

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE RESOLUTION

No. 375 Session of  
2008

INTRODUCED BY DINNIMAN, PILEGGI, RAFFERTY, C. WILLIAMS, WAUGH,  
TARTAGLIONE, STOUT, STACK, O'PAKE, MUSTO, MELLOW, LOGAN,  
LAVALLE, KITCHEN, KASUNIC, FONTANA, FOLMER, FERLO, ERICKSON,  
COSTA, BRUBAKER, BOSCOLA AND ARMSTRONG, SEPTEMBER 18, 2008

AS AMENDED, SEPTEMBER 24, 2008

## A RESOLUTION

1 Opposing certain Federal rules and procedures governing the  
2 regulation of the interstate transportation of natural gas  
3 and memorializing the Congress of the United States to repeal  
4 or modify certain provisions of the Natural Gas Policy Act of <—  
5 1978 ACT OF 1938. <—

6 WHEREAS, The Natural Gas Policy Act (NGPA) of 1978 ~~created~~ <—

7 AUTHORIZES the Federal Energy Regulatory Commission (FERC) to <—  
8 oversee the natural gas market; and

9 WHEREAS, The United States Supreme Court has ruled that state  
10 regulatory agencies, such as the Pennsylvania Public Utility  
11 Commission, have no authority over interstate gas pipelines; and

12 WHEREAS, The NGPA also ~~continued~~ CONTINUES the authority of <—  
13 natural gas companies to acquire private and public property  
14 through eminent domain; and

15 WHEREAS, These various Federal public policy decisions and  
16 rulings have resulted in a proliferation of interstate natural  
17 gas pipelines over which state and local governments have no  
18 authority; and

1       WHEREAS, The FERC natural gas certification process does not  
2 properly protect the Commonwealth of Pennsylvania's natural  
3 resources; and

4       WHEREAS, The FERC natural gas certification process also  
5 fails to properly take into account the interests and values of  
6 property owners; and

7       WHEREAS, Some property owners state that they were not  
8 properly notified of a project in their neighborhood, and the  
9 Natural Gas ~~Policy Act of 1978~~ ACT OF 1938 does not statutorily <—  
10 require that FERC hold a public hearing in the locality affected  
11 by a proposed gas pipeline; therefore be it

12       RESOLVED, That the Senate of Pennsylvania recognize fully the  
13 energy and environmental challenges facing the Commonwealth of  
14 Pennsylvania in general and the United States in particular; and  
15 be it further

16       RESOLVED, That the Senate believe that the demand for energy  
17 continues to be a concern nationwide and that an effective  
18 national energy policy must include increased emphasis on  
19 conservation, renewable energy, demand-side management, as well  
20 as increased production, and an emphasis on siting power  
21 generation near demand; and be it further

22       RESOLVED, That the Senate recognize that an effective energy  
23 policy must be addressed nationally but should reflect  
24 traditional State and local authority over environmental and  
25 energy matters; and be it further

26       RESOLVED, That the Senate urge the members of the  
27 Pennsylvania Congressional Delegation to support legislation to  
28 amend section 7(e) of the Natural Gas ~~Policy Act of 1978~~ ACT OF <—  
29 1938 to require that the Federal Energy Regulatory Commission  
30 hold a public hearing in localities prior to authorization if so

1 requested; and be it further

2       RESOLVED, That the Senate urge the members of the  
3 Pennsylvania Congressional Delegation to further amend the  
4 Natural Gas ~~Policy Act of 1978~~ ACT OF 1938 so as to preserve the <—  
5 fundamental rights of the Commonwealth of Pennsylvania and its  
6 local governments and its citizens to determine the future of  
7 land-use policies; and be it further

8       RESOLVED, That copies of this resolution be transmitted to  
9 the presiding officers of each house of Congress and to each  
10 member of Congress from Pennsylvania.