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Protecting the environment for wildlife in support of the natural world that sustains us all.

July 24, 2026

Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Comments of Berkshire Environmental Action Team on
FERC Rulemaking Blanket Certificate Cost Limitations FERC Docket #RM25-12

Dear Secretary Reese,

Berkshire Environmental Action Team (BEAT) is a 501(c)3 organization with a mission to protect the environment for wildlife in support of the natural world that sustains us all. BEAT advocates for safe, clean, accessible energy for all and opposes toxic, dangerous fossil fuel infrastructure, including fracked gas pipelines, compressor stations, meter stations, LNG facilities, and expansions of local gas systems.

Thank you for the opportunity to comment on the proposed blanket certification regulation changes, which expand the scope and scale of projects that interstate natural gas pipelines may construct without a case-specific authorization order and increase the cost limits for these projects. The proposed rule would expand the number, size, and types of projects eligible for streamlined authorization. The Commission should ensure that these changes remain consistent with the purpose of the blanket certificate program, the Natural Gas Act, and the Commission's obligation to protect ratepayers, landowners, and the environment before adopting the proposed rule.

1. **The data informing the Commission's proposed cost limits is unreliable**

The Commission uses INGAA's study detailing pipeline construction costs to inform its proposed increase in blanket certification cost limits.[1] However, the deficiencies in the INGAA study warrant additional scrutiny, including its use of outdated 2018 data. Although Commission staff has found "no analytical flaws in the methodology and verified that costs have risen as INGAA concludes," the extent to which the INGAA's study concludes costs have risen has not been verified by experts familiar with the factors impacting pipeline construction cost.[2]

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[1] The INGAA Foundation, Inc. "North America Midstream Infrastructure Through 2035." Interstate Natural Gas Association of America Foundation, 18 June 2018, https://ingaa.org/foundation/resources/north-america-midstream-infrastructure-through-2035-significant-development-continues/.

[2] NOPR at ¶ 16. Federal Energy Regulatory Commission. (2026, May 27). Revisions to the blanket certificate program. Federal Register, 91, 31371–31392.

Therefore, the Commission should have an impartial (or non-industry aligned) analyst verify INGAA's figures in light of the evidence that the industry funded INGAA Study is not a reliable predictor of pipeline construction costs. Additionally, project cost is not a measure of environmental impact. The Commission should explain why increasing blanket certificate cost limits will not result in projects with greater environmental impacts proceeding without project-specific review.

2. The Commission should demonstrate that expanded blanket authorization remains consistent with the purpose of the blanket certificate program

The blanket certificate program was established to facilitate routine, relatively minor activities that do not result in significant adverse impacts. As project cost limits and eligible project categories expand, the Commission should explain why these activities continue to satisfy the original premise for the blanket certificate program.

If INGAA's analysis accurately reflects the extent to which gas construction costs have and will continue to increase, the Commission must provide a reasoned assessment of whether the enlarged scope of the blanket certificate program satisfies the public and convenience and necessity standard of the Natural Gas Act. The fundamentally relevant question, as the Commission identified in 2006, is "not the extent to which construction costs may have changed over the last quarter century, but whether blanket certificate activities can be expanded without compromising the program's premise that there be no significant adverse impacts on existing ratepayers, services, or the environment."[3] To the extent that the doubling of automatic and prior notice project cost limits expands the cost, size, and types of activities done under blanket authorization, the Commission must ensure that its effort to reduce unnecessary regulatory burdens does not come at the expense of reducing the regulatory safeguards protecting ratepayers, homeowners, and the environment.

3. The Commission should adopt spending caps on blanket certification projects

Although the Commission has faced ongoing litigation and regulatory scrutiny regarding illegal segmentation, the Commission rarely initiates these investigations. Fighting segmentation prohibited by the Commission is increasingly difficult and litigious to all parties involved, namely federal courts, environmental watchdogs, and the Commission itself. The fact that the Commission already prohibits segmentation should not be cited as a reason for the Commission to decline to adopt policies that aid in their prevention.[4]

Multiple blanket certificate projects undertaken on the same pipeline system may collectively alter system capability and environmental impacts even if each individual project falls below the applicable cost threshold.

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[3] Federal Energy Regulatory Commission. "Revisions to the Blanket Certificate Regulations and Clarification Regarding Rates 18 CFR Part 157 [Docket No. RM06-7-000]." Federal Register, 26 June 2006, https://www.federalregister.gov/documents/2006/06/26/06-5618/revisions-to-the-blanket-certificate-regulations-and-clarification-regarding-rates.

[4] The Commission declined to adopt a spending cap citing that the Commission already prohibits segmentation. NOPR at ¶ 18. Federal Energy Regulatory Commission. (2026, May 27). Revisions to the blanket certificate program. Federal Register, 91, 31371–31392.

Currently, there is no limit on the number of projects that a single pipeline developer can propose each year despite cost limits existing for individual projects. This blind spot in the current regulations invites the illegal segmentation of larger, more regulated projects into several smaller ones under blanket authorization. Therefore, a fixed limit or a certain percent of the value of each pipeline's physical assets, like those proposed by the Environmental Defense Fund, should be implemented to limit the number of projects a pipeline can propose and thus provide a regulatory safeguard against what the Commission already considers illegal.

The Commission has cited this proposal as unnecessarily limiting to one of the program's purposes: to "provide streamlined procedures that increase flexibility and reduce regulatory burdens." However, the original design and intent of the program sought to limit blanket authorization to projects modest in scope. Thus, the program's design and intent necessitates that efficient buildout of minor pipeline projects comes second to providing crucial protection against ratepayer and environmental harm—consistent with the Commission's primary obligation to protect consumers.[5] The suggested cost limit for a total number of projects approved under blanket authorization allows for the delicate balance between regulatory efficiency and caution against segmentation and ratepayer harm to be maintained.

4. **Cumulative effects of multiple blanket certificates**

The Commission should explain how it will evaluate the cumulative impacts of multiple blanket certificate projects when determining whether individual projects remain eligible for streamlined authorization. Although each project may qualify individually, multiple blanket certificate projects on the same pipeline system can collectively expand infrastructure, increase system capacity and result in greater environmental impacts. The Commission should explain how it considers these cumulative impacts to ensure that projects do not avoid project-specific review simply because they are proposed as a series of smaller actions.

5. **Mainline facility changes are too consequential to fall under automatic authorization**

Compressor station expansions, looping, and other mainline facilities affect air quality, greenhouse gas emissions, noise, and nearby communities. Because these projects have the potential for significant environmental impacts, the Commission should retain prior-notice procedures for project-specific review and public participation.

The NOPR incorporates mainline facilities (compression and looping) that are not "eligible facilities" under § 157.202(b)(2)(i)) into § 157.208(a)(3) for automatic authorization. Although BEAT supports the Commission's recommendation to evaluate air and noise impacts of compressor station expansion projects under all information required by § 380.12(k), the Commission should reject INGAA's proposal to include mainline facilities under the automatic

[5] "The Natural Gas Act's "primary aim" is "to protect consumers against exploitation at the hands of natural gas companies". FPC v. Hope Natural Gas Co., 320 U.S. 591, 610 (1944)

program.[6] Blanket certification was designed by the Commission for projects with little impact on ratepayers. However, compressor stations result in air quality, noise, and greenhouse gas impacts–disproportionately affecting minority and low income communities[7]– that warrant project-specific review. As a result of the significant health and economic impacts compression station changes have on ratepayers, **the Commission should consider compression stations ineligible for automatic procedures and remain under prior notice procedures to give stakeholders an opportunity to comment on matters of significant impact to them.**

The NOPR removes cost caps for receipt points, which would be treated the same as delivery points eligible for automatic authorization with no cost limit, under the rationale that both have "essentially identical" construction and operation.[8] However, it does not follow from similar costs and facilities that potential environmental impacts of delivery and receipt points are the same. For example, new receipt points are more likely than new delivery points to require new compression stations because they usually connect to sources at pressures below the levels used for gas transmission.[9] The Commission should provide additional analysis demonstrating that receipt points and delivery points present comparable environmental impacts rather than comparable construction characteristics alone.

6. Expanding Blanket Authorization limits opportunities for public participation

Expanding the number and types of projects eligible for blanket authorization would reduce opportunities for project-specific environmental review and public participation. Individual certificate proceedings provide opportunities for affected landowners, Tribal Nations, local governments, environmental organizations, and members of the public to review project-specific information and raise concerns before construction begins. As additional projects become eligible for automatic or streamlined authorization, fewer projects may receive this level of public review. The Commission should explain how the proposed rule preserves meaningful participation while expanding the scope of projects eligible for blanket authorization.

Landowners should be given notice of the threat pipeline construction may pose to their land, should be given an opportunity to provide input on the routing process, and this input should be meaningfully taken into account. The Commission should continue to strengthen notice requirements for affected landowners and ensure that they receive timely information regarding proposed construction, potential impacts on their property, and what are the opportunities to participate before construction begins.

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[6] NOPR ¶ 71. Federal Energy Regulatory Commission. (2026, May 27). Revisions to the blanket certificate program. Federal Register, 91, 31371–31392.

[7] Davis, C. D., Frazier, C., Guennouni, N., King, R., Mast, H., Plunkett, E. M., & Quirk, Z. J. (2023). Community Health Impacts From Natural Gas Pipeline Compressor Stations. GeoHealth, 7(11), e2023GH000874. https://doi.org/10.1029/2023GH000874

[8] NOPR at ¶ 52. Federal Energy Regulatory Commission. (2026, May 27). Revisions to the blanket certificate program. Federal Register, 91, 31371–31392.

[9] The Iroquois Wright Interconnect Project pairs a new receipt-point interconnection with a new 21,800-hp transfer compressor station built to move gas from the new receipt point into the Iroquois system. Federal Energy Regulatory Commission. "Iroquois Gas Transmission System, L.P.; Notice of Petition and Establishing Intervention Deadline." Federal Register, 27 Feb. 2026, https://www.federalregister.gov/documents/2026/02/27/2026-03948/iroquois-gas-transmission-system-lp-notice-of-petition-and-establishing-intervention-deadline.

Sincerely,

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