



DeFazio disappointed in FERC response

By Drew Atkins, Staff Writer

Rep. Peter DeFazio is persuaded the Federal Energy Regulatory Commission respects money far more than people.

The Oregon Democrat says he's disappointed with a letter he received from the chairman of the Federal Energy Regulatory Commission this week, which, DeFazio said, failed to address his concerns about the route of the proposed 223-mile-long gas pipeline, which would stretch from a proposed liquefied natural gas holding facility on Coos Bay's North Spit to the California border.

The letter from FERC Chairman Joseph Kelliher was in response to a letter DeFazio sent him in August, in which he urged FERC to route the pipeline in such a way that it avoids private property and eminent domain seizures.

"I have heard concern from citizens ... about the proposed route of the Pacific Connector Pipeline," wrote DeFazio. "I strongly urge you to use caution and to listen, and satisfactorily resolve the concerns of local residents and officials before allowing the pipeline to move forward. ... I do not believe it is appropriate to seize private property for the construction of transmission wires or pipelines."

In his response, Kelliher would not rule out the possibility of the pipeline being constructed through private property, but wrote that using the power of eminent domain - in which easements for property are taken through legal proceedings - is always a last resort.

The response largely employed technical language, and for the most part seemed to reiterate FERC's standard operating procedure in pipeline route approval.

"The Commission's goal is always for pipeline companies to work ... closely with affected landowners to minimize the need for companies to invoke the power of eminent domain," wrote Kelliher. "It is only ... after (FERC) has authorized the construction of the pipeline and imposed all necessary environmental mitigation measures that the certificate holder is authorized ... to acquire property through the use of eminent domain, and then only after it has failed to acquire necessary lands through contract or compensation agreement."

In an interview Wednesday, DeFazio said the letter was disappointing, as it made clear to him that FERC "prefers to honor money interests and corporations over people's individual property rights."

"Unfortunately, these are political appointees of (President Bush), and they're unwilling to take pro-property stance," said DeFazio. "The only glimmer of hope is they say they'll accommodate reasonable concerns (about the pipeline), and I take them at their word."

While DeFazio said that Congress had the power to prevent pipelines from going through private property, in the current political climate he said such a move is unlikely. Instead, he urged local citizens to "keep the pressure" on federal officials.

"I'm urging everybody to aggressively contact FERC to express their concerns about this thing," said

DeFazio. "Look for opportunities for public meetings. Contact the White House. And I'd suggest keeping the pressure on Sen. Gordon Smith, in particular."

Asked why he singled Smith out, DeFazio said that it was because Smith is a Republican, and "this is their deal."
