November 14, 2018

Dear Senator,

On behalf of our members and supporters, we write in opposition to Bernard McNamee’s nomination to the Federal Energy Regulatory Commission (FERC). FERC is an independent agency that ensures just and reasonable rates for most U.S. wholesale power markets; regulates rates of interstate natural gas pipelines, storage facilities and LNG terminals; oversees rates of interstate oil pipelines; and conducts environmental reviews for certain interstate gas infrastructure. Historically, FERC has been nonpartisan - driven by adherence to just and reasonable rates, not politics. This balance is at stake with Mr. McNamee’s nomination. The Trump administration’s Department of Energy (DOE) is attempting to implement a dangerous pro-fossil fuel agenda at the expense of clean, renewable energy. Policy proposals coming from the Trump DOE fly in the face of the recent IPCC report that in order to meet the aspirational goal set by the Paris Agreement, we must reduce greenhouse gas emissions by 50 percent by 2030 and be carbon-free by 2050. Mr. McNamee’s confirmation would give Trump an ally in lockstep on policies that are bad for the climate and customers.

Clean energy is increasingly cost-competitive with fossil fuels in wholesale electricity markets. Instead of embracing this shift and continuing to allow markets to drive and reward innovation, political appointees at DOE are actively seeking out opportunities to double down on dirty, fossil fuel sources at the expense of ratepayers. Mr. McNamee’s appointment is one in a line of examples of this behavior. In a prior role at the Department of Energy, Mr. McNamee was a central player in the agency’s failed attempt to bail out the coal industry and upend wholesale energy markets. To date, FERC has blocked the most egregious bailout attempts, however, with a changing Commission, that could change. The Trump administration is attempting to use this independent agency to force taxpayers and electricity customers to pay tens of billions of dollars to bailout dirty, uneconomic coal and nuclear plants instead of allowing market forces to continue to encourage the expansion of clean energy.

Throughout his professional experience, Mr. McNamee has shown a bias for fossil fuels at the expense of clean, renewable energy. Previously, Mr. McNamee led Texas’ efforts to challenge the Clean Power Plan and other environmental regulations. He was a key backer of the Administration’s first coal bailout attempt, and we do not yet know the extent of his leadership over the second failed effort. His bias against clean energy technology is manifest not only in his work on behalf of Administration, but also in other recent engagements. For example, Mr. McNamee departed DOE recently to lead an anti-renewable campaign at a far-right think tank. An individual who claims that “the grid doesn’t work just on renewables” and “…How do you keep the lights on? It’s with fossil fuels and nuclear,” does not display the requisite lack of bias to serve as Commissioner.

FERC’s independence is critical to its mission. Any evidence of bias in support of one segment of the industry, in defiance of competitive market outcomes, is disqualifying. We respectfully call on you to reject the nomination of Bernard McNamee.

Sincerely,

Alaska Wilderness League

Alliance of Nurses for Healthy Environments

Bold Alliance

Center for Biological Diversity

Clean Water Action

Climate Hawks Vote

Earthjustice

Earthworks

Friends of the Earth

Hip Hop Caucus

Honor the Earth

League of Conservation Voters

Public Citizen

Sierra Club

The Lands Council

Union of Concerned Scientists

Western Watersheds Project