

The Honorable Willie Phillips
Chairman
Federal Energy Regulatory Commission
888 First Street, N.E. 888 First Street, N.E.
Washington, D.C. 20426

The Honorable Allison Clements
Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

The Honorable Mark Christie
Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

The Honorable James Danly
Commissioner
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

October 18, 2023

Dear Chairman Phillips and Commissioners Christie, Clements, and Danly:

We write to express our opposition to TC Energy’s proposed Gas Transmission Northwest (GTN) Xpress Project, and to urge the Federal Energy Regulatory Commission (FERC) to reject TC Energy’s request for a certificate of public convenience and necessity. TC Energy’s project would increase rates for consumers, cause over \$8.8 billion in climate damages¹ and undermine our states’ efforts to combat the climate crisis just so that a Canadian company can increase the shipment of Canadian fracked methane gas. Elected officials from across Washington, Oregon, and California have been clear: this project is incompatible with our climate laws.

The West coast is leading the race to transition to clean energy and combat the climate crisis, but TC Energy’s proposal is inconsistent with the state laws underpinning those efforts. As the Attorney Generals of California, Oregon, and Washington pointed out, “if GTN continues business as usual with its pipeline in 2050, that would represent 48 percent of the region’s target GHG emissions from all sources.”² Put simply, there is no way that our states can meet their emissions goals if this project moves forward.

TC Energy’s proposal is also bad for consumers, forcing existing customers to subsidize the costs of pipeline expansion to the benefit of TC Energy and Canadian fossil fuel producers. Pacific Gas and Electric and Puget Sound Energy have both intervened because they fear GTN Xpress will unfairly force existing customers to subsidize new customers. TC Energy has filed “an improperly segmented review, hiding the full scope of environmental impacts and costs to consumers.”³

¹ GTN Xpress Project Final Environmental Impact Statement Docket, No. CP22-2-000

² Joint Motion to Intervene and Protest by the States of Washington, Oregon and California, Docket No. CP22-2-000

³ Joint Motion to Intervene and Protest by the States of Washington, Oregon and California, Docket No. CP22-2-000

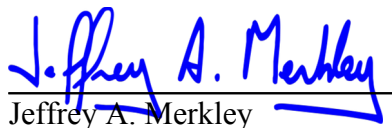
Further, TC Energy has failed to demonstrate that there is need for the project. TC Energy has entered into a precedent agreement with Tourmaline Oil, a Canadian fossil gas producer that is not a utility. FERC's own Final Environmental Impact Statement for GTN Xpress acknowledged that it is unclear where Tourmaline's gas would be delivered to, or for what purpose, and then concluded that "downstream emissions from Tourmaline Oil's subscribed capacity are not reasonably foreseeable." Since Tourmaline Oil's uses for the fossil gas are not reasonably foreseeable, they should not serve as the justification for a pipeline expansion.

While it is not primarily FERC's responsibility, we would be remiss not to mention the poor safety record that TC Energy has demonstrated. In the last year, TC Energy's Keystone pipeline spilled nearly 600,000 gallons of bitumen oil in Kansas and their Columbia Gas Transmission Pipeline exploded in Strasburg, Virginia. This project intends to increase capacity solely through higher compression, meaning greater safety risks.

Finally, we have strong concerns that FERC did not engage in proper and sufficient tribal consultation. FERC, as a part of the federal government, has a trust obligation to engage in robust government-to-government consultation with impacted tribes. As noted in the letter sent by the Columbia River Inter-Tribal Fish Commission (CRITFC) to FERC, the Environmental Impact Statement (EIS) process does not address several key concerns, including the impacts this project may have on aquatic resources and endangered species.⁴ While the Final EIS acknowledges consultation with the Washington Department of Fish and Wildlife, CRITFC is a co-manager of some critical fishery resources in the Columbia River Basin and should have been consulted as well. The Starbuck Compressor Station is only five miles from the Snake River, which the pipeline crosses en route to Oregon. Whether a safety incident could impact endangered fish, thus impacting tribal treaty rights, does not appear to have been considered.

GTN Xpress represents a significant expansion of methane gas infrastructure at a time when California, Oregon, and Washington are moving away from fossil fuels. It will increase public safety risks and does not have the support of impacted tribes. Further, the project will raise energy costs for consumers, it is incompatible with laws in all three aforementioned states, and there is not adequate demonstrated need. We oppose GTN Xpress and urge you to deny TC Energy's request for a certificate of public convenience and necessity.

Sincerely,

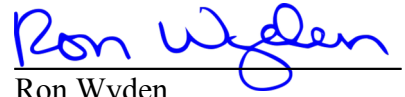

Jeffrey A. Merkley
United States Senator


Patty Murray
United States Senator

⁴ Columbia River Inter-Tribal Fish Commission Comments on Draft EIS for OEP/DG2E/Gas Branch 3, Docket No. CP22-2-000



Maria Cantwell
United States Senator



Ron Wyden
United States Senator