scherman, a former FERC general counsel who has been critical of the agency's enforcement work.

According to his [biography](#) on the Skadden, Arps, Slate, Meagher & Flom website, Shepherd's practice focuses on market design, market power and market manipulation issues in the energy and natural gas markets. His biography also highlights his success securing the "dismissal of a non-public investigation against a Midwest natural gas company for alleged capacity 'flipping' violations."

The sources said the timing of the appointment was not certain.

Reached by phone today, Shepherd said he had not been contacted about the position.

Last month, fellow Skadden attorney James Danly became FERC's general counsel.

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Advance Copy of OEMR leadership announcement  
**Date:** Friday, June 23, 2017 1:42:10 PM

---

Thank you Cheryl!

Sent from my iPad

On Jun 23, 2017, at 12:24 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Dear Senior Staff—I will be sending this memo to all employees in a little while.

Dear friends,

I know that many of you have heard that Jamie Simler has decided to retire from FERC to pursue another chapter of her career. She has been a tremendously valued senior leader in both OEPI and OEMR, and we will very much miss her as she departs, but wish her happiness and success in the future.

I am pleased to announce that Anna Cochrane has been named Director of the Office of Energy Market Regulation, effective immediately. Anna has been at FERC for 25 years and has been Deputy Director of OEMR since 2009, including a couple stints as Acting Director. She is obviously superbly qualified to take the office forward at this very busy time.

I am also pleased to announce that Jette Gebhart, who is currently a Senior Legal Advisor in the OEMR front office, will serve as Acting Deputy Director of OEMR, effective immediately. Jette has been at FERC since 2011 after practicing energy law in private practice. She previously worked in the Office of Enforcement, as a legal and policy advisor on my team, and as Co-Chief of Staff.

Please join me in congratulating Anna and Jette on their new roles.

Have a nice weekend,  
Cheryl

*Acting Chairman Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Cheryl LaFleur](#)  
**To:** [Gershuny, Greg](#); [Neil Chatterjee](#)  
**Subject:** Re: Aspen  
**Date:** Wednesday, August 16, 2017 7:25:18 PM

---

Neil-

Greg Gershuny of the Aspen Institute asked me to make an introduction and pass along this invitation below to a program they are running on nuclear power this September.

I am sure you are aware of the work of the Aspen Institute. I have attended their (July) energy summit the past three years, and it is one of the very best programs I have attended. (Happy to discuss further at your convenience.)

Greg, mission accomplished. I do note that FERC's first Open Meeting after resuming quorum (and under Neil's leadership) is September 20, so mid-September dates may be difficult ones for anyone at FERC.

Best,  
Cheryl

Sent from my iPad

> On Aug 16, 2017, at 5:56 PM, Gershuny, Greg <[Greg.Gershuny@aspeninstitute.org](mailto:Greg.Gershuny@aspeninstitute.org)> wrote:

>

> The Aspen Institute's Future of Nuclear Energy forum (Sept 11-14 in Aspen, CO) is looking to answer the President's call during his June 29th speech at the Department of Energy to revive the nuclear energy sector. The forum will discuss policy, technology, and market recommendations to both help existing nuclear power plants and to develop and deploy small modular and advanced nuclear technologies. The output of the forum will be a letter to the President signed by the co-chairs (Dan Poneman, CEO, Centrus Energy and Joe Dominguez, EVP, Exelon Corp) and other participants.

>

> We would like to invite Mr. Chatterjee to speak and attend the forum, and to be one of the administration official's to receive the recommendations from the group. I would be happy to speak with his staff about logistics and further details on the agenda.

>

> Best, Greg Gershuny

>

>

> Greg

>

> -----Original Message-----

> From: Cheryl LaFleur [<mailto:Cheryl.LaFleur@ferc.gov>]

> Sent: Wednesday, August 16, 2017 12:25 PM

> To: Gershuny, Greg <[Greg.Gershuny@aspeninstitute.org](mailto:Greg.Gershuny@aspeninstitute.org)>

> Subject: Re: Aspen

>

> Absolutely. I am on vacation now but could do it electronically. Why don't you send me a little write up on the Aspen Institute and the upcoming nuclear forum asking me to send to him and I will send to him and cc you. I will then write him a private note about how good the Aspen programs are.

>

> You probably know this but we could have another new chairman by September, Kevin McIntyre. Lots of potential invitees Cheryl

>

> Sent from my iPad

>

>> On Aug 16, 2017, at 12:19 PM, Gershuny, Greg <[Greg.Gershuny@aspeninstitute.org](mailto:Greg.Gershuny@aspeninstitute.org)> wrote:

>>

>> Dear Cheryl, I hope you are well. Could you introduce me to the new chair? We'd like to invite him to the future of nuclear energy forum in Aspen in September. Thanks!

>>

>>

>> Greg Gershuny

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Awards Tomorrow  
**Date:** Thursday, January 19, 2017 8:04:37 AM

---

My apologies! They were in my binder in the back folder. I had them all the time! See you soon-

C

---

**From:** Norman Bay  
**Sent:** Wednesday, January 18, 2017 9:36 PM  
**To:** Colette D. Honorable  
**Subject:** Re: Awards Tomorrow

Thanks, Colette. Did you get the summaries? Benjamin said he sent them to your office.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Colette D. Honorable  
**Sent:** Wednesday, January 18, 2017 9:10 PM  
**To:** Norman Bay  
**Subject:** Re: Awards Tomorrow

Norman- I wasn't aware of the number of awards but yield to your judgment. We'll sure miss Ann!

C

Sent from my iPad

On Jan 18, 2017, at 6:04 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Colette,

I know there are a lot of awards, but after further consideration, unless you and Cheryl disagree, I think the awards should be handed out one at a time. All the recipients have spent many years in public service, so I think it would be appropriate to give them an extra minute or two of recognition and to individualize the process. Cheryl suggested starting with Ann Miles (since Ann is retiring), and I think that's a good idea.

Best,  
NB



**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Awards Tomorrow  
**Date:** Wednesday, January 18, 2017 6:05:00 PM

---

Thanks, Cheryl.

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, January 18, 2017 6:02 PM  
**To:** Norman Bay  
**Subject:** RE: Awards Tomorrow

No problem by me and I agree nicer for the recipients.

---

**From:** Norman Bay  
**Sent:** Wednesday, January 18, 2017 6:02 PM  
**To:** Cheryl LaFleur  
**Subject:** Awards Tomorrow

Cheryl,

I know there are a lot of awards, but after further consideration, unless you and Colette disagree, I think the awards should be handed out one at a time. All the recipients have spent many years in public service, so I think it would be appropriate to give them an extra minute or two of recognition and to individualize the process. I like your suggestion of starting with Ann Miles; thanks.

Best,

NB

**From:** [Cheryl LaFleur](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Best Places to Work Rankings  
**Date:** Thursday, December 15, 2016 8:36:54 AM  
**Attachments:** [image001.png](#)

---

Thank you! good news.

---

**From:** Norman Bay  
**Sent:** Thursday, December 15, 2016 8:25 AM  
**To:** Cheryl LaFleur  
**Subject:** Fw: Best Places to Work Rankings

FYI

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

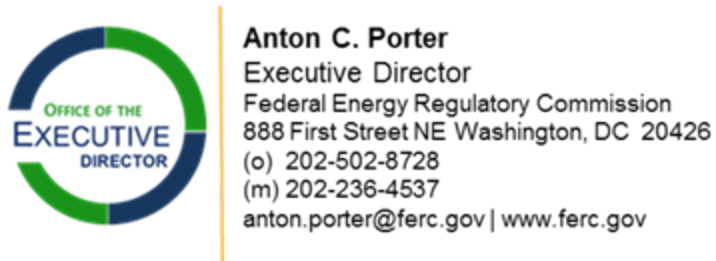
**From:** Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>  
**Sent:** Wednesday, December 14, 2016 3:23 PM  
**To:** Norman Bay; Jamie Simler  
**Subject:** FW: Best Places to Work Rankings

Norman/Jamie

Please hold this information closely as advised by the Partnership. This is great news for the agency!

Anton

--



---

**From:** Shabnam Tehrani  
**Sent:** Wednesday, December 14, 2016 2:22 PM  
**To:** Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>; Carrie Anderson <[Carrie.Anderson@ferc.gov](mailto:Carrie.Anderson@ferc.gov)>; Eduardo Ribas <[Eduardo.Ribas@ferc.gov](mailto:Eduardo.Ribas@ferc.gov)>; Alyssa Asonye <[Alyssa.Asonye@ferc.gov](mailto:Alyssa.Asonye@ferc.gov)>  
**Subject:** Best Places to Work Rankings

Hi Everyone,

The attached documents are the full reports from the *Best Places to Work* Rankings Pre-Release Event at the Partnership today. They emphasized to us that this news is embargoed until midnight tonight. Note that only offices with at least 100 permanent employees were included in the subcomponent rankings, which is 5 offices for FERC. I will be sharing each office's one-page report with the office director and deputy director today.

You can see the full rankings on this page <http://bestplacestowork.org/BPTW/> at 12:01 AM tonight!

**FERC - #4**

OEMR - #4

OE - #6

OGC - #9

OED - #21

OEP - #31

Thank you,

Shabi



**Shabnam Tehrani (Shabi)**  
Technical Advisor to Chief Human Capital Officer  
Federal Energy Regulatory Commission  
(202) 502-6235  
Visit our social media pages:



**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Best Places to Work Rankings  
**Date:** Thursday, December 15, 2016 9:49:02 AM  
**Attachments:** [image001.png](#)

---

Congrats Mr. Chairman! We've improved our ranking under your leadership!!

---

**From:** Norman Bay  
**Sent:** Thursday, December 15, 2016 8:25 AM  
**To:** Colette D. Honorable  
**Subject:** Fw: Best Places to Work Rankings

FYI

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>  
**Sent:** Wednesday, December 14, 2016 3:23 PM  
**To:** Norman Bay; Jamie Simler  
**Subject:** FW: Best Places to Work Rankings

Norman/Jamie

Please hold this information closely as advised by the Partnership. This is great news for the agency!

Anton

--



**Anton C. Porter**  
Executive Director  
Federal Energy Regulatory Commission  
888 First Street NE Washington, DC 20426  
(o) 202-502-8728  
(m) 202-236-4537  
[anton.porter@ferc.gov](mailto:anton.porter@ferc.gov) | [www.ferc.gov](http://www.ferc.gov)

---

**From:** Shabnam Tehrani  
**Sent:** Wednesday, December 14, 2016 2:22 PM  
**To:** Anton Porter <[Anton.Porter@ferc.gov](mailto:Anton.Porter@ferc.gov)>; Carrie Anderson <[Carrie.Anderson@ferc.gov](mailto:Carrie.Anderson@ferc.gov)>; Eduardo Ribas <[Eduardo.Ribas@ferc.gov](mailto:Eduardo.Ribas@ferc.gov)>; Alyssa Asonye <[Alyssa.Asonye@ferc.gov](mailto:Alyssa.Asonye@ferc.gov)>  
**Subject:** Best Places to Work Rankings

Hi Everyone,

The attached documents are the full reports from the *Best Places to Work* Rankings Pre-Release Event at the Partnership today. They emphasized to us that this news is embargoed until midnight tonight. Note that only offices with at least 100 permanent employees were included in the subcomponent rankings, which is 5 offices for FERC. I will be sharing each office's one-page report with the office director and deputy director today.

You can see the full rankings on this page <http://bestplacestowork.org/BPTW/> at 12:01 AM tonight!

**FERC - #4**

OEMR - #4

OE - #6

OGC - #9

OED - #21

OEP - #31

Thank you,

Shabi



**Shabnam Tehrani (Shabi)**  
Technical Advisor to Chief Human Capital Officer  
Federal Energy Regulatory Commission  
(202) 502-6235  
Visit our social media pages:



**From:** [Colette D. Honorable](#)  
**To:** [Bob Anthony](#); [Cheryl LaFleur](#)  
**Subject:** RE: Bob Anthony nomination to FERC  
**Date:** Thursday, February 02, 2017 9:09:00 AM

---

Hello Dear Neighbor!!

Please tell us when you're coming- we'll get your office ready. ☺ Best wishes to you, Nancy and family-

Colette

**From:** bob.bobanthony@gmail.com [mailto:bob.bobanthony@gmail.com] **On Behalf Of** Bob Anthony  
**Sent:** Thursday, February 02, 2017 9:05 AM  
**To:** Cheryl LaFleur; Colette D. Honorable  
**Subject:** Fwd: Bob Anthony nomination to FERC

Greetings from Oklahoma.

Thanks, Bob Anthony

----- Forwarded message -----

**From:** **Bob Anthony** <[bob@bobanthony.com](mailto:bob@bobanthony.com)>  
**Date:** Mon, Jan 30, 2017 at 11:09 AM  
**Subject:** Bob Anthony nomination to FERC  
**To:** [cheryl.lafleur@verison.net](mailto:cheryl.lafleur@verison.net)

Cheryl,

All the best to you in performing your many important duties and responsibilities.

Please see bio attachment.

Thanks,

Bob Anthony  
Oklahoma  
[405-521-2262](tel:405-521-2262)

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** RE: Cactus  
**Date:** Monday, August 28, 2017 4:29:08 PM

---

You should look before you leap 😊

---

**From:** Neil Chatterjee  
**Sent:** Monday, August 28, 2017 4:28 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Cc:** Aileen Roder <[Aileen.Roder@ferc.gov](mailto:Aileen.Roder@ferc.gov)>  
**Subject:** RE: Cactus

Thank you for letting me know! I am happy to keep it but defer to Aileen.

---

**From:** Cheryl LaFleur  
**Sent:** Monday, August 28, 2017 4:26 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>  
**Cc:** Aileen Roder <[Aileen.Roder@ferc.gov](mailto:Aileen.Roder@ferc.gov)>  
**Subject:** Cactus

Neil,

When you move into the chairman's office, you will become the proud custodian of a gangly cactus awkwardly growing against the window near the couch.

Legend has it that this once belonged to Suede Kelly, who bequeathed it to fellow New Mexican Norman Bay when she left the Commission.

I was told by Norman's team if I ever wanted to get rid of it, former Kellyite Aileen Roder (who now works in OEPI) would provide foster care.

I have cc'd her above and leave this in your good hands!

Cheryl

PS if you decide to keep it, it only seems to need water every few months. At least that's what I did, and it seems happy enough.

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Neil Chatterjee](#)  
**To:** [Cheryl LaFleur](#)  
**Cc:** [Aileen Roder](#)  
**Subject:** RE: Cactus  
**Date:** Monday, August 28, 2017 4:27:31 PM

---

Thank you for letting me know! I am happy to keep it but defer to Aileen.

---

**From:** Cheryl LaFleur  
**Sent:** Monday, August 28, 2017 4:26 PM  
**To:** Neil Chatterjee <Neil.Chatterjee@ferc.gov>  
**Cc:** Aileen Roder <Aileen.Roder@ferc.gov>  
**Subject:** Cactus

Neil,

When you move into the chairman's office, you will become the proud custodian of a gangly cactus awkwardly growing against the window near the couch.

Legend has it that this once belonged to Suede Kelly, who bequeathed it to fellow New Mexican Norman Bay when she left the Commission.

I was told by Norman's team if I ever wanted to get rid of it, former Kellyite Aileen Roder (who now works in OEPI) would provide foster care.

I have cc'd her above and leave this in your good hands!

Cheryl

PS if you decide to keep it, it only seems to need water every few months. At least that's what I did, and it seems happy enough.

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*



**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Cc:** [Anton Porter](#); [Steven Wellner](#)  
**Subject:** Re: Come by if you wish  
**Date:** Thursday, February 02, 2017 11:38:18 PM

---

Excellent. See you then.

Sent from my iPad

On Feb 2, 2017, at 8:22 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

We have our window of opportunity for the plaque!

Sent from my iPad

Begin forwarded message:

**From:** Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)>  
**Date:** February 2, 2017 at 8:02:26 PM EST  
**To:** FERC-HQ <[FERC-HQ@ferc.gov](mailto:FERC-HQ@ferc.gov)>  
**Subject:** Come by if you wish

Dear Colleagues,

In the crush to get work done, true to form, I find myself working to the last minute. So much for coasting to my retirement from public service!

And to be honest with you, I don't enjoy being the center of attention (especially if people are saying nice things about me), so I wasn't keen on doing a going away party anyway.

If you'd like to drop by my office, I'm taking visitors from 2:00 to 4:00 on Friday. It's not a party – no margaritas, so if you didn't get one at the holiday party you're out of luck (no way I'm squeezing 30 pounds of limes tonight) – but it'll give me a chance to say goodbye and to thank you for all your great work.

I say that staff here is the best, and you are. Everyone who leaves FERC says that they'll miss the people the most, and I will also. The people, the community, the mission, the importance and intellectual challenge of our work: FERC really is a gem of an agency, and it's because of you.

So come by if you wish. Yes, selfies are welcome. And even if I'm not serving margaritas, you can see the famed "Chairman's Memorial Award" poster in the bathroom – a FERC relic that goes back to Charlie Curtis. How often does that opportunity arise? So maybe that's incentive enough.

Best,  
NB

**From:** [Robert F. Powelson](#)  
**To:** [Glazer, Craig](#); [Andrea Spring](#); [Andrew Holleman](#); [Andrew Weinstein](#); [Anna Cochrane](#); [Anthony Pugliese](#); [April Ballou](#); [Arnie Quinn](#); [Becky Robinson](#); [Bikash Thapliya](#); [Brett Rendina](#); [Bryan Craig](#); [Cameron Schilling](#); [Cheryl LaFleur](#); [Craig Cano](#); [Daniel Nowak](#); [David Andrejczak](#); [David Morenoff](#); [Eric Krall](#); [Eric Vandenberg \(Chatterjee\)](#); [Erica Siegmund Hough](#); [Geof Hobday](#); [Janel Burdick](#); [Jehmal Hudson](#); [Jennifer Fletcher](#); [Jesse Hensley](#); [Jessica Cockrell](#); [Jignasa Gadani](#); [John Karp](#); [John Peschke](#); [John Sillin - OE](#); [Jonathan Fernandez](#); [Jonathan First](#); [Jorge Moncayo](#); [Joseph McClelland](#); [Julie Simon](#); [Kristen Fleet](#); [Kurt Longo](#); [Larry Parkinson](#); [Lawrence Greenfield](#); [Lee Ann Watson](#); [Leonard Tao](#); [Leslie Kerr](#); [Lindsee Gentry](#); [Maria Vouras](#); [Mark Hegerle](#); [Martin Kirkwood](#); [Mary O'Driscoll](#); [Meghan Estenson](#); [Michael Bardee](#); [Michael Goldenberg](#); [Michelle R. Brown](#); [Mindi Sauter](#); [Miriam Clayton](#); [Nancy Bowler](#); [Neil Chatterjee](#); [Kumar Agarwal](#); [Patricia Smith](#); [Peter Rolashevich](#); [Rama Zakaria](#); [Richard O'Neill](#); [Robert Ross](#); [Roger Morie](#); [Sandra Waldstein](#); [Sarah Crawford](#); [Scott Everngam](#); [Steven Michals](#); [Steven Reich](#); [Steven Wellner](#); [Tatyana Kramskaya](#); [Tracy Adamsky](#); [Tristan Cohen](#); [Tyler Stoff](#); [Valerie Martin](#); [Vinay Tripathi](#)  
**Subject:** Re: Comments of the North American RTOs and ISOs on the DOE NOPR  
**Date:** Wednesday, October 25, 2017 6:17:23 AM

---

Thanks Craig for sharing. Very helpful to hear from the folk flowing the electrons across the bulk power system.

---

**From:** Glazer, Craig <[Craig.Glazer@pjm.com](mailto:Craig.Glazer@pjm.com)>

**Sent:** Monday, October 23, 2017 5:57:27 PM

**To:** Andrea Spring; Andrew Holleman; Andrew Weinstein; Anna Cochrane; Anthony Pugliese; April Ballou; Arnie Quinn; Becky Robinson; Bikash Thapliya; Brett Rendina; Bryan Craig; Cameron Schilling; Cheryl LaFleur; Craig Cano; Daniel Nowak; David Andrejczak; David Morenoff; Eric Krall; Eric Vandenberg (Chatterjee); Erica Siegmund Hough; Geof Hobday; Janel Burdick; Jehmal Hudson; Jennifer Fletcher; Jesse Hensley; Jessica Cockrell; Jignasa Gadani; John Karp; John Peschke; John Sillin - OE; Jonathan Fernandez; Jonathan First; Jorge Moncayo; Joseph McClelland; Julie Simon; Kristen Fleet; Kurt Longo; Larry Parkinson; Lawrence Greenfield; Lee Ann Watson; Leonard Tao; Leslie Kerr; Lindsee Gentry; Maria Vouras; Mark Hegerle; Martin Kirkwood; Mary O'Driscoll; Meghan Estenson; Michael Bardee; Michael Goldenberg; Michelle R. Brown; Mindi Sauter; Miriam Clayton; Nancy Bowler; Neil Chatterjee; Kumar Agarwal; Patricia Smith; Peter Rolashevich; Rama Zakaria; Richard O'Neill; Robert F. Powelson; Robert Ross; Roger Morie; Sandra Waldstein; Sarah Crawford; Scott Everngam; Steven Michals; Steven Reich; Steven Wellner; Tatyana Kramskaya; Tracy Adamsky; Tristan Cohen; Tyler Stoff; Valerie Martin; Vinay Tripathi

**Subject:** Comments of the North American RTOs and ISOs on the DOE NOPR

Attached are the comments filed today by the North American RTOs and ISOs on the DOE comments.

Thank you.

**Craig Glazer**  
**Vice President, Federal Government Policy**  
**PJM Interconnection, L.L.C.**

[Craig.Glazer@pjm.com](mailto:Craig.Glazer@pjm.com)

202-423-4743

**PJM Interconnection**  
**Suite 600**

**1200 G Street, N.W.**  
**Washington, D.C. 20005**

**From:** [Robert F. Powelson](#)  
**To:** [Glazer, Craig](#); [Andrea Spring](#); [Andrew Holleman](#); [Andrew Weinstein](#); [Anna Cochrane](#); [Anthony Pugliese](#); [April Ballou](#); [Arnie Quinn](#); [Becky Robinson](#); [Bikash Thapliya](#); [Brett Rendina](#); [Bryan Craig](#); [Cameron Schilling](#); [Cheryl LaFleur](#); [Craig Cano](#); [Daniel Nowak](#); [David Andrejcak](#); [David Morenoff](#); [Eric Krall](#); [Eric Vandenberg \(Chatterjee\)](#); [Erica Siegmund Hough](#); [Geof Hobday](#); [Janel Burdick](#); [Jehmal Hudson](#); [Jennifer Fletcher](#); [Jesse Hensley](#); [Jessica Cockrell](#); [Jignasa Gadani](#); [John Karp](#); [John Peschke](#); [John Sillin - OE](#); [Jonathan Fernandez](#); [Jonathan First](#); [Jorge Moncayo](#); [Joseph McClelland](#); [Julie Simon](#); [Kristen Fleet](#); [Kurt Longo](#); [Larry Parkinson](#); [Lawrence Greenfield](#); [Lee Ann Watson](#); [Leonard Tao](#); [Leslie Kerr](#); [Lindsee Gentry](#); [Maria Vouras](#); [Mark Hegerle](#); [Martin Kirkwood](#); [Mary O'Driscoll](#); [Meghan Estenson](#); [Michael Bardee](#); [Michael Goldenberg](#); [Michelle R. Brown](#); [Mindi Sauter](#); [Miriam Clayton](#); [Nancy Bowler](#); [Neil Chatterjee](#); [Kumar Agarwal](#); [Patricia Smith](#); [Peter Rolashevich](#); [Rama Zakaria](#); [Richard O'Neill](#); [Robert Ross](#); [Roger Morie](#); [Sandra Waldstein](#); [Sarah Crawford](#); [Scott Everngam](#); [Steven Michals](#); [Steven Reich](#); [Steven Wellner](#); [Tatyana Kramskaya](#); [Tracy Adamsky](#); [Tristan Cohen](#); [Tyler Stoff](#); [Valerie Martin](#); [Vinay Tripathi](#)  
**Subject:** Re: Comments of the North American RTOs and ISOs on the DOE NOPR  
**Date:** Wednesday, October 25, 2017 6:17:23 AM

---

Thanks Craig for sharing. Very helpful to hear from the folk flowing the electrons across the bulk power system.

---

**From:** Glazer, Craig <[Craig.Glazer@pjm.com](mailto:Craig.Glazer@pjm.com)>

**Sent:** Monday, October 23, 2017 5:57:27 PM

**To:** Andrea Spring; Andrew Holleman; Andrew Weinstein; Anna Cochrane; Anthony Pugliese; April Ballou; Arnie Quinn; Becky Robinson; Bikash Thapliya; Brett Rendina; Bryan Craig; Cameron Schilling; Cheryl LaFleur; Craig Cano; Daniel Nowak; David Andrejcak; David Morenoff; Eric Krall; Eric Vandenberg (Chatterjee); Erica Siegmund Hough; Geof Hobday; Janel Burdick; Jehmal Hudson; Jennifer Fletcher; Jesse Hensley; Jessica Cockrell; Jignasa Gadani; John Karp; John Peschke; John Sillin - OE; Jonathan Fernandez; Jonathan First; Jorge Moncayo; Joseph McClelland; Julie Simon; Kristen Fleet; Kurt Longo; Larry Parkinson; Lawrence Greenfield; Lee Ann Watson; Leonard Tao; Leslie Kerr; Lindsee Gentry; Maria Vouras; Mark Hegerle; Martin Kirkwood; Mary O'Driscoll; Meghan Estenson; Michael Bardee; Michael Goldenberg; Michelle R. Brown; Mindi Sauter; Miriam Clayton; Nancy Bowler; Neil Chatterjee; Kumar Agarwal; Patricia Smith; Peter Rolashevich; Rama Zakaria; Richard O'Neill; Robert F. Powelson; Robert Ross; Roger Morie; Sandra Waldstein; Sarah Crawford; Scott Everngam; Steven Michals; Steven Reich; Steven Wellner; Tatyana Kramskaya; Tracy Adamsky; Tristan Cohen; Tyler Stoff; Valerie Martin; Vinay Tripathi

**Subject:** Comments of the North American RTOs and ISOs on the DOE NOPR

Attached are the comments filed today by the North American RTOs and ISOs on the DOE comments.

Thank you.

**Craig Glazer**  
**Vice President, Federal Government Policy**  
**PJM Interconnection, L.L.C.**

[Craig.Glazer@pjm.com](mailto:Craig.Glazer@pjm.com)

202-423-4743

PJM Interconnection  
Suite 600

**1200 G Street, N.W.**  
**Washington, D.C. 20005**

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: Darius's Tweet  
**Date:** Friday, January 27, 2017 10:43:26 PM

---

We laughed about it for awhile in my suite!! Enjoy your weekend-

C

Sent from my iPad

On Jan 27, 2017, at 4:53 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

FWIW: I called Darius to tell him how funny his tweet was.

<image001.jpg>

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Did you see this?  
**Date:** Friday, November 17, 2017 3:46:25 PM

---

No

---

On: 17 November 2017 14:31, "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:  
<https://twitter.com/rtoinsider/status/931600958668394498>

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*



**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Cheryl LaFleur](#); [Norman Bay](#)  
**Subject:** Re: Drivers  
**Date:** Monday, December 05, 2016 8:13:50 PM

---

Sounds great. Thanks Cheryl.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Cheryl LaFleur  
**Sent:** Monday, December 5, 2016 7:10 PM  
**To:** Norman Bay; Colette D. Honorable  
**Subject:** Drivers

---

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: FERC's Powelson to Headline Forum Closing Dinner  
**Date:** Thursday, August 24, 2017 12:42:00 PM

---

You have to give me the primer on this one!!!Lol...

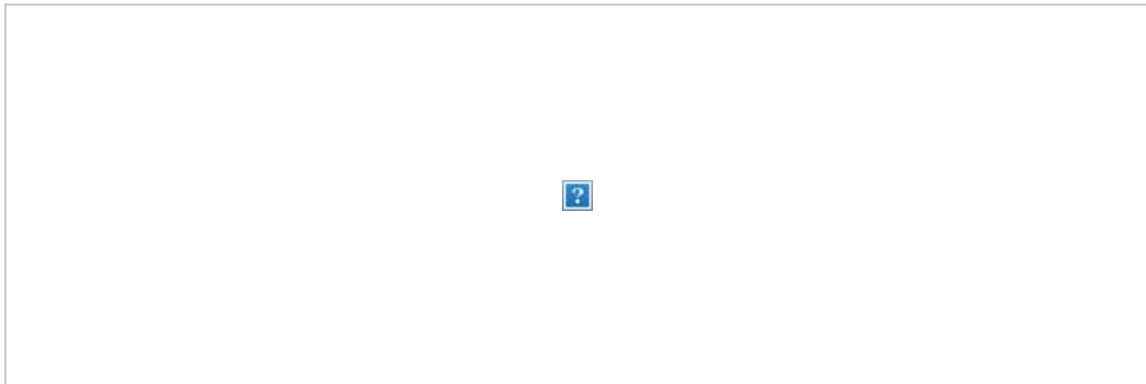
---

**From:** Cheryl LaFleur  
**Sent:** Thursday, August 24, 2017 12:17 PM  
**To:** Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Subject:** FW: FERC's Powelson to Headline Forum Closing Dinner

is this the "funny speech" (can explain the tradition if you want) ?

---

**From:** Energy Bar Association [<mailto:ebaadmin@eba-net.org>]  
**Sent:** Thursday, August 24, 2017 12:06 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** FERC's Powelson to Headline Forum Closing Dinner



***FERC's Powelson to Headline Mid-Year Energy Forum Closing Night  
Celebration Dinner***

**October 16-17, 2017**

**Renaissance Downtown Hotel, Washington, DC**

**[Download the Conference Registration Brochure Here](#)**

**Forum Overview:**

**Just Announced:** Robert F. Powelson, FERC's new commissioner, will headline the EBA Mid-Year Energy Forum Closing Celebration Dinner that will honor FERC's 40th anniversary.

[Agenda](#)  
[Special Events](#)  
[Register Now](#)  
[Registration Form](#)  
[Hotel Information](#)  
[Become a Sponsor](#)

**CLE Credit:**



Want to know what's going to take place at EBA's Mid-Year Energy Forum? The just [published brochure](#) is full of session details, special event information on the ALJ Reception, the Women in Energy Breakfast and EBA's closing night dinner celebrating FERC's 40th anniversary and the registration form. The Forum will host more than 400 energy industry executives, attorneys, professionals, academics and media for two-days of discussions, networking and training (approximately 12 hours of CLE and ethics credits).

Don't forget to **take advantage of our Early Bird registration discounts which end September 29.**

- Follow the Mid-Year Forum news on Twitter @2017EBAForum

[Read More](#)

### Forum Sessions Include:

- CEO Round Table
- Surviving the Deal: Best Practices in Oil & Gas Pipeline Transactions During Times of Uncertainty
- The (Long and Winding) Road to Developing Offshore Wind in the United States
- Energy and Environmental Justice
- The Evolving Legal Intersection of State Policy and Energy Markets
- A New Sheriff in Town: The Trump Administration's Dramatic New Approach to Energy and Environmental Policy
- Resiliency of Energy Infrastructure -- The Physical (Un) Certainty of Energy Supply
- Intermittency vs. Reliability: How to Deal with the Rapid Expansion of Renewables
- Ethics Presentation: (Preliminary description) My Client, My Employer: Ethical Considerations for In-House Counsel
- The Future of Distributed Energy
- **Learn More About Our Session Speakers**

For a complete list of speakers for each session, visit the conference homepage below:

[Read More](#)

10 - 15 hours  
1.5 hours ethics\*

*\* Pending approval in relevant states.*

**Location:**  
Renaissance  
Downtown Hotel  
999 Ninth Street  
N.W.  
Washington, DC  
20001

**Sponsorship Opportunities:**  
Please visit the [2017 Marketing Opportunities](#) page for information about sponsorships and exhibiting.

**Forum Information and Registration visit:** [www.eba-net.org/2017-eba-mid-year-energy-forum](http://www.eba-net.org/2017-eba-mid-year-energy-forum)

---

## Hotel Information

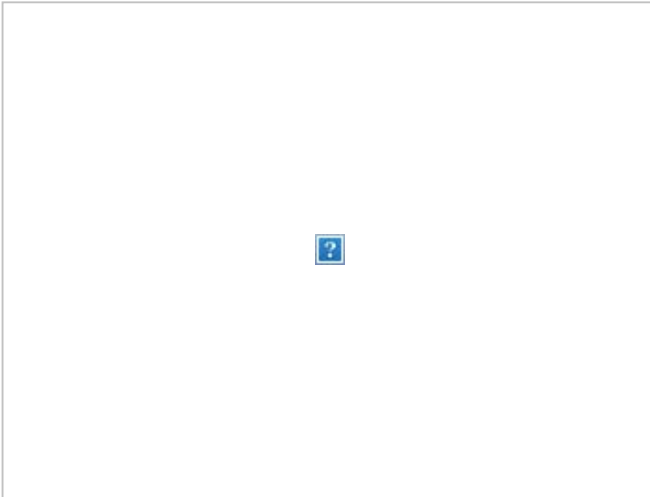
EBA has secured a block of sleeping rooms at two hotels, \$329 per night:

Renaissance Downtown Hotel at the rate of \$329 single/double occupancy. The room block cut-off is September 20, 2017. To make your reservation, follow this link <https://aws.passkey.com/go/EBACConf> or call (202) 898-9000.

Washington Marriott at Metro Center, 775 12th Street NW, Washington, DC. The room block cut-off is September 20, 2017. To make your reservation follow this link: [https://aws.passkey.com/e/49356230?utm\\_source=560&utm\\_medium=email&utm\\_campaign=276400160](https://aws.passkey.com/e/49356230?utm_source=560&utm_medium=email&utm_campaign=276400160)

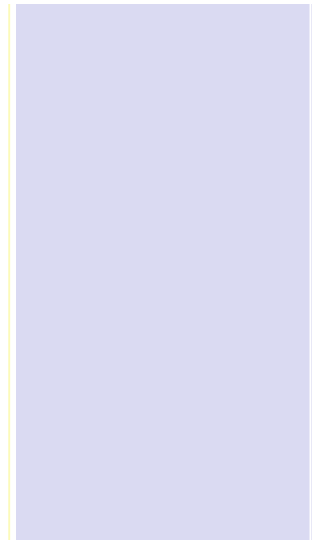
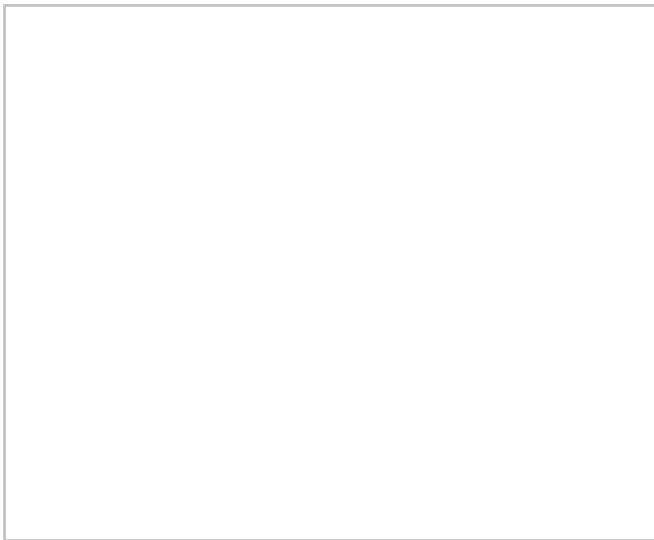
---

## Special thanks to our sponsors:



---

## Thanks to our marketing partners:



###

*The [Energy Bar Association](#) is an international, non-profit association of attorneys, non-attorney professionals, and students active in all areas of energy law. The EBA promotes the professional excellence and ethical integrity of its members in the practice, administration, and development of energy laws, regulations and policies. The EBA provides superior educational programming, networking opportunities, and information resources.*

***Please do not reply to this email.***

This e-mail was sent from Energy Bar Association (Energy Bar Association ) to [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov).



To unsubscribe, please click on this link and follow the instructions: [Unsubscribe](#)

Energy Bar Association, 2000 M St NW Suite 715 Washington DC 20036, Phone Number: (202) 223-5625, Fax Number: (202) 833-5596, Email Address: [admin@eba-net.org](mailto:admin@eba-net.org), Website : [www.eba-net.org](http://www.eba-net.org)

**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Norman Bay](#)  
**Subject:** Re: Follow Up: November 3 Reception to Celebrate the Paris Agreement  
**Date:** Tuesday, November 01, 2016 6:55:03 AM

---

Good morning Norman-

I appreciate the kind invitation! I'd be honored to attend. I probably can't stay until 8pm though- I hope it's okay if I depart about 7:30 or so. Thank you for thinking of me.

Sent from my iPad

On Oct 31, 2016, at 6:09 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

Colette,

Would you have any interest in joining me for this EU event? They said that more than one Commissioner can attend. No worries if your schedule does not permit.

Best,  
NB

---

**From:** DELEGATION USA RSVP [<mailto:delegation-usa-rsvp@eeas.europa.eu>]  
**Sent:** Monday, October 31, 2016 3:02 PM  
**To:** Norman Bay  
**Subject:** Follow Up: November 3 Reception to Celebrate the Paris Agreement

Dear Mr. Bay,

We are writing to follow up on the invitation from the Ambassadors of the European Union and France as well as the Chargé d'Affaires a.i. of Morocco and Slovakia to a reception to celebrate the Paris Agreement on Thursday, November 3 from 6 to 8pm. An invitation with the details is attached and below. We look forward to receiving your response by Tuesday, November 1.

With best regards,

Larissa Lee Beck

<image001.png>

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: Gentle reminder: dinner group to meet on 4/25  
**Date:** Tuesday, April 25, 2017 12:47:39 PM

---

Thank you!! They're a great group. It's been fun working with and getting to know them. ☺

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, April 25, 2017 12:40 PM  
**To:** Colette D. Honorable  
**Subject:** RE: Gentle reminder: dinner group to meet on 4/25

Thank you! I LOVED the singing ☺

---

**From:** Colette D. Honorable  
**Sent:** Tuesday, April 25, 2017 11:03 AM  
**To:** Cheryl LaFleur  
**Subject:** Re: Gentle reminder: dinner group to meet on 4/25

I really appreciate the offer! It would be good to catch up too. Great job today!

Sent from my iPad

On Apr 25, 2017, at 6:35 AM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Completely understand. I didn't have the earlier event so I only had two to juggle.  
Just offering in case you wanted a ride.  
Cheryl

Sent from my iPad

On Apr 24, 2017, at 10:44 PM, Colette D. Honorable  
<[Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)> wrote:

Thanks Cheryl. I'm trying to be realistic about the press of the night's events. The AR Elec Coops are also having their annual reception during their legislative rally tomorrow too. I think that if I get to Lisa's event by 6:30, I wouldn't leave until 7:30 pm. Too much packed into one night!

Sent from my iPad

On Apr 24, 2017, at 3:07 PM, Cheryl LaFleur  
<[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Colette

Just fyi I am going to stop by the Murkowski event and then going to the women's dinner late. I didn't tell the whole group, but privately put in my dinner order to Deb so she could order for me.

Just in case you wanted to go together, no pressure

obviously!  
Cheryl

---

**From:** Colette D. Honorable  
**Sent:** Monday, April 24, 2017 1:23 PM  
**To:** paulette pidcock; Bonnie Suchman  
**Cc:** Cynthia Bogorad; Lori Pickford; Deborah R. Sliz; Cheryl LaFleur; Suedeene Kelly, Suedeene; Susan Collet; Joy Ditto; sue kelly; Delia Patterson; Eastman Renee; Jeanne connelly, jeanne; Robert Thormeyer  
**Subject:** RE: Gentle reminder: dinner group to meet on 4/25

All-

I'm very, very sorry that two items have come up that I can't reschedule that will keep me from tomorrow night's dinner.  
☹

I had a previously-scheduled Hill meeting that the member has rescheduled for 5pm (!!) and I also have to attend an event for Sen. Murkowski afterward. Sen. Landrieu's office asked that I attend. Of course I couldn't decline.

Darn it! If Sue passes out autographed pics, will you get mine Cheryl? ☺ I was looking forward to basking in the glow of another fierce woman being celebrated, hugging Paulette, and seeing all of your beautiful faces again. It's been far too long.

Deborah- thank you for getting us all together. Enjoy-

Colette

---

**From:** paulette pidcock [<mailto:paulette@pcpidcock.com>]  
**Sent:** Wednesday, April 19, 2017 5:51 PM  
**To:** Bonnie Suchman  
**Cc:** Cynthia Bogorad; Colette D. Honorable; Lori Pickford; Deborah R. Sliz; Cheryl LaFleur; Suedeene Kelly, Suedeene; Susan Collet; Joy Ditto; sue kelly; Delia Patterson; Eastman Renee; Jeanne connelly, jeanne  
**Subject:** Re: Gentle reminder: dinner group to meet on 4/25

Wonderful that we have a great turnout - thanks  
Deborah!!

Paulette  
Paulette Carnicelli Pidcock  
<http://pcpidcock.com>



Founder & President  
Pidcock Coaching Partners, LLC  
[paulette@pcpidcock.com](mailto:paulette@pcpidcock.com)  
c:202-306-0596

<image001.png>

On Apr 19, 2017, at 4:54 PM, Bonnie Suchman <[bonnie@suchmanlawllc.com](mailto:bonnie@suchmanlawllc.com)> wrote:

Me too!

On 4/19/17, 4:41 PM, "Bogorad, Cynthia S." <[cynthia.bogorad@spiegelmc.com](mailto:cynthia.bogorad@spiegelmc.com)> wrote:

Absolutely! Thanks!

-----Original Message-----

From: Colette D. Honorable  
[<mailto:Colette.Honorable@ferc.gov>]  
Sent: Wednesday, April 19, 2017 4:16 PM  
To: Lori Pickford  
Cc: Deborah Sliz; Cheryl LaFleur;  
Suede Kelly; Susan Collet; Joy Ditto;  
Bonnie Suchman; Bogorad, Cynthia S.; Sue Kelly; [dpatterson@publicpower.org](mailto:dpatterson@publicpower.org);  
Eastman Renee; Paulette Pidcock; Jeanne Connelly  
Subject: Re: Gentle reminder: dinner group to meet on 4/25

Thanks! See you soon-

Colette

Sent from my iPad

On Apr 19, 2017, at 2:37 PM, Lori Pickford <[LPickford@tfgnet.com](mailto:LPickford@tfgnet.com)> wrote:

Can't wait. Thanks DS for organizing. I am sure Paulette appreciates it even more!

Lori J. Pickford  
202.251.0805

-----Original Message-----

From: Deborah Sliz

[<mailto:dsliz@slizyandow.com>]

Sent: Wednesday, April 19, 2017 12:59 PM

To: Colette D. Honorable; Cheryl LaFleur;  
Suede Kelly; Susan Collet; Lori Pickford;  
Joy Ditto; Bonnie Suchman; Cynthia  
Bogorad; Sue Kelly;

[dpatterson@publicpower.org](mailto:dpatterson@publicpower.org); Eastman  
Renee; Paulette Pidcock; Jeanne Connelly

Subject: Gentle reminder: dinner group to  
meet on 4/25

Location is private room in The Riggsby, at  
1731 New Hampshire Ave, NW, under my  
name.

I am looking forward to seeing you all  
again.

Sent from my iPad

--

BEGIN-ANTISPAM-VOTING-LINKS

-----  
Teach CanIt if this mail (ID 01TagXt39) is  
spam:

Spam:

[https://antispam.roaringpenguin.com/canit/b.php?  
c=s&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-  
com&t=20170419](https://antispam.roaringpenguin.com/canit/b.php?c=s&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-com&t=20170419)

Fraud/Phish:

[https://antispam.roaringpenguin.com/canit/b.php?  
c=p&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-  
com&t=20170419](https://antispam.roaringpenguin.com/canit/b.php?c=p&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-com&t=20170419)

Not spam:

[https://antispam.roaringpenguin.com/canit/b.php?  
c=n&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-  
com&t=20170419](https://antispam.roaringpenguin.com/canit/b.php?c=n&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-com&t=20170419)

Forget vote:

[https://antispam.roaringpenguin.com/canit/b.php?  
c=f&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-  
com&t=20170419](https://antispam.roaringpenguin.com/canit/b.php?c=f&i=01TagXt39&m=67bf70c00355&rlm=tfagnet-com&t=20170419)

-----  
END-ANTISPAM-VOTING-LINKS



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Re: Good read!  
**Date:** Friday, October 27, 2017 8:19:36 AM

---

Thx for sending  
Good luck

Sent from my iPad

On Oct 27, 2017, at 7:12 AM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

I'm heading up to Hershey today to address this group as well with former colleagues.

<NRGCEORemarks.pdf>

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Great tweet from Brazil!  
**Date:** Monday, December 12, 2016 4:28:40 PM

---

Thank you Norman. Your willingness to allow me to represent FERC and the US was humbling and greatly appreciated.

---

**From:** Norman Bay  
**Sent:** Monday, December 12, 2016 4:19 PM  
**To:** Colette D. Honorable  
**Subject:** Great tweet from Brazil!

I retweeted the picture of your signing the MOU. Thanks again, Colette!

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** RE: Hello to FERC Staff  
**Date:** Wednesday, September 06, 2017 9:37:00 AM

---

Great memo

---

**From:** Robert F. Powelson  
**Sent:** Wednesday, September 06, 2017 9:34 AM  
**To:** FERC-HQ <FERC-HQ@ferc.gov>; FERC-RO <FERC-RO@ferc.gov>  
**Subject:** Hello to FERC Staff

Dear Team 888:

I wanted to take this opportunity to express to all of you my sincere appreciation for your hard work and dedication to the Commission during this time of transition. As Chairman Chatterjee mentioned in his email a few weeks back, you have been extremely welcoming and your professionalism is evident as we get back up and running with a quorum. I would also be remiss in not thanking and saluting former Chairman LaFleur for her steadfast commitment and dedication to the Commission during the past seven months.

As we gear up for the September 20<sup>th</sup> open meeting, I wanted to take this opportunity to introduce you to my team members. They are as follows:

1. Brett Rendina  
Brett is a former associate at McGuire Woods LLP in Washington, where he worked in the firms' energy practice. Brett also worked for me at the PA PUC during my tenure as Chairman. He is proud graduate of the University of Pennsylvania and Villanova Law School.
2. April Ballou  
April began her career at FERC working in the Office of the General Counsel. April joined my team in Pennsylvania back in 2010 as my chief legal advisor. In 2016, she was promoted to be my Chief of Staff, where she worked on numerous energy related matters facing the PA PUC. She is proud graduate of the University of Virginia and Washington & Lee Law School.
3. Meghan Estenson  
Meghan began her career here at 888 working with former Commissioner Tony Clark as his confidential assistant. Meghan has been an incredible asset to me during this transition and I'm blessed to have her back for another tour of duty.
4. Jesse Hensley  
Jesse has joined our team on a detail assignment. He is coming from the Office of Energy Policy & Innovation. Previously, Jesse served as an advisor to Commissioner Moeller. He is a proud Maryland Terrapin.

Please accept my hearty thanks once more, along with my warm personal regards and best wishes to all of you for your continued commitment to the Commission. I think it's fair to say we have a lot of great opportunities ahead of us.

Commissioner Robert F. Powelson

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: Interesting News  
**Date:** Monday, January 23, 2017 12:47:54 PM

---

I know! My goodness!

---

**From:** Norman Bay  
**Sent:** Monday, January 23, 2017 12:45 PM  
**To:** Colette D. Honorable  
**Subject:** Interesting News

FYI:

<http://microgridknowledge.com/audrey-zibelman-to/>

**From:** [Colette D. Honorable](#)  
**To:** [Patrick Clarey](#); [Cheryl LaFleur](#)  
**Subject:** RE: MISO Women's History Month  
**Date:** Wednesday, March 01, 2017 9:56:00 AM

---

How lovely! Thank you for sharing the display.

---

**From:** Patrick Clarey  
**Sent:** Wednesday, March 01, 2017 9:45 AM  
**To:** Cheryl LaFleur; Colette D. Honorable  
**Subject:** Fw: MISO Women's History Month

Hi-

Hope all is well. It was nice to see some familiar faces this morning when coming into the office! MISO has a display in the lobby for Women's History Month.

Hope to see you soon-

Patrick

---

**From:** Patrick Clarey <[patrickclarey@sbcglobal.net](mailto:patrickclarey@sbcglobal.net)>  
**Sent:** Wednesday, March 1, 2017 9:40 AM  
**To:** Patrick Clarey  
**Subject:**







**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: New Institute for Energy and Society at Dartmouth College  
**Date:** Friday, November 04, 2016 11:34:00 AM  
**Attachments:** [image005.png](#)  
[image007.png](#)  
[image011.png](#)

---

Thanks, Cheryl. This is exciting news for Dartmouth. I was pleased to hear that the school is starting this Institute.

**From:** Cheryl LaFleur [mailto:[cheryl.lafleur@verizon.net](mailto:cheryl.lafleur@verizon.net)]  
**Sent:** Friday, November 04, 2016 11:32 AM  
**To:** Norman Bay  
**Subject:** New Institute for Energy and Society at Dartmouth College

Norman

A friend sent me this opportunity. I don't think the timing is right for me, though I know I could do a lot worse than swanning around Hanover having big energy thoughtsl.  
I am sending it along to you because it's Dartmouth in case you know anyone interested.  
Cheryl

---

**From:** Janet K. Warren  
**Sent:** Thursday, November 3, 2016 1:18:17 PM (UTC-05:00) Eastern Time (US & Canada)  
**To:** McLaren, Robert  
**Subject:** FYI: New Institute for Energy and Society at Dartmouth College

## **Search Begins for Inaugural Irving Institute Director**

A new search committee is close to picking a firm to help them define the position profile and identify top candidates. Chairing the committee are Robert Hanson of Tuck and Jon Kull '88, dean of the School of Graduate and Advanced Studies.

The search is underway for the founding director of the [Arthur L. Irving Institute for Energy and Society](#).

Committee co-chair [Robert Hansen](#), the Norman W. Martin 1925 Professor of Business Administration at the Tuck School of Business, says a newly formed search committee has met and has begun working on the search. They are close to picking a search firm that will help them define the position profile and identify top candidates, he said.

“We’ll be looking for someone with strong academic credentials in the area of energy and society. We’ll be searching globally and are open to all relevant disciplines,” says Hansen. Committee co-chair [Jon Kull '88](#), dean of the School of Graduate and Advanced Studies and the Rodgers Professor of Chemistry, says, “The search firms we

have talked with share our optimism in being able to recruit a founding director for the institute who will have exceptional academic credentials and reputation, as well as the desire and ability to build a great institute.”

The other committee members are:

- [Susanne Friedberg](#), a professor of geography and chair of the Department of Geography
- [Richard Howarth](#), a professor and chair of the Environmental Studies Program
- [Margaret Karagas](#), the James W. Squires Professor and chair of the Department of Epidemiology at the Geisel School of Medicine
- [Rosalie Kerr '98](#), director of sustainability
- [Lee Lynd](#), the Paul E. and Joan H. Queneau Distinguished Professor in Environmental Engineering Design
- [Frank Magilligan](#), a professor of geography and the Frank J. Reagan '09 Chair of Policy Studies
- [Erin Mansur](#), the Revers Professor of Business Administration and faculty director of the Revers Energy Initiative at the Tuck School of Business
- [April Salas](#), executive director of the Revers Energy Initiative at the Tuck School of Business
- [Mukul Sharma](#), a professor of earth sciences
- [Matthew Slaughter](#), the Paul Danos Dean of the Tuck School of Business and the Earl C. Daum 1924 Professor of International Business
- [Jonathan Smolin](#), an associate professor and chair of the Department of Asian and Middle Eastern Languages and Literatures
- [Roberta Stewart](#), a professor of classical studies
- [Charles Sullivan](#), a professor of engineering at Thayer School of Engineering
- [Dale Turner](#), an associate professor of government and of Native American studies
- [William Wohlforth](#), the Daniel Webster Professor of Government

*Janet*

Janet Kingsbury Warren | Managing Director | Dartmouth College Fund  
Dartmouth College | [www.dartmouth.edu](http://www.dartmouth.edu) | [www.dartmouthcollegefund.org](http://www.dartmouthcollegefund.org)  
[janet.k.warren@dartmouth.edu](mailto:janet.k.warren@dartmouth.edu) | Direct: (603) 646-9990 | Mobile: (603) 727-6637  
DCF Main: (603) 646-3621 | Fax : (603) 646-1799

Stay Connected to Dartmouth on:

 [Facebook](#)  [Flickr](#)  [Twitter](#)  [YouTube](#)

To make a gift online: [www.dartmouthcollegefund.org/give](http://www.dartmouthcollegefund.org/give)

**Be Green, keep it on the screen**

*This e-mail message contains information that may be confidential. Use by parties other than the intended recipient is unauthorized & prohibited. Please contact the sender if you received this transmission in error. Thank you.*

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: podcast  
**Date:** Thursday, August 24, 2017 10:48:00 AM

---

Thank you my friend and colleague! I meant what I said in there about you!

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, August 24, 2017 10:10 AM  
**To:** Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Subject:** podcast

Just read the transcript of your podcast ( I always read—too impatient to watch) – well done!

*Commissioner Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Re: Powelson article  
**Date:** Wednesday, October 04, 2017 9:25:29 PM

---

I retweeted w the comment "great message" and am getting a lot of traffic.  
Just leaving OPSI dinner.

Sent from my iPad

On Oct 4, 2017, at 8:15 PM, Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)> wrote:

Thank you!

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, October 4, 2017 5:48:24 PM  
**To:** Robert F. Powelson  
**Subject:** FW: Powelson article

Good article!

---

**From:** Jessica Cockrell  
**Sent:** Wednesday, October 04, 2017 5:43 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Powelson article

**Jessica L. Cockrell**  
Office of Commissioner LaFleur  
Federal Energy Regulatory Commission  
202.502.8190

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Powelson article  
**Date:** Wednesday, October 04, 2017 8:15:31 PM

---

Thank you!

---

**From:** Cheryl LaFleur  
**Sent:** Wednesday, October 4, 2017 5:48:24 PM  
**To:** Robert F. Powelson  
**Subject:** FW: Powelson article

[Good article!](#)

---

**From:** Jessica Cockrell  
**Sent:** Wednesday, October 04, 2017 5:43 PM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Powelson article

**Jessica L. Cockrell**  
Office of Commissioner LaFleur  
Federal Energy Regulatory Commission  
202.502.8190

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Research: D.C. Circuit Denies Appeal of FLEX LNG's DOE License  
**Date:** Wednesday, August 16, 2017 6:02:21 AM

---

Yes, I have heard of ClearView. Good read!

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, August 15, 2017 12:41:29 PM  
**To:** Robert F. Powelson  
**Subject:** Fwd: Research: D.C. Circuit Denies Appeal of FLEX LNG's DOE License

Hi Rob

If you aren't already on Christi Tezak's (ClearView) mailing list, you might want to get on it. It is free and widely read. They report heavily on FERC-related work, including periodic summaries of pending cases. It is fun to see how they predicts we will rule on something!

Hope things are going well. Glad Brett is there  
Cheryl

Sent from my iPad

Begin forwarded message:

**From:** ClearView Energy Partners, LLC <[research@CVEnergy.com](mailto:research@CVEnergy.com)>  
**Date:** August 15, 2017 at 12:24:49 PM EDT  
**To:** <[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)>  
**Subject:** Research: D.C. Circuit Denies Appeal of FLEX LNG's DOE License  
**Reply-To:** ClearView Energy Partners, LLC <[research@CVEnergy.com](mailto:research@CVEnergy.com)>

[View this email in your browser](#)





Commissioner LaFleur,

\*\*\* this is a flash blast for ClearView Energy Partners, LLC clients \*\*\*

### **D.C. CIRCUIT DENIES APPEAL OF FLEX LNG'S DOE LICENSE**

Today, the U.S. Court of Appeals for the D.C. Circuit (D.C. Circuit) issued a [unanimous opinion](#) upholding the Department of Energy's (DOE) issuance of a license to Freeport LNG Export (FLEX) to export natural gas to non-free trade agreement destinations. Our impression of the oral argument held on February 2, 2017 led us to conclude that the environmental group's license appeal looked likely to fail. It did, however, the Trump Administration is now planning to modify its approach to infrastructure permitting generally in an announcement planned for later today.

The Sierra Club and other environmental groups had pressed the court to find the DOE's review under the *National Environmental Policy Act* (NEPA) and the *Natural Gas Act* (NGA) as insufficient. The DOE first adopted the facility-specific analysis taken by the Federal Energy Regulatory Commission (FERC), and then reviewed the FLEX project in the context of other proposed projects before it at the same time in two DOE-sponsored studies that it developed for context of the then-pending reviews. The first study was developed by the Energy Information Administration (EIA) and the second was developed on DOE's behalf by NERA Economic Consultants. DOE subsequently evaluated the project in the context of an Addendum report that specifically addressed the potential indirect impacts of natural gas exports not captured in the scope of the FERC's review, and a fourth study from the National Environmental Technology Labs to evaluate life-cycle greenhouse gas emissions.

Sierra Club criticized DOE's reliance on these generalized studies, and alleged that the Department was obligated to evaluate regional impacts at a more detailed level. However, the court found DOE's reasoning persuasive when it explained that notwithstanding the likelihood of natural gas originating from some predictable areas, the interconnected

nature of the U.S. natural gas system also meant that export volumes could notionally come from anywhere. The DOE's took this higher-level view, and the court validated it. At the end of the day, the court found that the DOE's review was sufficient to meet its independent agency requirements associated with LNG licensing under NEPA. The court upheld DOE's position that even while some additional analyses sought by the green groups may be possible, they would not necessarily be meaningful to DOE's evaluation of the projects under NEPA.

The D.C. Circuit has set oral arguments in three Sierra Club appeals of the non-FTA licenses for Cove Point, Sabine Pass Trains 5-6, and Corpus Christi for October 18. In Figure 78 of the August 14 edition of the *Regulated Energy Playbook*, published to clients yesterday, we detail the primary arguments advanced in each of the cases. We think that Sierra Club's chances of forcing reconsideration of the NEPA reviews of DOE's license approvals may fail as well, given the court's rationale in today's FLEX ruling.

The court found Sierra Club's public interest challenge in FLEX to be limited to environmental issues, which the court dismissed given the NEPA challenges failed. In three of the four pending cases (the fourth is a challenge to the expansion volumes at Sabine Pass Trains 1-4, but not yet scheduled for oral argument), Sierra Club alleges that DOE's assessment of the public interest is arbitrary and capricious for concluding exports would provide economic and other benefits that outweighed the potential adverse environmental impact.

The appeal against Cove Point, in our view, tracks strongly with the appeal contesting FLEX on the public interest issue, and we think DOE may prevail there. However, Sierra Club contends that DOE inadequately considered the full impacts on the public at large as opposed to the economic benefits primarily enjoyed by shareholders in natural gas production and export companies in the two Sabine Pass appeals and the Corpus Christi case. We will be watching to see whether argument in these cases suggests that the Sierra Club's subsequent appeals resolve the deficiencies enumerated by the court today, or whether, like FERC's reviews, the DOE's license approvals will stand.

In the context of President Trump's planned announcement this

afternoon of an Executive Order to “expedite” infrastructure project approvals, we would reiterate a theme we raised in the wake of the election. Under the Obama Administration, agencies expanded the scope of their environmental reviews, much to the frustration of project applicants frustrated with delays. However, many of those reviews have withstood judicial scrutiny – indeed, the D.C. Circuit rejected all four challenges to the FERC’s NEPA review of LNG export facilities to date (none are currently pending) before upholding DOE today. In that context, a significant reversal of course on permit reviews by the Trump Administration – if quicker-paced reviews turn out to be materially less robust – could create incremental judicial review risk for future projects.

---CLEARVIEW---

*Copyright © 2017 ClearView Energy Partners, LLC, All rights reserved.*

You are receiving this e-mail because you signed up, or you were signed up by your employer, for ClearView Energy Partners, LLC research notes, reports, blasts and updates.

**Our mailing address is:**

ClearView Energy Partners, LLC  
P.O. Box 2703  
Washington, DC 20013-2703

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

**From:** [Colette.Honorable@ferc.gov](mailto:Colette.Honorable@ferc.gov)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: speaking invite  
**Date:** Tuesday, January 31, 2017 9:03:42 PM

---

A meeting he's organizing. I think my team will have it covered but thanks for the offer! Have a good night-

C

Sent from my iPad

On Jan 31, 2017, at 3:40 PM, Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)> wrote:

Absolutely! Is it an actual committee hearing, or just some sort of meeting he is organizing?

Let us know if you need any staff support.

Cheryl

---

**From:** Colette D. Honorable  
**Sent:** Tuesday, January 31, 2017 2:22 PM  
**To:** Cheryl LaFleur  
**Subject:** speaking invite

Hi Cheryl-

I wanted to give you a heads up about a speaking invite that I plan to accept. Last week Congressman Veasey invited me to sit on an energy panel on Thursday morning, Feb. 16 on the Hill. I wanted to make you aware that I feel obliged to agree to appear. I didn't want you to be caught off guard with all that is happening these days! Thanks-

Colette

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: Thanks  
**Date:** Tuesday, September 12, 2017 9:03:46 PM

---

More importantly, thank you for taking the lead on this one. Very timely!

---

**From:** Cheryl LaFleur  
**Sent:** Tuesday, September 12, 2017 8:44:02 PM  
**To:** Robert F. Powelson  
**Subject:** Thanks

Sue Kelly asked me to relay her thanks (and those of the entire industry) for our timely work on the joint statement with NERC.  
Cheryl

Sent from my iPad

**From:** [Robert F. Powelson](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Re: The Energy 202: Trump's energy policies have endeared him to establishment Republicans  
**Date:** Monday, October 09, 2017 9:05:23 AM

---

Interesting read! See you tomorrow. Btw, good win for your Red Sox!

---

**From:** Cheryl LaFleur  
**Sent:** Monday, October 9, 2017 9:01:10 AM  
**To:** Robert F. Powelson  
**Subject:** Fwd: The Energy 202: Trump's energy policies have endeared him to establishment Republicans

See third story

Sent from my iPad

Begin forwarded message:

**From:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Date:** October 9, 2017 at 8:59:21 AM EDT  
**To:** "[wkuncik@verizon.net](mailto:wkuncik@verizon.net)" <[wkuncik@verizon.net](mailto:wkuncik@verizon.net)>  
**Subject:** Fwd: The Energy 202: Trump's energy policies have endeared him to establishment Republicans

My retweet of rob mentioned in the Post

Sent from my iPad

Begin forwarded message:

**From:** The Washington Post <[email@washingtonpost.com](mailto:email@washingtonpost.com)>  
**Date:** October 9, 2017 at 8:46:10 AM EDT  
**To:** [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
**Subject:** The Energy 202: Trump's energy policies have endeared him to establishment Republicans  
**Reply-To:** The Washington Post <[email@washingtonpost.com](mailto:email@washingtonpost.com)>

VIEW ON WEB >



Analysis on the energy and environment debate.  
Not on the list? [Sign up here.](#)

## The Energy 202



## Your daily policy charge

---



Share



Share



Tips/Feedback

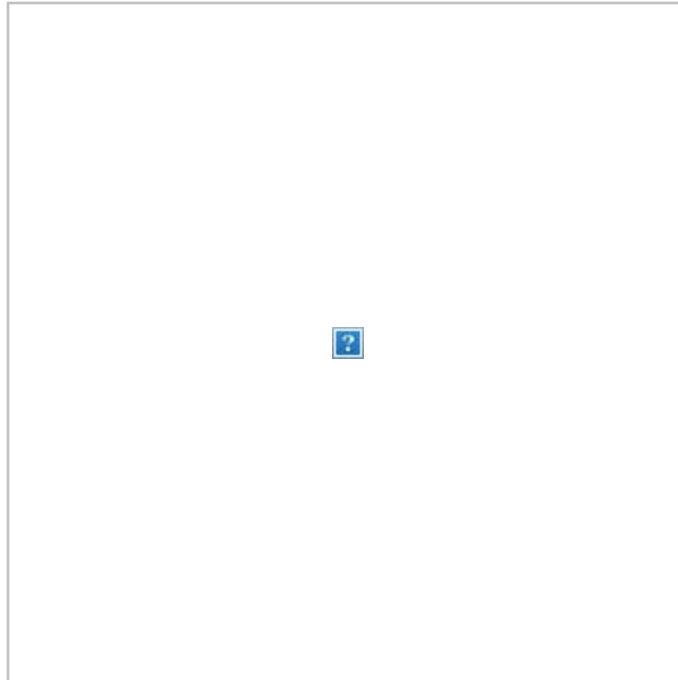
## Trump's energy policies have endeared him to establishment Republicans

**BY DINO GRANDONI**

*with Paulina Firozi*



## THE LIGHTBULB



A sign on a door of the Environmental Protection Agency in Washington. (AP Photo/Pablo Martinez Monsivais)

A year and a half ago, Andrew Wheeler, a prominent coal lobbyist who worked for years for Senate Republicans, joined many other “establishment” Republicans in criticizing the long-shot candidacy of political newbie Donald Trump.

In February 2016, ahead of the Super Tuesday primaries, Wheeler laid out in a Facebook post a skepticism of Trump’s character, business acumen and viability as a general-election candidate.

He wrote that Trump was a “bully,” one who “hasn’t been that successful” in



business and who “has more baggage than all of the other Republican candidates combined.” He wrote that Trump was a candidate who “has demonstrated through the debates and interviews that he doesn’t understand how the government works.”

But what truly precluded Trump from becoming president, Wheeler wrote in the since-deleted Facebook post [obtained by The Energy 202](#), was his propensity to bully. “This alone should disqualify him from the White House.”

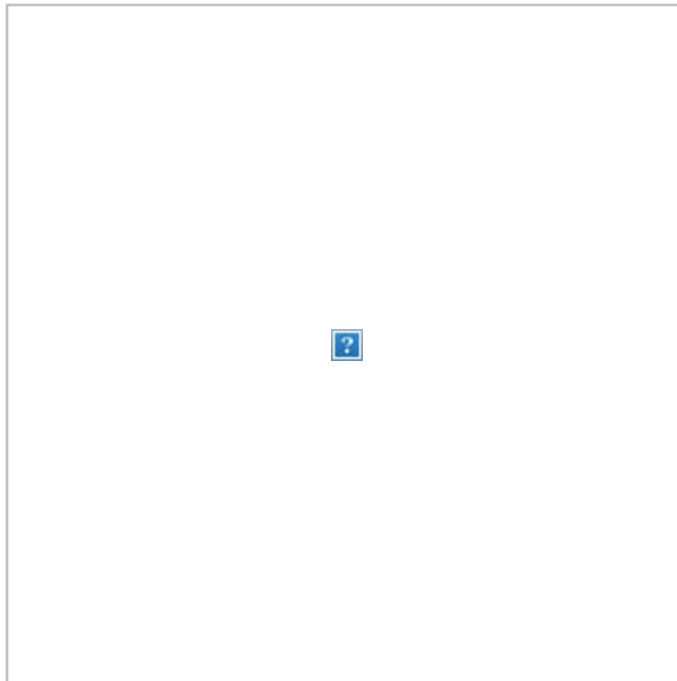
**Fast-forward to now:** President Trump [nominated](#) Wheeler on Thursday to be deputy administrator of the Environmental Protection Agency.

In an interview on Friday, **Wheeler explained to me how he went from critic of Trump to a volunteer for the eventual GOP nominee to, ultimately, Trump’s choice for the No. 2 EPA position -- a nomination that has engendered some of the harshest condemnation of the administration from environmentalists to date.**

“I was just looking at the debates and what I saw on the news, and I hadn’t

focused on what he was saying,” Wheeler said this week of Trump, “and when I started looking into what he was saying and what his campaign and what his candidacy was about, I was fully on board.”

Read Wheeler's full, six-point critique here:



A Feb. 29, 2016 Facebook post from Andrew Wheeler, now President Trump's nominee to the No. 2 post at the Environmental Protection Agency.

**Rewind to 2016:** Back in February of that year, Wheeler was working as a volunteer consultant for energy and environmental policy for the campaign of Sen. Marco Rubio (R-Fla.).

Ahead of the "Super Tuesday" vote in 11 states, Rubio was in a crowded race for the GOP presidential nod. The biggest

hurdle between Rubio and a spot on the general-election ticket was Trump. Friends of Wheeler — who has spent nearly a decade lobbying for energy companies such as coal giant Murray Energy — encouraged him to post on his personal Facebook page the day before the mega-primary a plea to those considering voting for Trump to reconsider.

“I’m from Ohio and have a lot of friends in Ohio who vote on Super Tuesday,” Wheeler told The Post, “and a couple of friends had said to me when I was working for Rubio that I ought to post something about the campaign.”

About three months later, Trump [gave a major energy policy speech](#) in North Dakota, where for the first time he laid out his “energy dominance” agenda emphasizing the development of domestic fossil-fuel resources.

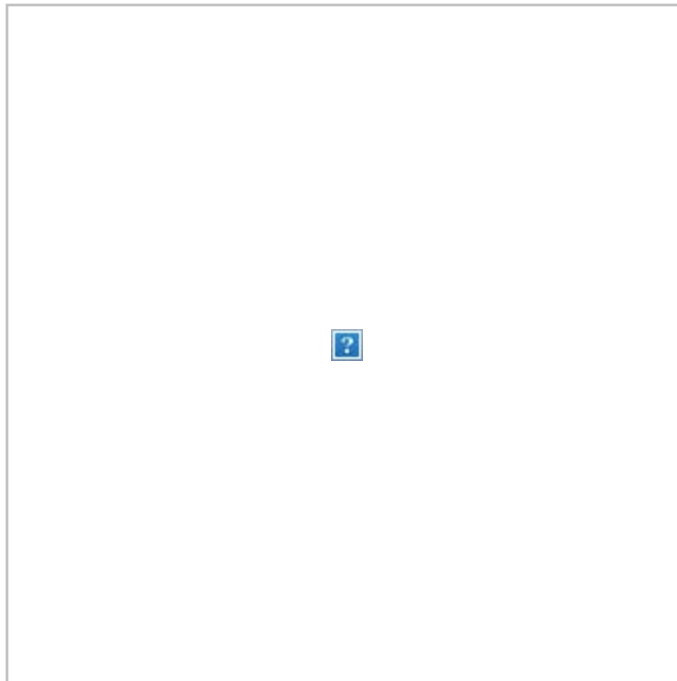
In that May 2016 speech, Trump promised to “cancel” the Paris climate accord and undo Obama administration efforts to give the EPA broader authority to regulate water pollution as part of the “Waters of the United States,” or WOTUS, rule.

“I think the federal government should get out of the way,” Trump told the crowd.

“We have so much potential energy, people wouldn’t even believe it.”

“A lot of my friends in the Republican energy and environment field here in D.C. were impressed with that speech,”

Wheeler said this week.



Donald Trump talking about energy policy at an event in Bismarck, N.D., in May 2016. (REUTERS/Jonathan Ernst)

Wheeler said he was finally swayed in June when Trump spoke at [a closed-door fundraising dinner](#) in Wheeling, W.Va., hosted by Robert Murray, chief executive of Murray Energy, and attended by Wheeler. After leaving Capitol Hill, Wheeler worked as an energy consultant and lobbyist for Faegre Baker Daniels Consulting, where his clients have [included](#) Murray

Energy. (Wheeler has also represented utility holding company Xcel Energy and the Nuclear Energy Institute, which lobbies for the U.S. nuclear industry.)

“It was about a 40-minute energy speech that [Trump] gave,” Wheeler told The Post. “He didn’t use notes. He didn’t use a teleprompter. I really thought it was the most comprehensive energy speech by a presidential candidate I had ever heard.” After that, Wheeler said he joined the Trump campaign as one of two volunteer energy and environmental policy consultants.

“I didn’t talk to a lot of people about being on the campaigns,” Wheeler said.

**Rewind even more:** Wheeler has been working in Washington since the early 1990's, starting as a career employee at the EPA in the George H.W. Bush administration and making a name for himself on Capitol Hill where he worked for more than a decade for the Senate Environment and Public Works Committee.

If confirmed by the Senate, Wheeler will become [the latest](#) former staffer for Sen.

James M. Inhofe (R-Okla.), the committee's former chairman, to join the EPA, now being run by another Oklahoma Republican, Scott Pruitt. Both Inhofe and Pruitt are known for questioning the scientific consensus that human activity is warming the planet. Wheeler may join Ryan Jackson, Inhofe's former chief of staff who became Pruitt's chief of staff; and Amanda Gunasekara, who will advise the EPA administrator on air and climate issues.

**Bigger picture:** Wheeler isn't the first “establishment” Republican to join the Trump administration. You don't have to look beyond Trump's Cabinet for other examples, which include Energy Secretary Rick Perry (who once called Trump “[a cancer on conservatism](#)”) and Housing and Urban Development Secretary Ben Carson (who once [questioned Trump's religious faith](#)).

Many Republicans will never see eye to eye with Trump on some issues, such as rewriting free-trade agreements or ramping up infrastructure spending. But they can agree with the president on reining in the EPA.

Like other Republicans once apprehensive of Trump, Wheeler changed his tune after Trump articulated an energy and environmental platform (and, of course, once it became increasingly clear that Trump would win the GOP nomination).

**Trump's emphasis on environmental deregulation is one of the several ways the unconventional Republican has endeared himself to the party's pre-2016 establishment.**

Just take a look at one of Trump's harshest election critics, Jeb Bush. Last December, the former Florida governor heaped praise on Trump for choosing Pruitt as EPA administrator. "I cannot think of a person more suited to lead the Environmental Protection Agency," Bush wrote in [a CNN op-ed](#).

**Looking forward again:** As Wheeler prepares to join the EPA, the agency is reviewing pollution rules that the Obama administration placed on coal-fired power plants that, in turn, affect coal suppliers such as Murray Energy.

They include rules regulating how much mercury coal plants can emit into the air

and [how](#) a byproduct of those power plants called coal ash is disposed of.

Environmental groups harshly criticized Trump for nominating Wheeler. Citing his time in Inhofe's office, Melinda Pierce, legislative director at the Sierra Club, said, **"There actually could not have been a worse choice for this highly influential position."**

Expect to see Senate Democrats ask Wheeler whether he will recuse himself from working on any EPA rules he lobbied on.

You are reading **The Energy 202**, our must-read tipsheet on energy and the environment.

Not a regular subscriber?

[SIGN UP NOW](#)

**POWER PLAYS**





Scott Pruitt after the swearing-in ceremony for the U.S. ambassador to Canada in September. (REUTERS/Joshua Roberts)

-- **Fight or flight:** Here's the latest on the investigations into Cabinet members' flying habits...

- The EPA's inspector general is now probing **Scott Pruitt**'s use of military and private flights, [reports](#) our colleague Brady Dennis. Pruitt took at least four chartered and military flights costing \$58,000 since February, per recent disclosures that led to the inspector general's investigation. The IG's office initially began examining Pruitt's frequent travel to his home state of Oklahoma.
- **Rick Perry** can't exactly get in trouble

from the White House for a chartered flight he took in September, the day before Tom Price **resigned as HHS secretary** over his own use of private planes. That's because Perry's trip that came at the request of the White House, The Hill [reports](#). Otherwise, Perry appears to be prefer flying Southwest or United.

- Interior Secretary **Ryan Zinke** is facing new criticism about his travel — often accompanied by his wife, who is managing a Republican campaign in Montana — that included stops at political fundraisers and donor events. Mic has a full report [here](#): "Two sources close to the Interior Department described an internal effort to hide the presence of Lola Zinke on the official trips where she accompanied her husband."

That brings the total number of inspector general investigations into Cabinet members' flying habits up to **at least five**, as The Post's Drew Harwell, Lisa Rein and Jack Gillum [report](#).



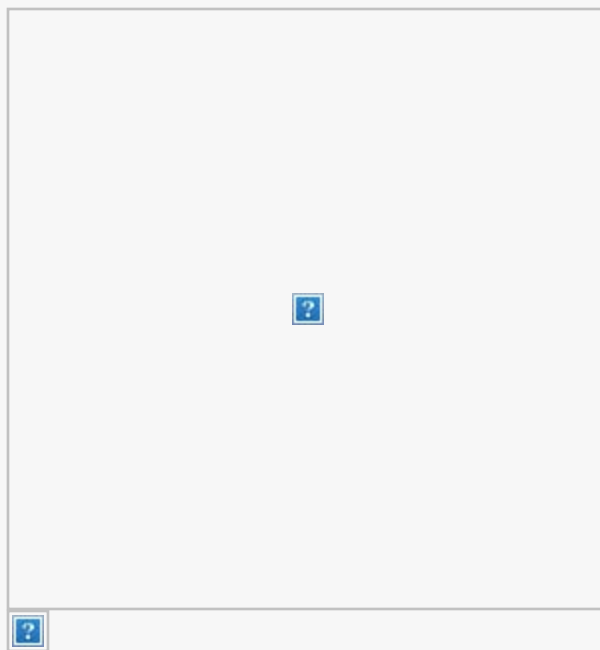
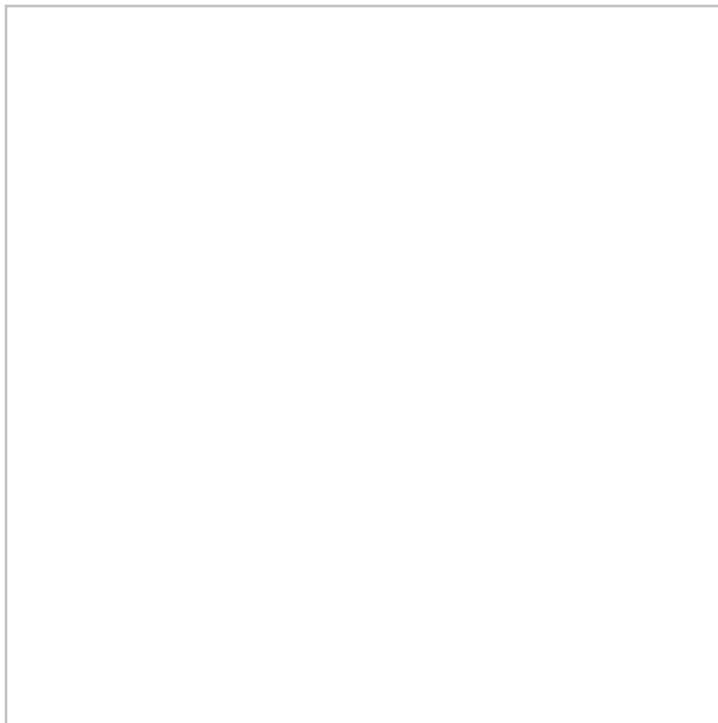
**-- The latest on Puerto Rico:**

- There are still people dying in Puerto Rico in the aftermath of Hurricane Maria. But the government has been slow to update its official death toll. [According to BuzzFeed](#), funeral home directors say they have buried far more people than accounted for in the official tally. And elected officials and people on the island have said they have buried people without notifying the government.
- Last week, The Energy 202 [wrote](#) about the importance of getting Puerto Rico's communications system up and running in order to restore electricity. Now,

Google's parent company, Alphabet, says it's here to help. The FCC approved Alphabet's application to provide emergency cell service to Puerto Rico through solar-powered balloons, Reuters [reports](#).

- Puerto Rico Gov. Ricardo Rosselló has said that he will ask lawmakers for a long-term relief package by January, Bloomberg [reports](#).
- Meanwhile, as the recovery efforts continue, the political tensions are rising. FEMA administrator Brock Long said in an interview Sunday that criticism from San Juan mayor Carmen Yulín Cruz has been ignored. "We filtered out the mayor a long time ago, we don't have time for the political noise," Long said.

Watch part of Long's interview here:



**OIL CHECK**



Rick Perry delivers a statement during a International Atomic Energy Agency meeting in Vienna, Austria. (EPA-EFE/CHRISTIAN BRUNA)

### -- Friction between FERC and Perry:

Two little-noted comments from two of the three current members of the Federal Energy Regulatory Commission last week are big deal for the fate of Perry's proposal to recover more revenue for coal-fired and nuclear power plants.

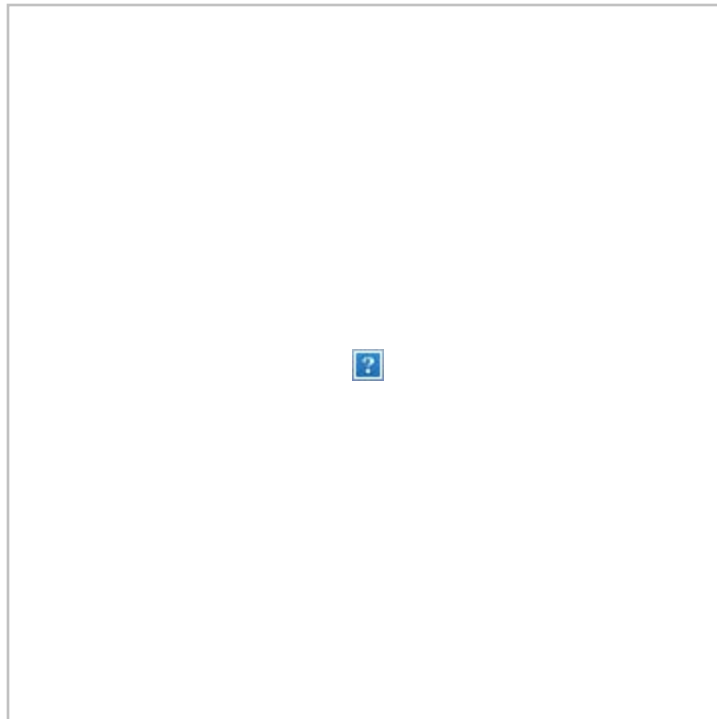
**Background:** Last month, Perry directed FERC to look into issuing new regulations to ensure that coal and nuclear plants were paid properly for adding to the reliability of the electric grid. In short order, representatives from other parts of the energy sector — including oil, gas, wind and solar — [banded together](#) in opposition to the the quick pace Perry wants those changes to

be made.

**What just happened:** It looks like two FERC commissioners share some of those apprehensions. **Robert Powelson**, a FERC commissioner appointed by Trump, told an audience at the annual meeting of the Organization of PJM States, [according to SNL Financial](#):

"We will not destroy the marketplace," Powelson said. "Markets have worked well and markets need to continue to work well." He added, "I did not sign up to go blow up the markets."

Following Powelson's remarks, **Cheryl LaFleur**, another FERC commissioner who was appointed by President Obama, issued her own "hear! hear!" on Twitter:



**Why it matters:** Even with the implicit support of the third FERC commissioner, Neil Chatterjee, who has already signaled he could be receptive to the move ([saying recently](#), “I believe that generation, including our existing coal and nuclear fleet, need to be properly compensated to recognize the value they provide to the system”), Perry doesn't seem to have the FERC votes he needs to get the sweeping electricity-market regulations he wants.

**-- Trump couldn't save this one:** The latest in a string of coal plants to announce it is shuttering is the Monticello power plant in Texas, The Houston Chronicle [reports](#). “The market's unprecedented low power price environment has profoundly impacted its operating revenue and no longer supports continued investment,” Curt Morgan, CEO of Dallas-based Vistra, said in announcing the closure of the 1,800-megawatt facility.

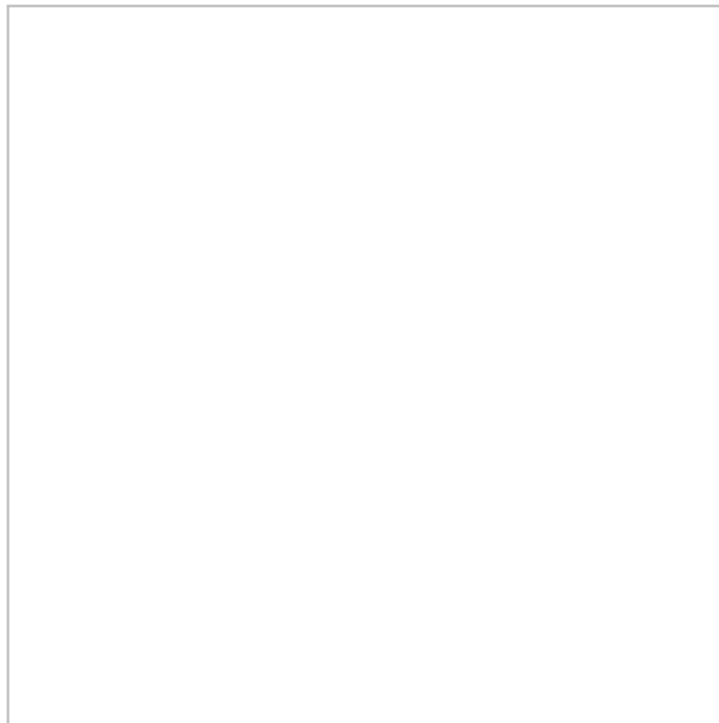
**What's important here:** News of FERC's ongoing review of the U.S. electricity markets, which may send more revenue to coal and nuclear power plants — and in general, the Trump administration's pro-coal priorities — weren't enough to give operators



at Luminant, a subsidiary of Vistra Energy, the confidence to keep the plant going. (Although it's worth noting that Texas's deregulated electricity market, contained within the state's borders, is not subject to the same interstate FERC jurisdiction most other U.S. electricity markets are.)

-- **That was quick:** Yet again following a major Atlantic storm — this time, Hurricane Nate — oil production in the Gulf of Mexico was halted. But a line buried in a Bureau of Safety and Environmental Enforcement [report](#), [pointed out](#) by Bloomberg News, indicates: “No damages have been reported.” Already Chevron and Enbridge workers are returning to offshore platforms.

## ALTERNATIVE UNIVERSE



Elon Musk speaking during an event at the Hornsdale wind farm in September 2017. (Carla Gottgens/Bloomberg)

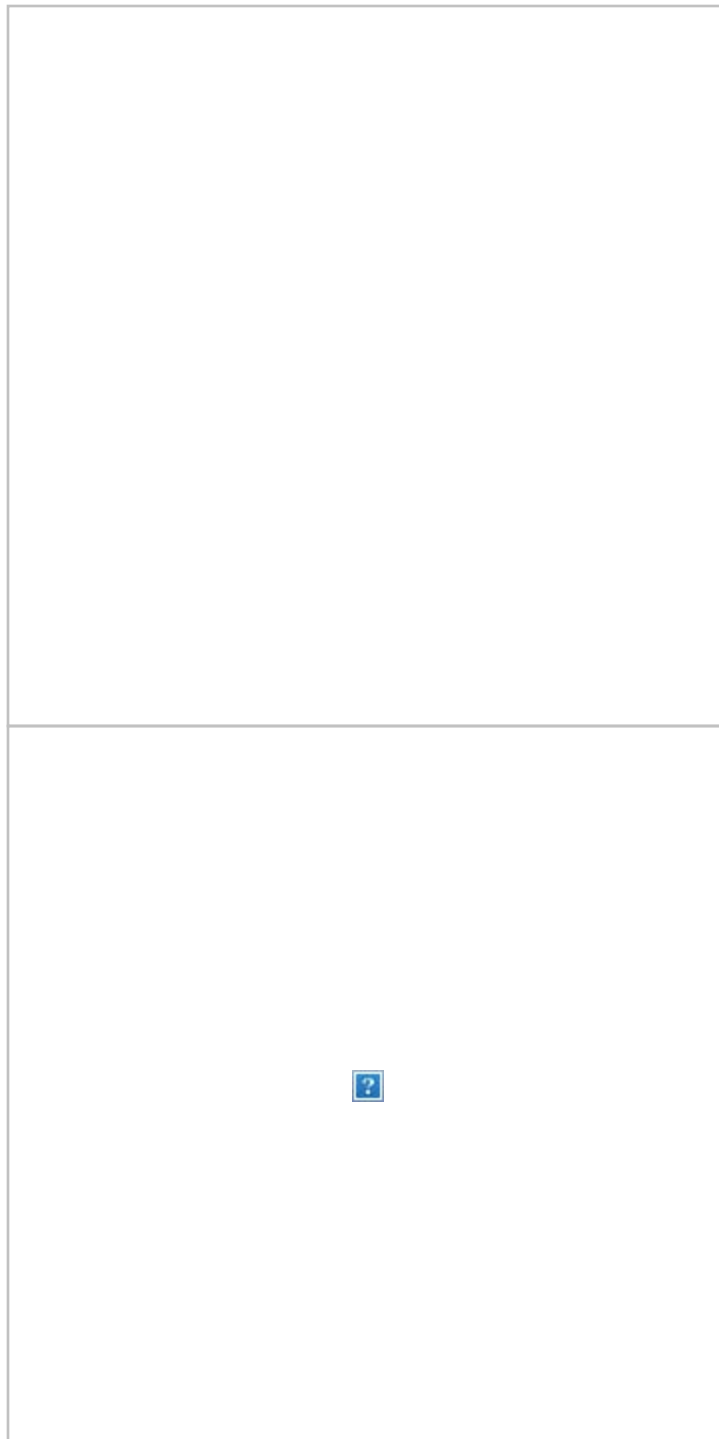
**-- Ironman wants to rescue Puerto Rico:**

Tesla chief executive Elon Musk tweeted to Puerto Rican Gov. Rosselló with an idea: Let Tesla help to rebuild the island's electric grid with a high-tech solar grid. The two had a back-and-forth over the weekend about the idea.

Musk said that he had previously built solar grids for small island, tweeting that there "is no scalability limit, so it can be done for Puerto Rico too."

From Musk and Rosselló:



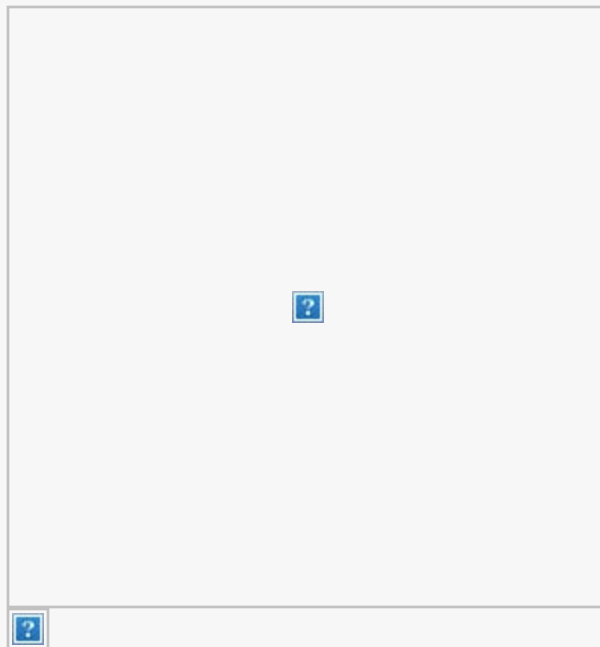


The Post's Brian Fung [writes](#): "While Musk's idea wouldn't solve Puerto Rico's current crisis — 90 percent of the island is still without power, and many people are having trouble getting clean water — it could set the island on the path to sustainable, renewable

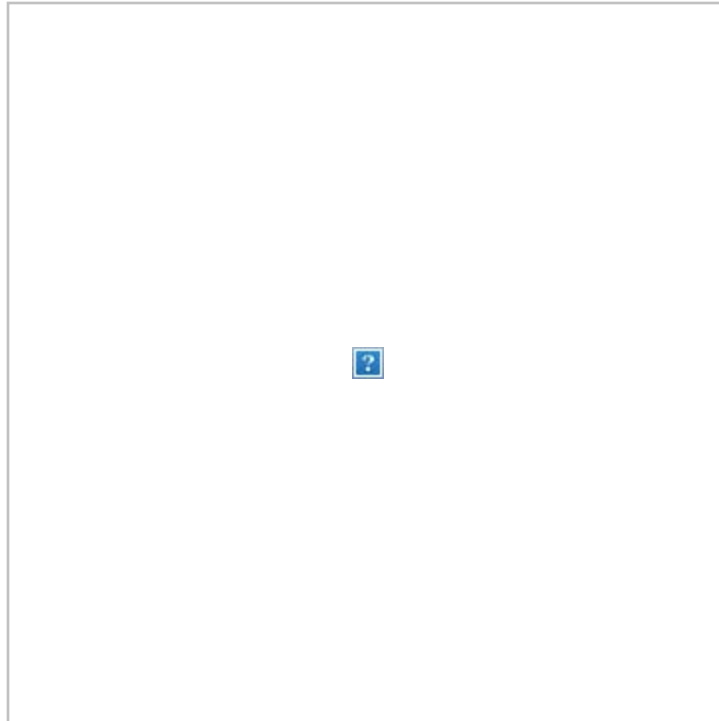
energy, which could reduce its dependence on imported fossil fuels and ultimately bolster its economy.”

And for Puerto Rico, which has some of the highest energy prices in the world, a shift to solar power could help with the island’s economic woes.

However, Musk may be too starry-eyed here. As The Post’s Chris Mooney [wrote](#) last month: "at least until battery storage becomes more widely affordable, islanded grids could not solely be powered by the sun, which is only out during the day. They would instead need to alternate solar with some continuing use fossil fuels to ensure a continual electricity supply."



## THERMOMETER



On Sunday, a man sits on a bench overlooking a beach covered in debris scattered by Hurricane Nate in Biloxi, Miss. (REUTERS/Jonathan Bachman)

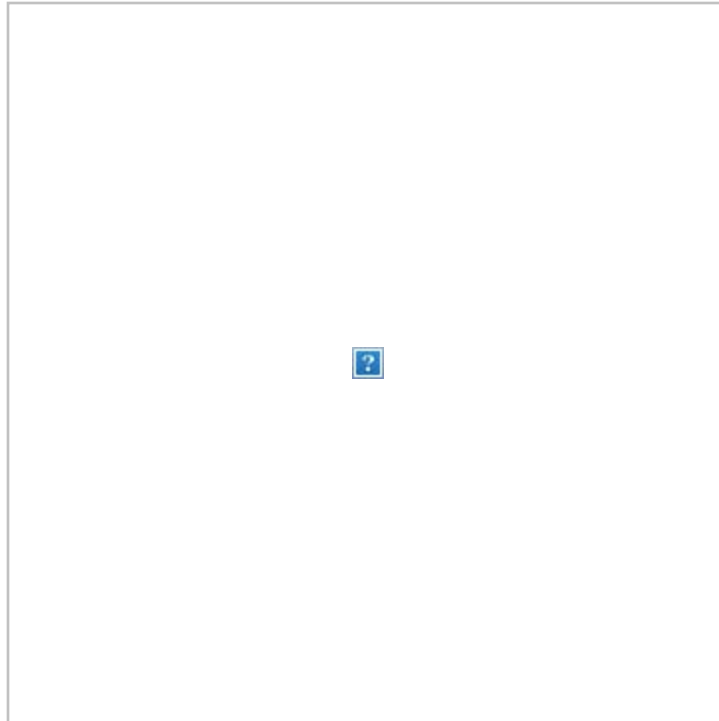
### -- Another weekend, another hurricane:

After making landfall twice over the weekend, Hurricane Nate was downgraded quickly into a tropical depression on Sunday as it moved inland, [report](#) The Post's Joel Achenbach and Patricia Sullivan. There have not been any reports of deaths or severe property damage, they add. A spokesman for the Mississippi Emergency Management Agency cited resources like sea walls, and updated building codes in place since Hurricane Katrina in 2005 as preventing extensive damage. Nate was the first hurricane since Katrina to come ashore in

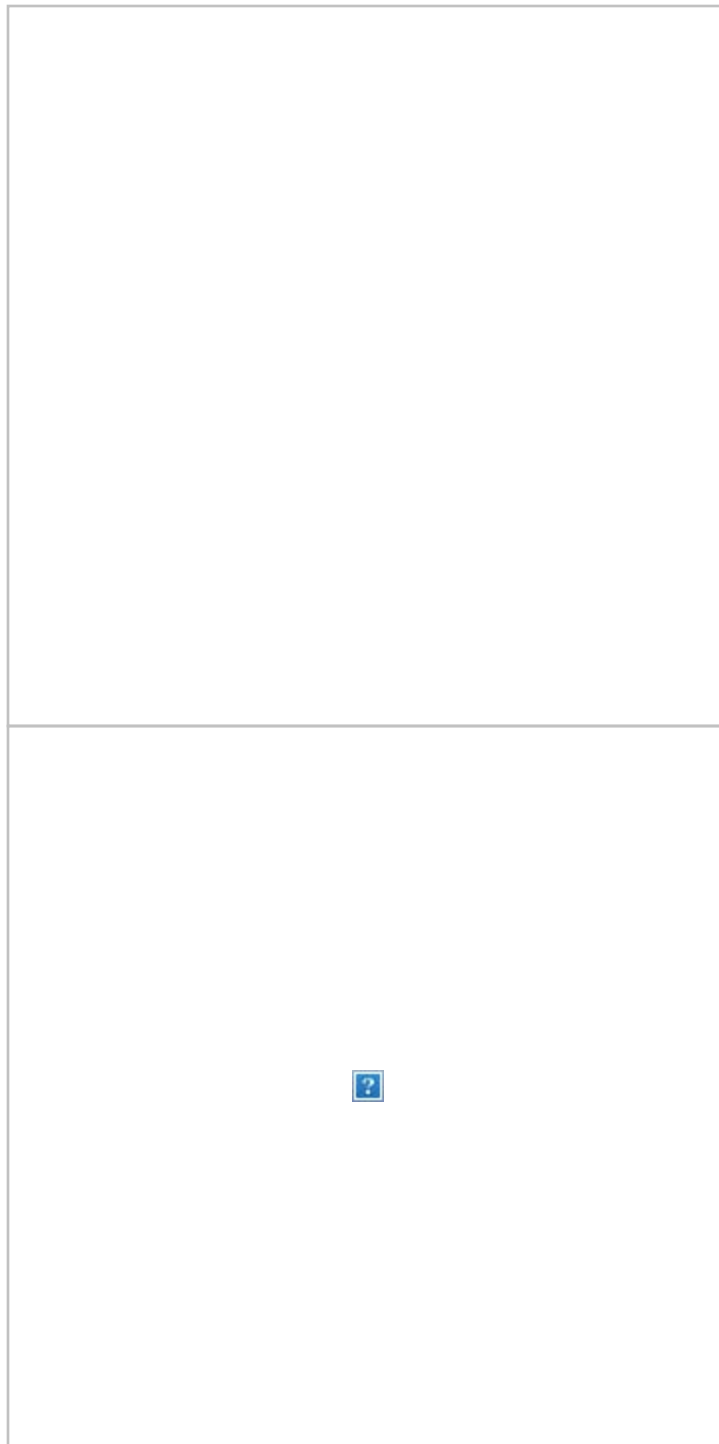
Mississippi, and the fourth this year to hit the United States.

The New York Times summed up the feeling in Biloxi, Miss. well with this headline: "[In a Season of Monsters, Gulf Coast Feels Lucky All It Got Was Nate.](#)"

Here are some of the images of heavy rains as Nate passed through: From CBS News' David Begnaud:



The Weather Channel's Mike Seidel:



From National Geographic photographer  
Mike Theiss:





## DAYBOOK

### Today

- The House Agriculture Committee holds a listening [session](#) on the Farm Bill.

### Coming Up

- The Atlantic Council holds an [event](#) on trade dialogue and the role of energy for the United States and China on **Tuesday**.
- The World Resources Institute holds an [event](#) on “Open Government for Climate Action” on **Tuesday**.
- The Heritage Foundation and Pacific Legal Foundation hold an [event](#) on the

WOTUS debate on **Tuesday**.

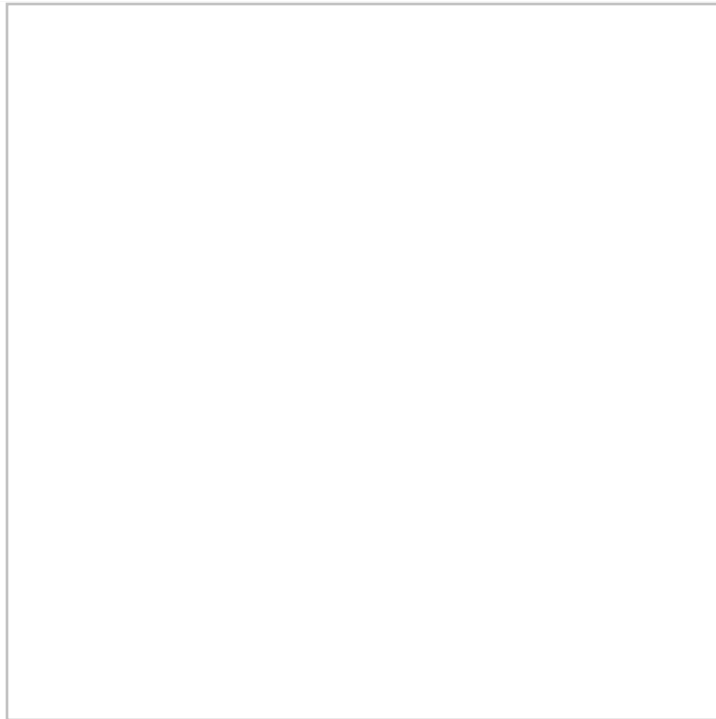
- The Fissile Materials Working Group and International Panel on Fissile Materials hold an [event](#) to launch a research report on the use of highly enriched uranium in Russia on **Wednesday**.
- The House Agriculture Committee holds a public [hearing](#) on the agenda for the Commodity Futures Trading Commission on **Wednesday**.
- The House Natural Resources Subcommittee on Federal Lands holds a legislative [hearing](#) on various bills on **Wednesday**.
- The House Natural Resources Subcommittee on Energy and Mineral Resources holds a legislative [hearing](#) on the outer continental shelf bill on **Wednesday**.
- Energy Secretary Rick Perry will testify before the The House Energy and Commerce Subcommittee on Energy during a [hearing](#) on the Energy Department's missions and management priorities on **Thursday**.
- The House Natural Resources Subcommittee on Water, Power and

Oceans holds a legislative [hearing](#) on **Thursday**.

- The Center for Strategic and International Studies holds an [event](#) on the International Energy Agency's Renewable Energy Market Report for 2017 on **Thursday**.
- Bloomberg hosts its third annual Sustainable Business [Summit](#) starting on **Thursday**.
- The Bipartisan Policy Center holds an [event](#) with former Energy Secretary Ernest Moniz on **October 18**.

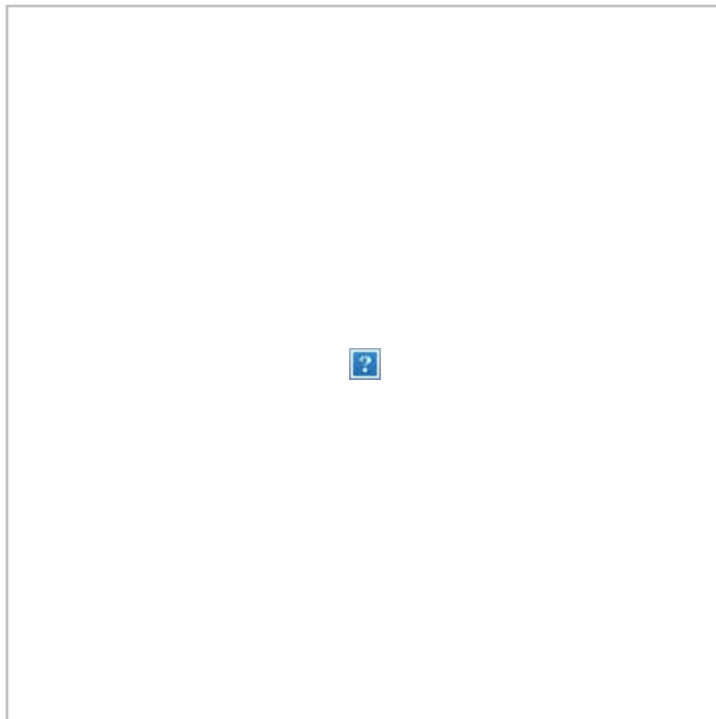
## EXTRA MILEAGE

Nate first made landfall as a Category1 storm near the mouth of the Mississippi River:



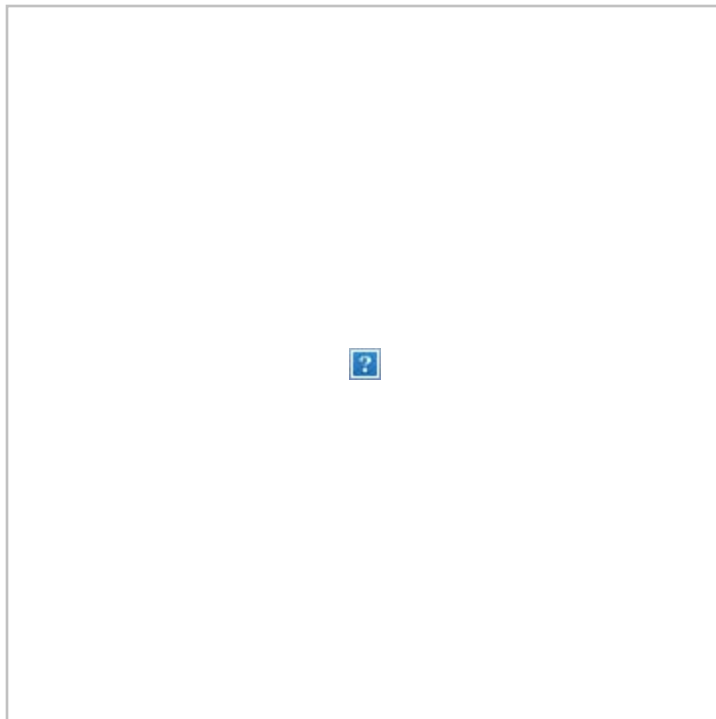
Hurricane Nate makes landfall on the Gulf Coast

Tropical Storm Nate weakened over  
Alabama:



Tropical Storm Nate weakens over Alabama

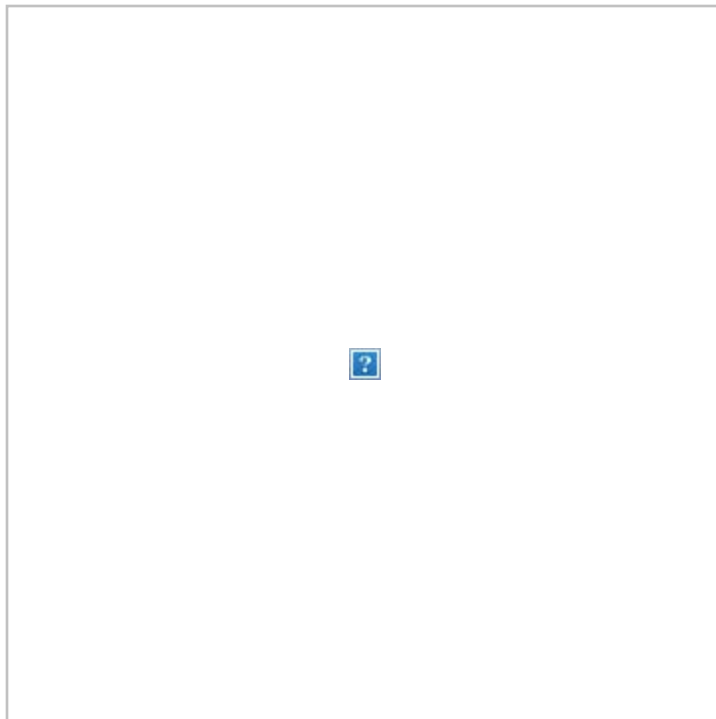
In Oklahoma City, heavy rain waters rush  
through the Lake Overholser Dam:



Heavy rain waters rush through Oklahoma City dam

A Puerto Rican man confronted Vice

President Pence during his visit to the island:

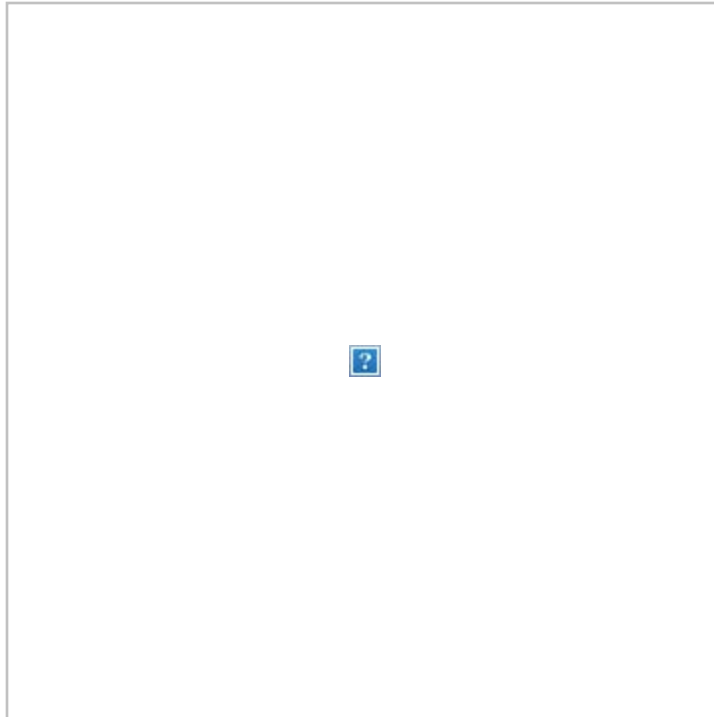


Angry man confronts Pence in Puerto Rico

On Saturday Night Live, Kate McKinnon as

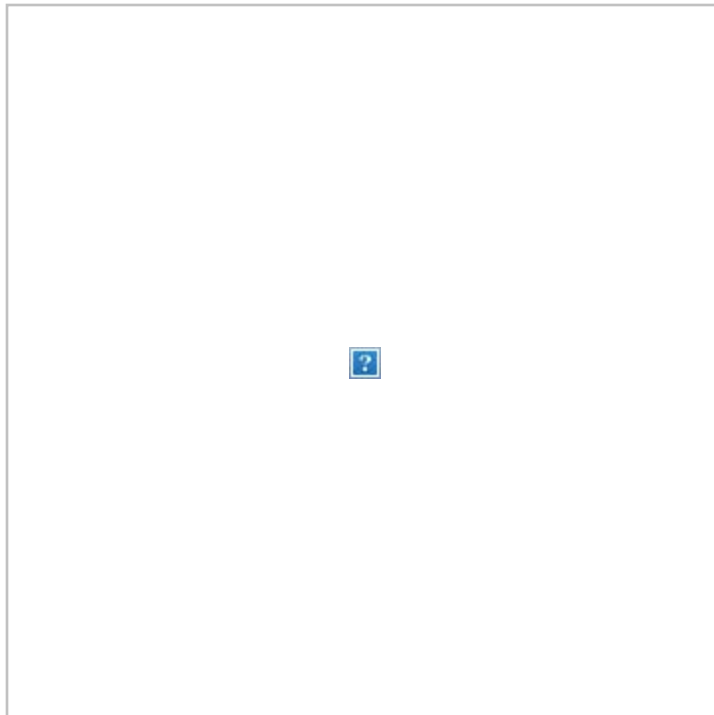
Ruth Bader Ginsburg shares her thoughts on

working with Justice Neil Gorsuch:





Weekend Update: Ruth Bader Ginsburg on Neil Gorsuch - SNL

Trevor Noah reacts to a Fox News pundit  
who lashed out at him for getting involved in  
America's gun control debate:



Between the Scenes - The All-American Gun Debate: The Daily  
Show

Share The Energy 202:  Twitter  Facebook

Trouble reading? [Click here](#) to view in your browser.

You received this email because you signed up for The Energy 202 or because it is included in your subscription.

For additional free newsletters or to manage your newsletters, [click here](#).

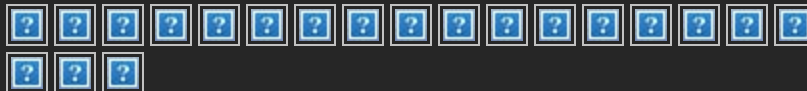
We respect your [privacy](#) . If you believe that this email has been sent to you in error or you no longer wish to receive email from The Washington Post, [click here](#). [Contact us](#) for help.

2017 The Washington Post, 1301 K St NW, Washington DC 20071

The Washington Post



*Democracy Dies in Darkness*



**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** RE: today  
**Date:** Wednesday, February 01, 2017 11:13:16 AM

---

Now or 11:30 is great.

---

**From:** Norman Bay  
**Sent:** Wednesday, February 01, 2017 11:01 AM  
**To:** Colette D. Honorable  
**Subject:** RE: today

Sure; just pick the time. Does now work for you? I have appointments after 1:30, however.

---

**From:** Colette D. Honorable  
**Sent:** Wednesday, February 01, 2017 10:47 AM  
**To:** Norman Bay  
**Subject:** today

Hi Norman-

Do you have time to visit today before 2pm?

C

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798



**From:** [Colette D. Honorable](#)  
**To:** [Tom Sloan](#); [Cheryl LaFleur](#)  
**Subject:** RE: Today's public meeting  
**Date:** Thursday, January 19, 2017 7:44:00 AM

---

Tom- God bless you for your thoughtfulness! We have a great security team here. We had to close the meeting to the public today but it can be viewed via webcast of course. My best to you and Gail-

Colette

---

**From:** Tom Sloan [mailto:Tom.Sloan@house.ks.gov]  
**Sent:** Thursday, January 19, 2017 7:38 AM  
**To:** Colette D. Honorable; Cheryl LaFleur  
**Subject:** Today's public meeting

Good morning. You probably are aware that there will be a larger than usual group of extreme energy folks seeking to disrupt today's FERC public meeting. I hope you both stay safe.

Tom  
Tom Sloan

**From:** Cheryl LaFleur  
**To:** Leonard Tao; Mary O'Driscoll; Neil Chatterjee; Robert F. Powelson; Commissioners' Assistants  
**Cc:** Diane Bernier  
**Subject:** Re: UPDATE: Former Commissioners attending FERC@40 celebration  
**Date:** Tuesday, September 26, 2017 6:56:03 PM

---

Great

---

On: 26 September 2017 18:54, "Leonard Tao"

<[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)> wrote:

We have a late addition. John Norris will try to be here for part of the celebration, probably on the early side.

Thanks,  
Len

---

**From:** Mary O'Driscoll  
**Sent:** Tuesday, September 26, 2017 2:54 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>; Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>; Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)>; Commissioners' Assistants <[commissionersassistants@ferc.gov](mailto:commissionersassistants@ferc.gov)>; Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>  
**Cc:** Diane Bernier <[Diane.Bernier@ferc.gov](mailto:Diane.Bernier@ferc.gov)>  
**Subject:** UPDATE: Former Commissioners attending FERC@40 celebration

Good afternoon, Chairman and Commissioners,

Here is an updated list of former FERC Chairmen/Commissioners who will be attending the FERC@40 celebration tomorrow:

- Charles Curtis
- Pat Wood
- Betsy Moler
- Jim Hoecker
- Joe Kelliher
- Bill Massey
- Charles Trabandt
- Mike Naeve
- Phil Moeller

- Marc Spitzer
- Tony Clark
- Suedeem Kelly
- Vicky Bailey (reception only)
- Norman Bay (likely reception only)

Please do not hesitate to contact me if you have any questions.

Mary O'Driscoll  
Director, Media Relations  
Office of External Affairs  
Federal Energy Regulatory Commission  
(202) 502-8680



**From:** Cheryl LaFleur  
**To:** Leonard Tao; Mary O'Driscoll; Neil Chatterjee; Robert F. Powelson; Commissioners' Assistants  
**Cc:** Diane Bernier  
**Subject:** Re: UPDATE: Former Commissioners attending FERC@40 celebration  
**Date:** Tuesday, September 26, 2017 6:56:02 PM

---

Great

---

On: 26 September 2017 18:54, "Leonard Tao"

<[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)> wrote:

We have a late addition. John Norris will try to be here for part of the celebration, probably on the early side.

Thanks,  
Len

---

**From:** Mary O'Driscoll  
**Sent:** Tuesday, September 26, 2017 2:54 PM  
**To:** Neil Chatterjee <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)>; Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>; Robert F. Powelson <[Robert.Powelson@ferc.gov](mailto:Robert.Powelson@ferc.gov)>; Commissioners' Assistants <[commissionersassistants@ferc.gov](mailto:commissionersassistants@ferc.gov)>; Leonard Tao <[Leonard.Tao@ferc.gov](mailto:Leonard.Tao@ferc.gov)>  
**Cc:** Diane Bernier <[Diane.Bernier@ferc.gov](mailto:Diane.Bernier@ferc.gov)>  
**Subject:** UPDATE: Former Commissioners attending FERC@40 celebration

Good afternoon, Chairman and Commissioners,

Here is an updated list of former FERC Chairmen/Commissioners who will be attending the FERC@40 celebration tomorrow:

- Charles Curtis
- Pat Wood
- Betsy Moler
- Jim Hoecker
- Joe Kelliher
- Bill Massey
- Charles Trabandt
- Mike Naeve
- Phil Moeller

- Marc Spitzer
- Tony Clark
- Suedeon Kelly
- Vicky Bailey (reception only)
- Norman Bay (likely reception only)

Please do not hesitate to contact me if you have any questions.

Mary O'Driscoll  
Director, Media Relations  
Office of External Affairs  
Federal Energy Regulatory Commission  
(202) 502-8680



**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Re: Valero Filing re Colonial Tariff  
**Date:** Saturday, September 02, 2017 8:53:28 PM

---

Thank you

On: 02 September 2017 20:34, "Neil Chatterjee" <[Neil.Chatterjee@ferc.gov](mailto:Neil.Chatterjee@ferc.gov)> wrote:

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Segal, Scott <[scott.segal@bracewell.com](mailto:scott.segal@bracewell.com)>  
**Sent:** Saturday, September 2, 2017 8:18 PM  
**To:** Neil Chatterjee  
**Cc:** Robert Ross; Richard Walsh  
**Subject:** Valero Filing re Colonial Tariff

---

Mr. Chairman, attached is the document filed by Valero requesting emergency relief and expedited consideration of a waiver of the Reid vapor pressure (RVP) specification for conventional and reformulated gasoline present in the Colonial pipeline tariff. Also appended to the filing is the broad waiver of the RVP regulatory requirement already issued by the US Environmental Protection Agency on Wednesday. It is our understanding that Colonial supports timely FERC intervention in this matter. Further, discussions with EPA and the Department of Homeland Security likewise support timely federal action to ensure motor fuels restored along the Colonial line as expeditiously as possible. State actors in Texas, including the Railroad Commission, the Texas Council on Environmental Quality, and the Office of the Governor have been actively involved in attempts to timely resolve this matter.

We hope the FERC can take action on this matter as soon as possible. The EPA RVP waiver was designed to remove bottlenecks in getting motor fuel to market that resulted from Hurricane Harvey. FERC intervention as soon as possible will help effectuate this decision of the federal family - helping restore production in the Gulf and protecting consumers around the country.

Thanks, and let us know if additional information is needed. ss/

---

**SCOTT SEGAL**

Partner

[scott.segal@policyres.com](mailto:scott.segal@policyres.com)

T: +1.202.828.5845 | F: +1.800.404.3970

**POLICY RESOLUTION GROUP | BRACEWELL LLP**

2001 M Street NW, Suite 900 | Washington, D.C. | 20036-3310

[policyres.com](http://policyres.com) | [profile](#) | [download v-card](#)



#### CONFIDENTIALITY STATEMENT

This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: visit  
**Date:** Friday, February 03, 2017 11:31:00 AM

---

Omw!

---

**From:** Cheryl LaFleur  
**Sent:** Friday, February 03, 2017 11:29 AM  
**To:** Colette D. Honorable  
**Subject:** RE: visit

Yes of course

---

**From:** Colette D. Honorable  
**Sent:** Friday, February 03, 2017 11:27 AM  
**To:** Cheryl LaFleur  
**Subject:** visit

Do you have time for a quick visit on Northern Access?

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798



**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** RE: Your issue of The Energy Daily  
**Date:** Friday, September 22, 2017 9:21:14 AM

---

And as you probably know he has excellent taste in baseball teams

---

**From:** Robert F. Powelson  
**Sent:** Friday, September 22, 2017 8:12 AM  
**To:** Cheryl LaFleur <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>  
**Subject:** Re: Your issue of The Energy Daily

Superb hire! I think an earthquake hit Akron

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** Cheryl LaFleur  
**Sent:** Thursday, September 21, 2017 8:57 PM  
**To:** Robert F. Powelson  
**Subject:** Fwd: Your issue of The Energy Daily

## News about Todd Snitchler

---

**From:** "The Energy Daily" <[ED@chembusiness-media.com](mailto:ED@chembusiness-media.com)>  
**Subject:** Your issue of The Energy Daily  
**Date:** 21 September 2017 19:41  
**To:** "Cheryl LaFleur" <[Cheryl.LaFleur@ferc.gov](mailto:Cheryl.LaFleur@ferc.gov)>

[ihs the energy daily](#)



Dear Subscriber,  
Please find attached your issue of today's ***The Energy Daily***.

Look to ***The Energy Daily*** to provide you with the latest news and information on the global energy marketplace--including electric utilities, nuclear power, natural gas, oil, coal and alternative fuels.

If you have any questions or concerns about your subscription, call us at 855-417-4155 (toll free), Fax 847-564-9453 or email

[energy@omeda.com](mailto:energy@omeda.com). Customer Service Representatives are available 7:30 a.m. to 6:00 p.m. CST.

For subscription information, including our group/site license options please contact sales at 303-858-6551 or email [TheEnergyDailySales@ihsmarkit.com](mailto:TheEnergyDailySales@ihsmarkit.com).

Sincerely,  
The Energy Daily  
[Join us on LinkedIn](#)

## September 22, 2017 Headlines

### Feds probing failed South Carolina nuclear project with 'broad' subpoena

In a surprising development, Scana Corp. and Santee Cooper said Thursday federal prosecutors have subpoenaed "a broad range of documents" related to their cancelled VC Summer new nuclear project in South Carolina, a revelation coming days after state legislators blistered Scana.....

### Record low cost claimed for 'baseload' solar plant

Officials in Dubai last week awarded a \$4 billion contract to build what they say is the largest solar thermal plant in the world, a 700 megawatt project that they say will provide baseload renewable power at the lowest price yet achieved, thanks to an associated energy storage system. The Dubai.....

### **Graham, free-market think tank push GOP rethink on carbon tax**

Remarks by Sen. Lindsey Graham this week have revived faint prospects that some Republican moderates might support a U.S. carbon tax, which also received a boost from a recent analysis by a free-market think tank that concludes a border adjustment mechanism would effectively protect U.S. companies.....

### **Boland named to lead NRC enforcement office**

The Nuclear Regulatory Commission this week named Anne Boland, a 32-year veteran of the agency, as director of its Office of Enforcement. In taking over one of the agency's most sensitive posts, Boland will oversee enforcement of the NRC's safety requirements and development of policies.....

### **Past PUCO chair Snitchler joins API**

Former Ohio Public Utilities Commission Chairman Todd Snitchler is joining the American Petroleum Institute as it intensifies its campaign against nuclear plant subsidies in Ohio and other states that the group sees as likely to reduce demand for natural gas for power generation. Snitchler, who.....

\*\*\*\*\*

FOR YOUR EYES ONLY: It's against the law to copy, fax, or electronically transmit the newsletter without our permission. By using our e-mail delivery service, you understand and agree that we may use tracking software to ensure copyright compliance. This software forwards to us certain technical and usage data from any computer that opens this email.

For single group subscription information, please contact Sales at 303 858 6551 or [TheEnergyDailySales@ihsmarket.com](mailto:TheEnergyDailySales@ihsmarket.com)  
The Energy Daily | 1300 Connecticut Ave, NW #700 | Washington DC 20036  
Copyright 2017 IHS All rights reserved. Reproduction in whole or in part prohibited.

If you wish to unsubscribe from future email announcements from IHS The  
Energy Daily, please [click here](#).

---

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Re: You're Invited | Celebration for Sen. Domenici  
**Date:** Friday, December 02, 2016 3:20:57 PM

---

I am, thank you so much!

Sent from my iPad

On Dec 2, 2016, at 2:02 PM, Norman Bay <[Norman.Bay@ferc.gov](mailto:Norman.Bay@ferc.gov)> wrote:

PS I hope you are feeling better!

---

**From:** Colette D. Honorable  
**Sent:** Friday, December 02, 2016 1:42 PM  
**To:** Norman Bay  
**Subject:** Fwd: You're Invited | Celebration for Sen. Domenici

FYI. You probably received this as well. If not, and you'd like to attend please let me know.  
I don't think I'll be able to attend.

C

Sent from my iPad

Begin forwarded message:

**From:** Jason Grumet <[president@bipartisanpolicy.org](mailto:president@bipartisanpolicy.org)>  
**Date:** December 2, 2016 at 1:23:01 PM EST  
**To:** [colette.honorable@ferc.gov](mailto:colette.honorable@ferc.gov)  
**Subject:** You're Invited | Celebration for Sen. Domenici

Colette,

I invite you to join us on Friday, December 16 in Washington, DC, to celebrate Senator Domenici's remarkable career and bid him a fond farewell as he returns home to New Mexico.

For the past five years, the Bipartisan Policy Center has had the pleasure and good fortune to work with former Senator Pete V. Domenici on its Debt Reduction Task Force, Health Care Cost Containment Initiative, Strategic Energy Policy Initiative, and Task Force on Defense Budget and Strategy. He is internationally acknowledged as one of the most knowledgeable and effective senators in the area of nuclear nonproliferation and threat reduction posed by foreign nuclear arms facilities. His diligent efforts resulted in increased funding for the nation's nuclear laboratories, and the introduction of programs to improve the testing of American nuclear weapons without use of physical, underground testing.

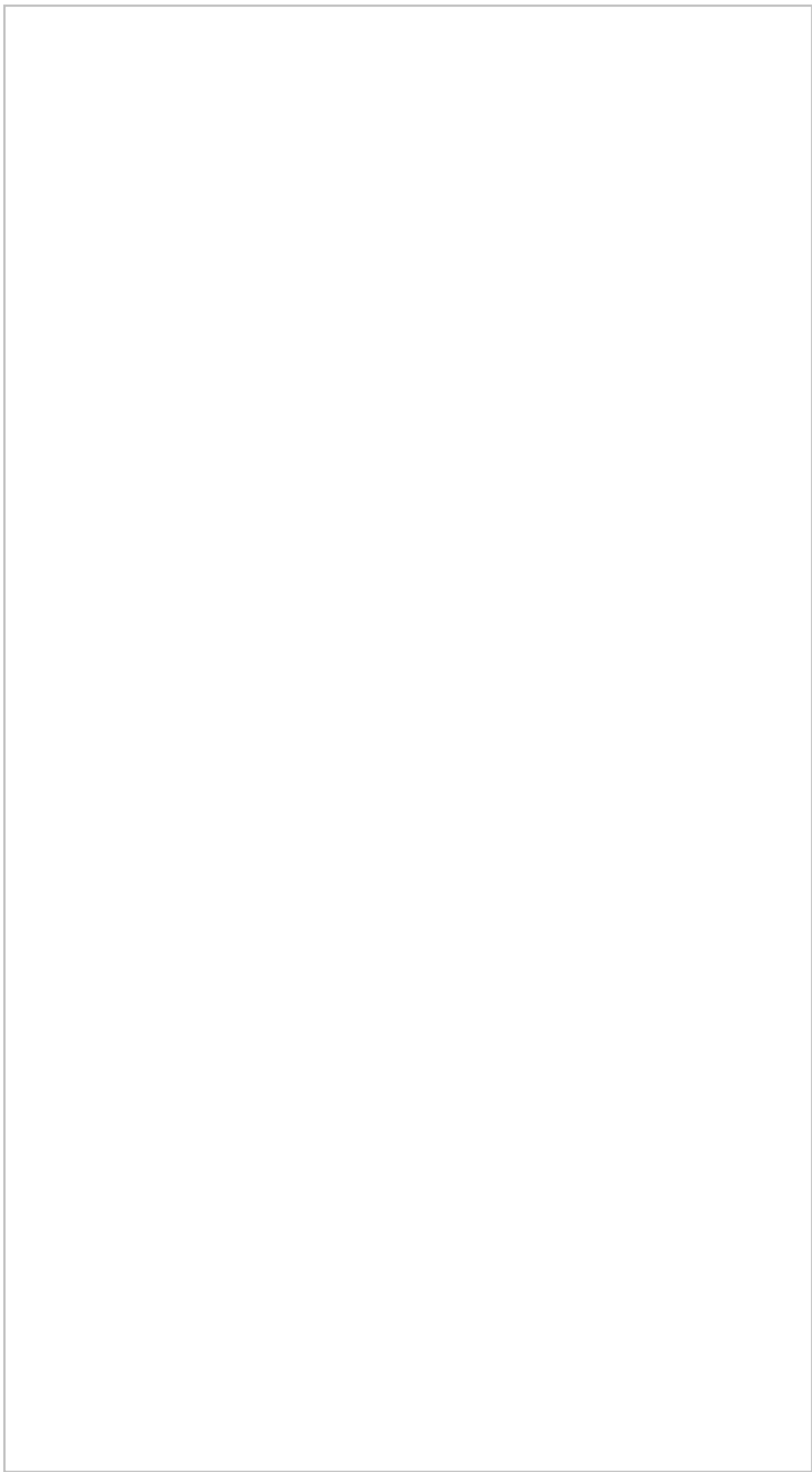
During his 36 years in the Senate, Domenici served as chairman and ranking minority member of the Senate Budget Committee and the Appropriations Subcommittee of Energy and Water Development. In addition, he served as chairman and ranking minority member of the Senate Energy and Natural Resources Committee. As budget committee chairman, he produced two consecutive balanced budgets, the only federal balanced budgets in the last 50 years. In addition, he introduced the reconciliation process into Senate procedure, enabling spending reform to pass without the danger of filibuster. He authored and co-authored energy legislation in four consecutive decades beginning in the 1970s, which de-regulated natural gas, established the Synthetic Fuels Corporation, funded alternative energy sources like solar and wind energy, promoted

the renaissance of nuclear power plant generation of electricity, developed clean coal initiatives, and guided U.S. energy policy. Finally, after an 11-year effort, Domenici's Mental Health Parity bill, that guarantees that insurance company plans treat the mentally ill on an equal footing with other illnesses, became law in 2008.

It is a truly impressive set of accomplishments and testament to Senator Domenici's unwavering commitment to work with republicans and democrats alike to make government work for all Americans.

**Please RSVP [here](#).** For further information or if you have any questions, please contact Maryan Abdelmesih at [mabdelmesih@bipartisanpolicy.org](mailto:mabdelmesih@bipartisanpolicy.org) or 202-637-1467. If you're unable to attend, please feel free to reply with a few words that we can share with Sen. Domenici in the memory book we will be presenting to him. I hope you'll join us!

Best – Jason



Click [here](#) if you don't wish to receive these messages in the future.

**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** RE: You're Invited | Celebration for Sen. Domenici  
**Date:** Friday, December 02, 2016 1:32:20 PM

---

Thanks, Cheryl, I did.

---

**From:** Cheryl LaFleur  
**Sent:** Friday, December 02, 2016 1:27 PM  
**To:** Norman Bay  
**Subject:** Fwd: You're Invited | Celebration for Sen. Domenici

Wanted to be sure you got this.

Sent from my iPad

Begin forwarded message:

**From:** Jason Grumet <[president@bipartisanpolicy.org](mailto:president@bipartisanpolicy.org)>  
**Date:** December 2, 2016 at 1:23:01 PM EST  
**To:** [cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
**Subject:** You're Invited | Celebration for Sen. Domenici

Cheryl,

I invite you to join us on Friday, December 16 in Washington, DC, to celebrate Senator Domenici's remarkable career and bid him a fond farewell as he returns home to New Mexico.

For the past five years, the Bipartisan Policy Center has had the pleasure and good fortune to work with former Senator Pete V. Domenici on its Debt Reduction Task Force, Health Care Cost Containment Initiative, Strategic Energy Policy Initiative, and Task Force on Defense Budget and Strategy. He is internationally acknowledged as one of the most knowledgeable and effective senators in the area of nuclear nonproliferation and threat reduction posed by foreign nuclear arms facilities. His diligent efforts resulted in increased funding for the nation's nuclear laboratories, and the introduction of programs to improve the testing of American nuclear weapons without use of physical, underground testing.

During his 36 years in the Senate, Domenici served as chairman and ranking minority member of the Senate Budget Committee and the Appropriations Subcommittee of Energy and Water Development. In addition, he served as chairman and ranking minority member of the Senate Energy and Natural Resources Committee. As budget committee chairman, he produced two consecutive balanced budgets, the only federal balanced budgets in the last 50 years. In addition, he introduced the reconciliation process into Senate procedure, enabling spending reform to pass without the danger of filibuster. He authored and co-authored energy legislation in four consecutive decades beginning in the 1970s, which de-regulated natural gas, established the Synthetic Fuels Corporation, funded alternative energy sources like solar and wind energy, promoted the renaissance of nuclear power plant generation of electricity, developed clean coal initiatives, and guided U.S. energy policy. Finally, after an 11-year effort, Domenici's Mental Health Parity bill, that guarantees that insurance company plans treat the mentally ill on an equal footing with other illnesses, became law in 2008.

It is a truly impressive set of accomplishments and testament to Senator Domenici's unwavering commitment to work with republicans and democrats alike to make

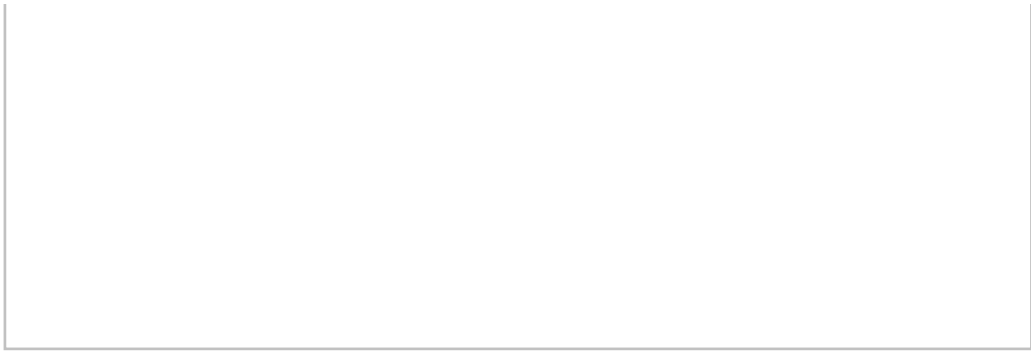


government work for all Americans.

**Please RSVP [here](#).** For further information or if you have any questions, please contact Maryan Abdelmesih at [mabdelmesih@bipartisanpolicy.org](mailto:mabdelmesih@bipartisanpolicy.org) or 202-637-1467. If you're unable to attend, please feel free to reply with a few words that we can share with Sen. Domenici in the memory book we will be presenting to him. I hope you'll join us!

Best – Jason





Click [here](#) if you don't wish to receive these messages in the future.

**From:** [Cheryl LaFleur](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** REMINDER- Welcome and Thank you Party today 3-5 pm  
**Date:** Thursday, August 24, 2017 9:33:00 AM

---

Just a reminder that today at **3 pm – 5 pm** Team LaFleur will be hosting a reception in **Suite 11-A** to welcome Chairman Chatterjee and Commissioner Powelson and their teams and to thank all employees for their efforts over the past 7 months. Please stop by if you can!  
Cheryl

---

**From:** Cheryl LaFleur  
**Sent:** Friday, August 04, 2017 11:33 AM  
**To:** FERC-HQ <FERC-HQ@ferc.gov>; FERC-RO <FERC-RO@ferc.gov>  
**Subject:** Today's news -- and thank you

Dear colleagues,

As you probably already know, last night the Senate confirmed Neil Chatterjee and Rob Powelson as new FERC commissioners. Once they are sworn in – hopefully in the next few days – our quorum will be restored, and we will start working through the backlog that has been building since February. I am excited to work with Neil and Rob, and hope you'll join me in welcoming them when they arrive.

I was also pleased to see that Kevin McIntyre (designated as future chairman) and Rich Glick were officially nominated earlier this week and will have their nomination hearing before the Senate Energy and Natural Resources Committee on September 7<sup>th</sup>. It will be a happy day when we again have a full slate of commissioners for the first time since 2015!

The last six months have certainly been an unusual and challenging time for the Commission. However, I had a bit of a visceral reaction to press reports indicating that FERC can now get “back to work!” I know that the 1,450+ FERC employees here in DC and around the country never stopped working just because we didn't have enough commissioners to vote out orders. I believe the last six months demonstrated how resilient this 40-year old organization is and how dedicated you all are to its mission. Your work to ensure that markets and rates are fair, that energy infrastructure is built and operated safely and responsibly, and that the grid is reliable and secure did not stop during the past six months. Indeed, it is because of your hard work that we have a large number of orders and issues ready for consideration by the new Commissioners.

I know the coming weeks and months, as we restore quorum, work through the backlog, and transition to a new Chairman, will require a lot of work from all of us. I want to thank you in advance for your past and continuing hard work, flexibility, and dedication to the agency's mission. I have the utmost confidence in our collective ability to meet any challenges, and I will be honored to continue to serve as a Commissioner and to work with all of you as we move forward. Once my new colleagues are seated, we will be organizing an event to welcome them and thank all of you.

My best,  
Cheryl

*Acting Chairman Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
*888 First St., NE*  
*Washington, DC 20426*  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)  
*202-502-8961*

**From:** [Norman Bay](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Results of Federal Employee Viewpoint Survey  
**Date:** Tuesday, December 20, 2016 3:46:00 PM

---

Dear Colleague,

On Thursday December 15, 2016, the Partnership for Public Service published its annual [Best Places to Work in the Federal Government rankings and report](#). I'm pleased to announce that the Commission ranked 4<sup>th</sup> among 27 midsize agencies in this year's rankings, moving up one spot from last year and rating as a top 5 agency for the third consecutive year.

The Partnership for Public Service created these rankings to provide a comprehensive measure of employee engagement across federal agencies. The data used to develop the rankings were based on results from the 2016 Federal Employee Viewpoint Survey (FEVS), which was administered by OPM last spring.

Five Commission offices were also rated in a separate [Agency Subcomponent Ranking](#) report. This ranking only included Commission offices that have 100 or more employees.

Some additional highlights:

- The Commission moved up one spot from last year, improving its score by 3.5 percentage points and ranking as #4 among midsize agencies
- The Commission ranked #1 in Work-Life Balance for the 3<sup>rd</sup> consecutive year among midsize agencies
- Agency subcomponent rankings (among 305 subcomponents across the government) for Commission offices with 100 or more employees:
  - Office of Energy Market Oversight (OEMR) ranked #4
  - Office of Enforcement (OE) ranked #6
  - Office of General Counsel (OGC) ranked #9
  - Office of the Executive Director (OED) ranked #21
  - Office of Energy Projects (OEP) ranked #31
- Office of Energy Policy and Innovation (OEPI), along with a number of other Commission offices, was not included in the subcomponent rankings because it has less than 100 employees. However, based on OEPI's FEVS scores, the office would have ranked among the top 10% of subcomponents in government. OEPI had the highest score on the Employee Engagement Index among all offices at the Commission. Other smaller offices at the Commission also scored highly on FEVS.

As I noted earlier this year when I shared the results of the survey with you, the Commission remains committed to leveraging the information from the FEVS to sustain our areas of

strength and address areas where we can improve. Our continued efforts in this regard are required to ensure that FERC remains one of the best places to work in the government.

Thank you again for the hard work you do on behalf of the Nation's energy consumers and for making the Commission one of the top agencies in the government. You make this agency the special place that it is. Staff is truly FERC's greatest asset.

Best,

NB

**From:** [Colette D. Honorable](#)  
**To:** [Norman Bay](#)  
**Subject:** Sorry!  
**Date:** Wednesday, November 30, 2016 2:31:27 PM

---

Ready when you are!

Sent from my iPad

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** speaking invite  
**Date:** Tuesday, January 31, 2017 2:21:00 PM

---

Hi Cheryl-

I wanted to give you a heads up about a speaking invite that I plan to accept. Last week Congressman Veasey invited me to sit on an energy panel on Thursday morning, Feb. 16 on the Hill. I wanted to make you aware that I feel obliged to agree to appear. I didn't want you to be caught off guard with all that is happening these days! Thanks-

Colette

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798



**From:** [Cheryl LaFleur](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Staffing announcements regarding OGC  
**Date:** Thursday, February 02, 2017 12:46:00 PM

---

Dear colleagues,

Following up on yesterday's staffing announcements, I would also like to announce some changes in the Office of the General Counsel.

First, Max Minzner has informed me that he has decided to leave the agency to pursue other opportunities. Max has been an integral part of the Commission's work over several years, including his time in the Office of Enforcement, as an advisor to Chairman Bay, and as more recently as General Counsel. I would like to thank Max for all his service to the agency, and for his leadership and assistance during the transition of the last week.

Second, I am very pleased to announce that David Morenoff has been named General Counsel, effective immediately. I'm confident that David needs no introduction.

Please join me in congratulating David and wishing Max well in his future endeavors, and thank you for all the work you are doing on so many fronts.

Best,  
Cheryl LaFleur

*Acting Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)*

From: [Cheryl LaFleur](#)  
To: [FERC-HQ](#); [FERC-RO](#)  
Subject: Thank you  
Date: Friday, February 03, 2017 4:45:00 PM

---

Dear colleagues—

I would like to again thank you for your outstanding work this week. Through the collective efforts of Commission staff, Norman Bay and Colette Honorable, their teams, and my own team, by the end of today the Commission will have issued 81 orders since Monday. It is a testament to the dedication and hard work of employees across the Commission that we were able to issue so many orders in such a short period of time. In particular, I would like to thank OSEC for their work behind the scenes to keep the orders moving.

I know many of you probably have questions how we will operate in the coming weeks, and we will be communicating more through the leadership team in the coming days and weeks. In addition, OEA is posting a new feature called “Ask Me Anything” on FERCnet, through which I will be fielding questions from employees. I am confident that through all of our continuing dedication, we will continue to move forward the work of the Commission during this unusual period.

Finally, I want to thank Chairman Norman Bay for his collegiality, service and leadership for the past 7 and a half years as Director of Enforcement, Commissioner, and Chairman. I know we are all grateful, and wish him all good things in his next endeavors.

Warmly,  
Cheryl LaFleur

PS. Go Patriots!

*Acting Chairman Cheryl A. LaFleur*  
*Federal Energy Regulatory Commission*  
888 First St., N.E.  
Washington, D.C. 20426  
202-502-8961  
[cheryl.lafleur@ferc.gov](mailto:cheryl.lafleur@ferc.gov)

**From:** [Cheryl LaFleur](#)  
**To:** [Robert F. Powelson](#)  
**Subject:** Thanks  
**Date:** Tuesday, September 12, 2017 8:44:05 PM

---

Sue Kelly asked me to relay her thanks (and those of the entire industry) for our timely work on the joint statement with NERC.

Cheryl

Sent from my iPad

**From:** [Cheryl LaFleur](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Thanks  
**Date:** Tuesday, September 12, 2017 8:46:06 PM

---

Sue Kelly asked me to relay her thanks -- and those of the industry--for your timely joint statement with NERC.

Best,  
Cheryl

Sent from my iPad

**From:** [Norman Bay](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Thanksgiving Early Dismissal  
**Date:** Tuesday, November 22, 2016 3:01:00 PM

---

Dear Colleagues,

This is the season in which we express gratitude for the goodness in our lives. I am grateful for the hard work each of you does to meet the vital mission of this agency, and it is an honor to serve as Chairman of such a dedicated, talented, and capable team.

In observance of the holiday, I am authorizing a four-hour early dismissal from your normal tour of duty on Wednesday, November 23, 2016. Employees who have reported for work or who are teleworking on Wednesday should be placed on excused absence/administrative leave for this period. Employees who are on scheduled leave on Wednesday will remain on leave for the entire period. Please check with your supervisor before leaving to avoid any interference with Commission operations.

I hope you are able to spend this Thanksgiving with your family and friends.

Wishing you all a happy holiday!

Best,

NB

**From:** [Neil Chatterjee](#)  
**To:** [FERC-HQ](#); [FERC-RO](#)  
**Subject:** Thanksgiving Message  
**Date:** Friday, November 17, 2017 5:45:00 PM

---

Colleagues,

This is the season in which we express gratitude for the goodness in our lives. Since my arrival, I continue to be impressed with the dedication of FERC staff. I am grateful for all of your hard work in support of the Commission's vital mission, and it is an honor to serve as Chairman of such a talented and capable team.

In observance of the Thanksgiving holiday, I am authorizing a three-hour early dismissal from your normal tour of duty on Wednesday, November 22, 2017. Employees who have reported for work or who are teleworking on Wednesday should be placed on excused absence/administrative leave for this period. Employees who are on scheduled leave on Wednesday will remain on leave for the entire period. Please check with your supervisor before leaving to avoid any interference with Commission operations.

Wishing you all a happy Thanksgiving holiday!

Chairman Chatterjee

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#)  
**Subject:** Tomorrow  
**Date:** Tuesday, August 15, 2017 10:09:48 AM

---

What's the game plan for the Employee Welcome event tomorrow?

**From:** [Colette D. Honorable](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** visit  
**Date:** Friday, February 03, 2017 11:27:24 AM

---

Do you have time for a quick visit on Northern Access?

Colette D. Honorable, Commissioner  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426  
(202) 502-8798



**From:** [Norman Bay](#)  
**To:** [Cheryl LaFleur](#)  
**Subject:** Staff Change  
**Date:** Monday, January 23, 2017 9:20:59 AM

---

Cheryl,

I hope you had a good weekend.

I am writing to let you know of a staff change in my office. Jamie Simler will return to OEMR, where she will once again be its Director. Jamie has been an outstanding Chief of Staff, and I am grateful for her assistance.

Best,

NB

**From:** [Robert F. Powelson](#)  
**To:** [Neil Chatterjee](#); [Craig Cano](#)  
**Cc:** [Andrea Spring](#); [Anthony Pugliese](#); [Meghan Estenson](#); [Leonard Tao](#)  
**Subject:** Re: Press question about DOE  
**Date:** Wednesday, August 23, 2017 6:55:17 PM

---

I concur with the Chairman. It was simply a meet & greet. No policy matters were discussed.

---

**From:** Neil Chatterjee  
**Sent:** Wednesday, August 23, 2017 6:41:05 PM  
**To:** Craig Cano; Robert F. Powelson  
**Cc:** Andrea Spring; Anthony Pugliese; Meghan Estenson; Leonard Tao  
**Subject:** RE: Press question about DOE

I am fine confirming that we were there to do a meet and greet with the deputy secretary – who also happened to have testified on the same confirmation hearing panel as us.

---

**From:** Craig Cano  
**Sent:** Wednesday, August 23, 2017 6:06 PM  
**To:** Neil Chatterjee <Neil.Chatterjee@ferc.gov>; Robert F. Powelson <Robert.Powelson@ferc.gov>  
**Cc:** Andrea Spring <Andrea.Spring@ferc.gov>; Anthony Pugliese <Anthony.Pugliese@ferc.gov>; Meghan Estenson <Meghan.Estenson@ferc.gov>; Leonard Tao <Leonard.Tao@ferc.gov>  
**Subject:** Press question about DOE

Chairman and Commissioner,

E&E News reporter Rod Kuckro has information from a source who says he was signing into DOE on Monday August 14 at the same time you were. Rod, who did a story on the orientation of new Commissioners at FERC, is interested in knowing if your visit to DOE was, in effect, part of that process – a meet and greet with DOE officials, a tour of their facilities, etc. I don't believe he is looking to build a story around this, just a nugget to drop in somewhere.

Typically we don't discuss specifics of meetings outside the building, but would you be comfortable with me confirming to Rod (assuming it is the case) that this indeed was a introductory visit with DOE officials.

Thanks.

Craig

*Craig Cano*  
*Media Relations / Office of External Affairs*  
*888 First St. NE*  
*Washington, D.C. 20426*  
*(202) 502-8680*



USAO	Date	Subject	Exemption	Segregable	Justification
<b>FERC_0001</b>	11/4/16	Email between Norman Bay (NB)/Colette Honorable (CH) Re: New Adviser	Exemption 6	Yes	<b>Exemption 6</b> – unlike management and senior officials, name of lower level staff redacted because lower level staff are not responsible for decisions of the agency and therefore should be free from public scrutiny for such agency decisions; personal family information unrelated to official business
<b>USAO_0002</b>	11/4/16	Email b/w Cheryl LaFleur (CL) and NB RE: New Adviser	Exemption 6	Yes	<b>Exemption 6</b> – unlike management and senior officials, name of lower level staff redacted because lower level staff are not responsible for decisions of the agency and therefore should be free from public scrutiny for such agency decisions
<b>USAO_0003 - 0004</b>	11/16/16	Email b/w NB and CH Re: Head's Up	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations concerning the FAST Act
<b>FERC_0005</b>	11/17/16	Email between CH and NB Re: THANKS!	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations concerning the FAST Act
<b>FERC_0006</b>	11/23/16	Email b/w NB and CH Re: Vox Article	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional communication on energy storage Notice of Proposed Rulemaking
<b>FERC_0007</b>	12/5/16	Email b/w NB, CL and CH RE: one more thing	Exemption 5	Yes	<b>Exemption 5</b> – Discussion about dollar amount of staff gift staff gift
<b>FERC_0008</b>	12/9/16	Email b/w NB and CH Re: Greetings Mr. Chairman!	Exemption 6	Yes	<b>Exemption 6</b> – Personal information unrelated to official business
<b>FERC_0009</b>	12/12/16	Email b/w NB and CH RE: Follow Up	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional communication concerning draft order
<b>FERC_0010</b>	12/14/16	Email b/w CL and CH Re: Drivers	Exemption 5	Yes	<b>Exemption 5</b> – Discussion about dollar amount of staff gift

USAO	Date	Subject	Exemption	Segregable	Justification
<b>FERC_0011 - 0012</b>	12/22/16	Email b/w NB and CH Re: Greetings	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional discussions and analysis of a pending matter related to the Minimum Offer Price Rule (MOPR) <b>Exemption 6</b> – Commissioner comment related to a personal gift from a government official unrelated to official business; personal family information unrelated to official business
<b>FERC_0013 - 0014</b>	12/22/16	Email b/w NB and CL Re: Greetings	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional discussions and analysis related to MOPR <b>Exemption 6</b> – Personal family information unrelated to official business
<b>FERC_0015</b>	12/28/16	Email b/w NB and CL RE: MOU with Mexico	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations related to signing of Memorandum of Understanding (MOU) with Mexico and future MOUs
<b>FERC_0016 - 0017</b>	1/2/17	Email b/w NB and CH Re: Happy New Year!	Exemption 6	Yes	<b>Exemption 6</b> – Personal cell phone information and personal family information
<b>FERC_0018 - 0019</b>	1/3/17	Email b/w NB and CL RE: NARUC Winter Meeting	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional commentary related to a pending matter
<b>FERC_0020 - 0021</b>	1/4/17	Email b/w CH and CL RE: Message from Cheryl re: MOPR	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional discussions and analysis on MOPR
<b>FERC_0022 - 0023</b>	1/8/17	Email between NB and CH Re: Have a good weekend!	Exemption 6	Yes	<b>Exemption 6</b> – Personal information in personal home unrelated to official business
<b>FERC_0024 - 0025</b>	1/11/17	Email b/w NB and CH Re: Update	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional discussions and analysis on MOPR <b>Exemption 6</b> – Personal family information
<b>FERC_0026</b>	1/20/17	Email b/w CH and NB Re: Thanks	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional internal opinion on energy storage policy statement

USAO	Date	Subject	Exemption	Segregable	Justification
<b>FERC_0027 - 0028</b>	1/22/17	Email b/w NB and CH Re: Update	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional discussion about potential changes to senior leadership and implementation of those changes
<b>FERC_0029</b>	1/23/17	Email b/w NB and CL re: Staff Change			Produced in its entirety.
<b>FERC_0030</b>	1/25/17	Email b/w NB and CH RE: I assume you've heard the news.	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberation about possible date for change in senior leadership and possible date for the notice of such change
<b>FERC_0031 - 0032</b>	1/25/17	Email b/w NB and CL FW: Thank You	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberation about reassignment of Commission staff and possible placement
<b>FERC_0033 - 0034</b>	1/26/17	Email b/w CH and NB Re: Head's Up	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about possible change in senior leadership and predecisional discussions of related information and views pertaining thereto
<b>FERC_0035</b>	1/28/17	Email b/w CH and NB Re: An Idea	Exemption 6	Yes	<b>Exemption 6</b> – Personal cell phone number
<b>FERC_0036</b>	1/30/17	Email b/w NB and CH RE: Thanks	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about reassignment of Commission staff and placement
<b>FERC_0037 - 0038</b>	1/30/17	Email b/w NB and CL Re: Thanks	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about changes in senior leadership and reassignment of Commission staff and placement
<b>FERC_0039</b>	1/30/17	Email b/w NB, CL, and others Re: Thanks for helping Navy REPO	Exemption 5	No	<b>Exemption 5</b> – Pre decisional deliberations between FERC and Dep't of the Navy about past detail and future detail opportunities; inter agency communication
<b>FERC_0040</b>	1/30/17	Email b/w NB and CL Re: Thanks	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about reassignment of Commission staff and placement

USAO	Date	Subject	Exemption	Segregable	Justification
FERC_0041	1/31/17	Email b/w NB and CL Re: Our discussion earlier	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about reassignment of Commission staff and placement
FERC_0042	1/31/17	Email b/w CH and NB Re: MOPR Orders	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional discussions analyzing MOPR; <b>Exemption 6</b> – Personal information in personal home unrelated to official business
FERC_0043 - 0045	1/31/17	Email b/w CH and CL RE Commission action upon loss of quorum	Exemption 5	Yes	<b>Exemption 5</b> – Internal opinion on and description of a pre decisional draft order
FERC_0046 - 0048	1/31/17	Email b/w NB and CL RE Commission action upon loss of a quorum	Exemption 5	Yes	<b>Exemption 5</b> – Description of a pre decisional draft order
FERC_0049 - 0051	1/31/17	Email b/w NB and CL RE Commission action upon loss of a quorum	Exemption 5	Yes	<b>Exemption 5</b> – Description of a pre decisional draft order
FERC_0052 - 0053	1/31/17	Email b/w CL and CH Re: Can Reprise 1993 Delegation Order to Address Quorum Issues	Exemption 5	Yes	<b>Exemption 5</b> – Internal opinion of a pre decisional draft order
FERC_0054	2/1/17	Email b/w CH and CL Re: Personnel announcement tomorrow	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional deliberations about potential changes to Commissioner's staff and senior agency staff; <b>Exemption 6</b> – Personnel file information
FERC_0055	2/2/17	Email b/w CH and CL RE: Bob Anthony nomination to FERC	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional deliberations about potential changes to Commission staff; <b>Exemption 6</b> – personal credentials personnel file information; personal cell phone of Bob Anthony and personal email of Bob Anthony and Commissioner

USAO	Date	Subject	Exemption	Segregable	Justification
<b>FERC_0056 - 0057</b>	2/2/17	Email b/w CH and NB Re: tomorrow	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Internal opinion and discussion of an individual’s qualifications; pre decisional deliberations about potential staffing changes and personal opinion about other contemplated changes <b>Exemption 6</b> – Personal family information unrelated to official business
<b>FERC_0058</b>	2/2/17	Email exchange b/w CH and NB Re Kudos!	Exemption 5	Yes	<b>Exemption 5</b> –Pre decisional remark on draft decision
<b>FERC_0059</b>	2/2/17	Email exchange b/w CH and CL RE: comparing notes	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about potential staffing changes; pre decisional remark about individual’s qualifications
<b>FERC_0060</b>	2/2/17	Email exchange b/w CH and NB RE: Max	Exemption 5	Yes	<b>Exemption 5</b> – Deliberations about senior level staffing changes and discussion of notice to agency staff
<b>FERC_0061</b>	2/2/17	Email exchange b/w CH and CL RE: Max	Exemption 5	Yes	<b>Exemption 5</b> – Deliberations about senior staff staffing changes
<b>FERC_0062 - 0063</b>	2/7/17	Email b/w CH and CL Re: Responsible Person at PPO	Exemption 6	Yes	<b>Exemption 6</b> – Personal cell phone and personal email information
<b>FERC_0064</b>	2/7/17	Email b/w CH and CL and CL staff Re: You shouldn’t have!			<b>Produced in its entirety.</b>
<b>FERC_0065 - 0067</b>	2/10/17	Email b/w CH and CL Re: 2016 Campaign Contest Awards	Exemption 6	Yes	<b>Exemption 6</b> – unlike management and senior officials, name of lower level staff redacted because lower level staff are not responsible for decisions of the agency and therefore should be free from public scrutiny for such agency decisions
<b>FERC_0068 - 0069</b>	2/12/17	Email b/w CH and CL Re: NARUC panel on storage	Exemption 5	Yes	<b>Exemption 5</b> – Predecisional draft talking points analyzing energy storage issue related to pending matters before the Commission

USAO	Date	Subject	Exemption	Segregable	Justification
<b>USAO_0070 - 0071</b>	2/23/17	Email b/w CH, CL, and others Re: U.S. Veteran Disability Accommodation Request	Exemption 6	Yes	<b>Exemption 6</b> - Reasonable accommodation request to Disability Coordinator from employee; medical information and lower level staff names redacted.
<b>FERC_0072</b>	2/27/17	Email b/w CH and CL FW: Licensing approaches at NRC	Exemption 5	No	<b>Exemption 5</b> – analysis of regulatory language as it applies to licensing approaches at the Nuclear Regulatory Commission (NRC) related to pending FERC matters; inter agency communication between CL and NRC
<b>FERC_0073 - 0075</b>	3/2/17	Email b/w CH and CL FW: I/C (Sen. Feinstein) Dams in California; (2017-00018	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Predecisional deliberation concerning an issue requiring agency response; attachments include a copy of the Senator's March 2, 2017 letter to CL and an internal process circulation sheet. <b>Exemption 6</b> – unlike management and senior officials, name of lower level staff redacted because lower level staff are not responsible for decisions of the agency and therefore should be free from public scrutiny for such agency decisions
<b>FERC_0076</b>	3/7/17	Email b/w CH, CL and others Re: Your Issue of IHS The Energy Daily	Exemption 5	Yes	<b>Exemption 5</b> – Internal predecisional deliberation and analysis on pending matter; attorney work product
<b>FERC_0077 - 0078</b>	3/14/17	CH/CL Admin weather notice and CL EEI meetings Re: Today	Exemption 6	Yes	<b>Exemption 6</b> - Commissioner's personal family identifiers unrelated to official business
<b>FERC_0079 - 0080</b>	3/27/17	Email b/w CH and CL re Peter Hust Obituary – Erie, PA Erie Times-News	Exemption 6	Yes	<b>Exemption 6</b> - Personal commentary and personal family contact information unrelated to official business



USAO	Date	Subject	Exemption	Segregable	Justification
FERC_0081	3/27/17	Email b/w CH and CL Re: Proposed Reliability Tech Conference Notice	Exemption 5	Yes	<b>Exemption 5</b> – Internal predecisional deliberation and analysis related to wording of a draft order on pending matter, notice and possible outcomes
FERC_0082	4/23/17	Email b/w CH and CL Re: Update on executive orders	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional discussions on agency response to recently issued executive orders; attorney work product
FERC_0083 - 0085	4/28/17	Email b/w CH and CL Re: Posted to FERC.gov	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberations about possible change in senior leadership and predecisional discussions of related information and views pertaining thereto
FERC_0086 - 0087	5/6/17	Email b/w CH and CL Re: Invitation to Submit Written Testimony or the Cmte on Energy & Natural Resources" Subcmte on Water & Power Hearing on May 10, 2017 at 2:30pm	Exemption 5	Yes	<b>Exemption 5</b> - Predecisional discussion in preparation for upcoming testimony to be provided by Commissioner before Committee on Energy and Natural Resources Subcommittee on Water and Power
FERC_0088 - 0090	5/13/17	Email b/w CL and CH	Exemption 5; Exemption 6; Exemption 7(F)	Yes	<b>Exemption 5</b> – Discussions analyzing a pending cyber security matter including impact and proposed agency response
		Re: Cyber Attack – International – Current Situation Report – 12 May 17			<b>Exemption 6</b> - Commissioner's personal family identifiers unrelated to official business <b>Exemption 7(F)</b> - Discussion covering a cybersecurity report, agency response and possible security vulnerabilities
FERC_0091	5/13/17	Email b/w CH and CL Re: Cyber Attacks – Ransomware Update	Exemption 5; Exemption 7(F)	Yes	<b>Exemption 5</b> – Internal discussion of status of a security related cyber incident and possible outcome <b>Exemption 7(F)</b> - Discussion covering a cybersecurity report, agency response and possible security vulnerabilities

USAO	Date	Subject	Exemption	Segregable	Justification
FERC_0092	6/14/17	Email b/w CH and CL Re: re staff member	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Pre decisional contemplation of personnel action <b>Exemption 6</b> – Contemplation of personnel action
FERC_0093 - 0094	6/15/17	Email b/w CH and CL Re: staff member	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Deliberations about changes to Commissioner's staff; <b>Exemption 6</b> – Contemplation of personnel action;
FERC_0095 - 0114	8/10/17, various dates	Text message string between CL and RP	Exemption 5; Exemption 6; Non-agency records	Yes	<b>Exemption 5</b> – Deliberations about staffing change; discussions analyzing pending matters <b>Exemption 6</b> – Evaluation of performance of a staff member Non-agency records Personal remarks on a personal device that are not agency records
FERC_0115 - 0117	8/18/17	Email b/w CL, RP, NC and other staff Re: Today's court decision affirming DOE LNG export authorization	Exemption 5	Yes	<b>Exemption 5</b> – Internal personal opinion and legal analysis of Robert Solomon, Solicitor, Office of General Counsel, of a pending matter related to LNG; attorney work product
FERC_0118 - 0119	8/21/17	Email b/w CL, RP, NC, and other staff Re: Update DC Circuit petition by FERC for rehearing, in NRG rate modification case	Exemption 5	Yes	<b>Exemption 5</b> – Internal personal opinion and legal analysis of Robert Solomon, Solicitor, Office of General Counsel on NRG; attorney work product
FERC_0120	8/23/17	E-mails between RP, NC, and other staff re: press question about DOE			<b>Produced in its entirety.</b>
FERC_0121	8/24/17	E-mails between NC and RP re: Today			<b>Produced in its entirety.</b>

USAO	Date	Subject	Exemption	Segregable	Justification
<b>FERC_0122 - 0124</b>	8/24/17	E-mails between CL and RP re: Research: DOE Grid Study -- Time for Energy Price Formation Reform!	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional deliberation and analysis related to DOE Grid Study
<b>FERC_0125 - 0126</b>	8/29/17	E-mails between RP, Anthony Pugliese (Chief of Staff) and NC re: Clearance	Exemptions 5	Yes	<b>Exemption 5</b> – Internal opinions on security clearance process and contemplated action regarding pending security matter before the Commission
<b>FERC_0127</b>	9/2/17	Text message string between CL and NC	Exemption 5; Exemption 6	Yes	<b>Exemption 5</b> – Comments reflecting possible timing of internal processing of a pending matter <b>Exemption 6</b> – Personal cell phone number
<b>FERC_0128 - 0129</b>	9/2/17	Email b/w NC and CL Re: Emergency Valero filing	Exemption 6	Yes	<b>Exemption 6</b> – Personal cell phone number
<b>FERC_0130 - 0131</b>	9/14/17	E-mails between CL and RP re: Your Issue of the Energy Daily			<b>Produced in its entirety.</b>
<b>FERC_0132 - 0133</b>	9/15/17	E-mails between CL and RP re: public Rover Pipeline LLC response to OEPA letter	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional discussions and opinions concerning Rover Pipeline matter pending before FERC
<b>FERC_0134 - 0136</b>	9/17/17	E-mails between CL and RP re: Rover Related Letter	Exemption 5	Yes	<b>Exemption 5</b> – Internal discussions of contents of draft letter concerning the Rover Pipeline matter
<b>FERC_0137</b>	9/21/17	Email b/w RP and CL discussing FERC admin event FW: FYI	Exemption 6	Yes	<b>Exemption 6</b> – Evaluation of performance of a staff member re handling of administrative matter
<b>FERC_0138 - 0140</b>	9/22/17	E-mails between CL and RP re: Your Issue of the Energy Daily			<b>Produced in its entirety.</b>
<b>FERC_0141</b>	9/28/17	Email b/w RP and CL Re: Letter from the Secretary of Energy	Exemption 5	Yes	<b>Exemption 5</b> – Internal initial comments and thoughts on an inter-agency communication

USAO	Date	Subject	Exemption	Segregable	Justification
FERC_0142	10/5/17	E-mail between CL and NC re: Florida speech drafts	Exemption 5	Yes	<b>Exemption 5</b> – Internal communications re draft speech and attached drafts of speech
FERC_0143	10/26/17	E-mails between RP and NC re: PPL Board of Directors	Exemption 6	Yes	<b>Exemption 6</b> – Redacted personal cell phone number
FERC_0144 - 0145	11/1/17	E-mail b/w CL and RP re: Your Issue of the Energy Daily	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional opinions on a pending matter before the Commission
FERC_0146 - 0149	11/2/17	Email b/w RP and CL Re: POLITICO Pro Q&A FERC Commissioner Rob Powelson	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional communication on matters pending before the Commission
FERC_0150 - 0151	11/9/17	Email b/w RP and CL Re: question on Chairman Chatterjee's approach to NOPR	Exemption 5	Yes	<b>Exemption 5</b> – Pre decisional communications and opinions on FERC's potential approach to NOPR
FERC_0152	11/21/17	Email b/w NC and CL email RE: New colleagues	Exemption 6	Yes	<b>Exemption 6</b> - personal cell phone information