

October 28, 2019

Via UPS

Chairman Neil Chatterjee
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Commissioner Richard Glick
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Commissioner Bernard L. McNamee
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

ORIGINAL

Re: State Clean Energy Policy Priorities

Dear Chairman Chatterjee, Commissioner Glick, and Commissioner McNamee:

The undersigned Attorneys General write to you regarding opportunities for the Federal Energy Regulatory Commission ("Commission") and our offices to work cooperatively to facilitate important state policy goals and our shared mandate to promote the public interest.

There is an urgent need for further action to combat the massive health, environmental, and economic harms that the climate crisis is causing in our states. Recognizing that need, as well as the myriad benefits of transitioning to a cleaner energy system, our states have adopted policies to drastically reduce climate-warming greenhouse gas emissions and to promote clean energy resources such as renewable energy, distributed energy resources, energy efficiency, and demand response. Our states also have adopted policies to facilitate the ongoing modernization of the power sector.

Our experience demonstrates that state clean energy policies benefit consumers: clean energy resources can enhance electric grid reliability and security, empower customers, encourage innovation, lower costs, improve air quality, and assist markets in maintaining resource adequacy at just and reasonable rates.

The Commission's actions, including decisions related to market design, siting of new gas pipelines and storage facilities, and grid reliability, significantly affect our states' abilities to achieve our clean energy and climate goals. Decisions made today will shape the electricity system for decades to come. Now, more than ever, it is essential for the states and the Commission to work together to ensure that the Commission's actions advance, not impede, state policies and prerogatives.

Specifically, we urge you to consider the following recommendations:

- The Commission should promote market design choices that appropriately recognize the rights of states under the Federal Power Act to shape their resource mixes. It is not just and reasonable to seek high prices to maintain the competitiveness of aging, uneconomic, and higher-emitting resources by discriminating against state-supported cleaner technologies.
- The Commission should eliminate barriers to competition for renewable energy generators, energy storage, energy efficiency, demand response, and other innovative clean energy technologies. These actions are essential to the efficiency and effectiveness of Commission-regulated markets in procuring the lowest-cost options for meeting electricity needs over the short and long terms.
- In evaluating proposed new pipeline infrastructure and other projects and actions, the Commission should comprehensively assess the associated climate impacts and all reasonable clean energy alternatives.
- The Commission should exercise its oversight authority to ensure that Regional Transmission Operators and other regulated entities are fostering participation, transparency, independence, and responsiveness to states, consumers, and other stakeholders.

We would appreciate the opportunity for a group of staff representatives from several of our offices to meet with you in person to further discuss the above recommendations and how the Commission and our offices might work collaboratively to promote our shared objective of safe, affordable, and reliable power for all consumers. We will contact your offices soon to follow up on this request. Thank you for your consideration.

Sincerely,



MAURA HEALEY
Massachusetts Attorney General



Xavier Becerra
California Attorney General



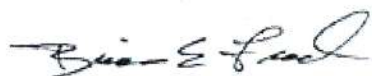
WILLIAM TONG
Attorney General of Connecticut



KATHLEEN JENNINGS
Attorney General of Delaware



KARL A. RACINE
Attorney General for the District of Columbia



BRIAN FROSH
Attorney General of Maryland



DANA NESSEL
Michigan Attorney General



JOSHUA STEIN
Attorney General of North Carolina



ELLEN F. ROSENBLUM
Oregon Attorney General



JOSH SHAPIRO
Attorney General
Commonwealth of Pennsylvania



PETER F. NERONHA
Attorney General of Rhode Island