



American Public  
Gas Association



May 18, 2023

The Honorable Chuck Schumer  
Senate Majority Leader  
322 Hart Senate Office Building  
Washington D.C. 20510

The Honorable Mitch McConnell  
Senate Minority Leader  
317 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Kevin McCarthy  
Speaker of the House of Representatives  
2468 Rayburn House Office Building  
Washington, D.C. 20510

The Honorable Hakeem Jeffries  
House Minority Leader  
2433 Rayburn House Office Building  
Washington, D.C. 20510

Dear Leader Schumer, Leader McConnell, Speaker McCarthy, and Leader Jeffries,

As trade associations that represent hundreds of manufacturing and public gas companies, the American Forest & Paper Association<sup>1</sup> (“AF&PA”), the American Public Gas Association<sup>2</sup> (“APGA”), the Industrial Energy Consumers of America<sup>3</sup> (“IECA”), and the Process Gas Consumers<sup>4</sup> (“PGC”) provide good-paying jobs and economic support to our communities. We believe that U.S. infrastructure needs to provide “all-of-the-above” energy solutions affordably, reliably, and resiliently to American manufacturing, businesses, and citizens. Therefore, we voice our support for your continued efforts to pass much-needed energy permitting reform legislation. We appreciate the introduction of several bills that start the conversation on improving the permitting process and ensuring American energy can continue to move from areas of supply to areas of demand.

In order to maintain reliability and lower greenhouse gas (“GHG”) emissions, permitting reform legislation must address obstacles to developing and maintaining infrastructure that moves “all-of-the-above” energy solutions. We specifically encourage the committee to consider including the following priorities in the legislation:

- *Set maximum timelines for permitting reviews, including two years for National Environmental Policy Act (“NEPA”) reviews for major projects and one year for lower-impact projects.*
- *Address excessive litigation delays by instituting a statute of limitations for court challenges, enforcing a reasonable schedule and deadline for court proceedings, and mandating the random assignment of cases seeking judicial review to judges in a manner to avoid the appearance of favoritism or bias.*
- *Affirm the Federal Energy Regulatory Commission (“FERC”) has jurisdiction regarding the regulation of interstate hydrogen pipeline, storage, import, and export facilities.*

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<sup>1</sup> For more information, visit [afandpa.org](http://afandpa.org)

<sup>2</sup> For more information, visit [apga.org](http://apga.org)

<sup>3</sup> For more information, visit [ieca-us.com](http://ieca-us.com)

<sup>4</sup> For more information, visit [pgcg.com](http://pgcg.com)



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- *Designate and prioritize projects of strategic national importance.*
- *Amend Section 5 of the Natural Gas Act (“NGA”) to grant FERC the authority to issue refunds to interstate natural gas transportation customers that were charged unjust and unreasonable rates comparable to its authority under Section 206 of the Federal Power Act (“FPA”) to issue refunds to electric transmission customers.*
- *Require the appropriate Federal officers and agencies to take all necessary actions to permit the timely completion of the construction and operation of the Mountain Valley Pipeline.*

Today, natural gas is delivered safely through more than 2.6 million miles of transmission and distribution pipes to more than 187 million Americans who use this efficient, affordable fuel to heat their homes, their water, and cook their food. More than 4.1 million jobs, spread out through every state, are connected to the natural gas industry, with 3.4 million associated with local distribution companies, or those delivering energy directly to America’s homes and businesses. Further, these transmission and distribution pipelines, if allowed to be built and maintained, as well as the workers managing these assets, have the potential to move lower carbon fuels like renewable natural gas and hydrogen.

Additionally, America’s manufacturing companies need natural gas to manufacture the products used every day. Regionally, manufacturing companies already face pipeline capacity shortfalls during winter peak demand that disrupt operations at costs of millions of dollars per day. Without increased pipeline capacity, companies cannot reshore, invest and create jobs.

We urge Congress to continue on the path to permitting reform, building on the steps that have been taken by both chambers. Our country needs legislation to pass so American energy can continue to fuel our nation’s progress.

We look forward to continuing this conversation and we thank you for your consideration.

Sincerely,

American Forest & Paper Association  
American Public Gas Association  
Industrial Energy Consumers of America  
Process Gas Consumers Group

CC: Chairman Joe Manchin; Ranking Member John Barrasso; Chairman Tom Carper; Ranking Member Shelley Moore Capito; Chairman Cathy McMorris Rodgers; Ranking Member Frank Pallone; Chairman Sam Graves; Ranking Member Rick Larsen; The Honorable Garret Graves