

**Federal Energy Regulatory Commission  
May 18, 2006 Commission Meeting  
Statement of  
Commissioner Suedeen Kelly**

**C-2: Coordinating the Processing of Federal Authorizations for Applications under Sections 3 and 7 of the Natural Gas Act and Maintaining a Complete Consolidated Record (RM06-1-000)**

“This proposed rulemaking furthers a primary goal of EAct 2005--which is strengthening our energy infrastructure--by expediting Commission reviews of section 3 and section 7 Natural Gas Act applications via better coordination among the various agencies that issue federal authorizations for such applications.

To that end, the proposed rule recognizes a fundamental principle for making timely, thorough decisions involving multiple agency authorizations: “Everything done in parallel, not in sequence.” In other words, all state and federal agencies responsible for issuing the necessary federal authorizations for NGA section 3 or 7 applications must start their processes early on, and reach final decisions by a date certain. Project sponsors will have a key role in ensuring this happens, as they will be required to file requests for such authorizations no later than when they file their NGA applications; the proposed rule even encourages project sponsors to submit requests to agencies before filing an application with the Commission.

This scheduling process just makes sense, and I believe that it will lead to better, more timely, decisions. Equally important, in my view, is that the proposed rule respects individual agency needs and requirements: First, in setting a schedule for agencies to reach final decisions, the Commission will take into account certain information provided by the authorizing agency, including how much time the agency anticipates it will require to process the request. Second, the proposed rule recognizes that Commission deadlines do not apply to agencies with schedules set by federal law.

Finally, as required by EAct 2005, the proposed rule sets forth procedures for the Commission to maintain a consolidated record of proceedings before us and the other authorizing federal and state agencies. I believe the proposed rule sets forth a process that is reasonable, and not unduly burdensome. I should add that the Commission has long-pledged to work cooperatively with the other agencies, as well as project sponsors, in developing and maintaining a consolidated record, and I believe that doing so will expedite judicial review, and minimize unreasonable delays in agency decisions.

For all of these reasons, I support the proposed rule. However, I do recognize that it sets forth a process that is a bit different from what we are all used to. Accordingly, I invite all stakeholders to provide comments, and let us know what the proposed rule does right, and how it might be strengthened”