



FEDERAL ENERGY REGULATORY COMMISSION

Date March 20, 2008

Commissioner Marc Spitzer

Docket No. CP06-54-000, CP06-55-000 and CP06-56-000

Item No. C-1

Statement of Commissioner Marc Spitzer on Broadwater Energy, LLC

"The pre-eminent obligation of Government is to protect the health, welfare and safety of its citizens. This proceeding illustrates the complexity of that undertaking in the context of the environment, energy security and Federalism.

Opposition to the siting of energy infrastructure is universal. No one wants any project in their locale. At the same time, the public expects, and Federal law mandates, a reliable supply of energy for utility and other applications at reasonable prices.

No project should be sited, energy-related or otherwise, that is unsafe or harms the environment. The record in this case indicates this Application, with the conditions imposed in this Order, complies with Federal safety standards and eliminates or mitigates environmental impacts. The record suggests there are current operations and facilities in the Long Island Sound that serve a lesser public purpose with far greater impact.

The State of New York retains authority under the Coastal Zone Management Act. As a former state legislator and then state regulator, I am deeply respectful of state jurisdiction. The degree to which this Project increases commercial activity in the Long Island Sound beyond that which currently exists is beyond the scope of this FERC proceeding. My background and beliefs compel me to reject the view that state deliberations will be unwise or improvident. So I respect New York's right to determine this issue.

The matter of respect is reciprocal. I recognize this case elicits strong feelings. There is always room for civil dialogue. I would hope such remains the case. Independent Federal agencies are tasked with quasi-judicial obligations. The public has a right to expect FERC decisions to be based on the facts and the law, not political considerations. At the same time, Mr. Chairman, I am not a *naïf*. I have run in seven elections. So while I respect the public and political processes, I would merely ask those active in this proceeding to respect ours.

Based on the record in this proceeding, with the conditions imposed in this Order, the Project is in compliance with Federal law. I therefore vote aye."