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January 27, 2020

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20006

Dear Mr. President:

I write to express my serious concerns regarding two current vacancies on the Federal Energy Regulatory Commission (FERC) and urge you to fill all current FERC vacancies before the commission rules on the proposed Jordan Cove Energy Project in Oregon.

FERC is an independent agency charged with rule-making and permitting authority over energy projects yet, more than five months after Commissioner LaFleur stepped down and more than a year after the death of Chairman McIntyre, FERC continues to operate with only three of five commissioners in place. In addition, Commissioner Bernard McNamee is reported to not seek a second term when his current one expires on June 30, leaving FERC without a voting quorum. In order to properly assess and permit projects, FERC must have a full complement of commissioners. While FERC has a longstanding tradition of bipartisanship and traditionally operates under a deliberative process that includes broad stakeholder engagement, thorough consideration of local concerns, and strict adherence to the law, vacancies on the commission unnecessarily hinder its operations and create uncertainty and distrust in FERC decisions.

I have long demanded that Oregonians receive a fair, open, fact-based, and non-political process while FERC determines whether LNG projects are necessary and in the public's best interest. Vacancies and political pressure on the Commission hinders its ability to fulfill the role of an independent regulatory agency. To properly consider, assess, and permit complex and often controversial projects, FERC must determine the public benefit of all proposals in a thoughtful, bipartisan way. To do so, pairing any Republican nominee with a Democratic nominee is critical.

FERC's decisions are already in danger of being seen as partisan in nature. In December 2019, FERC issued a rule (Docket Nos. EL16-49-000 and EL18-178-000) to "address the impacts of state policies on the wholesale capacity markets." The rule has a particularly profitable impact upon coal-fired generation in the Pennsylvania-New Jersey-Maryland Interconnection (PJM) region. By favoring coal and other thermal generation, potentially pricing renewables out of the capacity market, and costing PJM ratepayers an estimated \$5.7 billion per year, the "capacity market" rule threatens to reverse decades of state-level policy making through Federal overreach. Given that the rule passed on a 2-1 vote, one could reasonably conclude that the Commission sat on this decision until Commissioner LaFleur departed.

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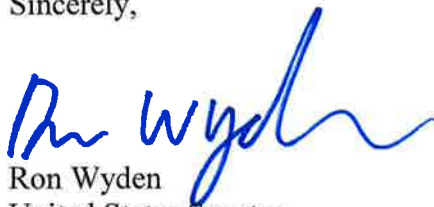
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Before an incomplete FERC rules on Jordan Cove and other complex projects, I urge you to appoint a full and bipartisan commission. Otherwise, any decision over the proposed Jordan Cove Energy Project could be interpreted as lacking a full, fair consideration and therefore inherently political.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Wyden", with a stylized flourish at the end.

Ron Wyden
United States Senator