

# CITY OF JERSEY CITY

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## ***FERC to Rehear Jersey City Motion on the Proposed Spectra Natural Gas Pipeline Mayor Healy Continues Opposition & Vows Court Battle if Necessary***

JERSEY CITY — Mayor Jerramiah T. Healy announced today that the Federal Energy Regulatory Commission (FERC) has announced a rehearing on Thursday, Oct. 18, 2012 of the petition to construct the controversial Spectra Energy natural gas pipeline.

In May, FERC conditionally approved the proposal by Spectra Energy to construct a high-pressure natural gas pipeline in Jersey City. At that time, the City of Jersey City filed a **43-page Request for Rehearing** that, among other things, called into the question the constitutionality of FERC to fairly evaluate construction proposals for gas pipelines since the agency is funded entirely on fees generated by energy companies.

“We are pleased that FERC is rehearing this petition, as we felt the initial approval lacked an independent and thorough analysis by the agency,” said **Mayor Healy**. “However, we know this is an uphill battle and it is quite possible that FERC will uphold its original position. If that happens, as we have stated previously, we will take this issue to the federal circuit court to seek relief.”

The City’s argument in its petition for a rehearing is that, since energy companies entirely fund FERC, FERC is biased toward those companies in a way that violates fundamental rights to due process.

The Request cited research that found since 2010, FERC has approved nearly three (3) dozen pipelines. In every case but one, the agency approved the pipeline route that the pipeline company proposed – despite the existence of dozens of viable – even preferable – alternatives.

“We have argued throughout this process that it has been one lacking any independent or thorough analysis by FERC,” said **Mayor Healy at the time of filing for a rehearing**. “The findings or arguments made by the pipeline company have been taken as gospel by FERC, while most, if not all, of our concerns have either been downplayed or disregarded altogether.”

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The City in its petition also took issue with FERC's decision to approve the Texas Eastern, LP pipeline, as the agency still hasn't answered key questions on major issues such as safety, the impact of the pipeline on Jersey City's booming development, and the threat of terrorism.

"Until FERC answers these questions, the agency's approval of the pipeline should not stand," said **Mayor Healy**.

For more than two years, **Mayor Healy** and the City of Jersey City have argued that this pipeline, which would be 30-inches in diameter with a possible pressure of 1,200 pounds per square inch, is the first of its magnitude in such a densely populated area as Jersey City. City officials, from engineers, to homeland security, to economic development experts, have challenged Spectra's claims and argued that such a pipeline would be devastating for a city like Jersey City. In fact, proposals have been made to avoid Jersey City altogether by constructing a route beneath the Hudson River.

"The proposed route for this pipeline takes it by several schools, parks, ball fields, hospitals, critical transportation infrastructure, and dense housing within our city," said **Mayor Healy**. "Based on what we have seen from pipeline accidents across the country recently and in the past, including one yesterday in Nyack, New York, we know that incidents do happen and one in Jersey City would be catastrophic."

**To read more about the City's opposition to the proposed Spectra Energy natural gas pipeline, please visit the city's website at [www.jerseycitynj.gov](http://www.jerseycitynj.gov).**

**All media inquiries should be directed to Jennifer Morrill, Press Secretary to Mayor Jerramiah T. Healy at 201-547-4836 or 201-376-0699.///**