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Energy Bill: FERC Authority Over Importation/Exportation of LNG

- ◆ Both the House and Senate versions of the Energy Bill give FERC exclusive jurisdiction over importation and exportation of LNG
 - Encompasses siting, construction, expansion, and operation of gasification/liquefaction terminal
 - Codifies FERC “Hackberry” decision not to require open access to LNG terminals or to regulate rate charges, terms or conditions
 - House version requires FERC to consult with State regarding safety issues
- ◆ Controversial provision – congressional support or opposition based on location of state, not party affiliation
 - States’ rights versus national energy policy
- ◆ Energy Bill Conference (i.e., reconciliation of the two bills) has begun; aiming to send bill to President in August
 - This is the 3rd time Congress has held a conference on an Energy Bill – consensus is it is now or never