

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

VIA FERC Service

In Reply Refer To:

OEP/DPC/CB-2

Saguaro Connector Pipeline, LLC

Docket No. CP23-29-000

§ 375.308(x)(3)

November 13, 2023

Denise Adams
Director, Regulatory Affairs
ONEOK, Inc.
100 West 5th Street
Tulsa, Oklahoma 74103

Re: Data Request

Dear Denise Adams:

On November 8, 2023, the U.S. Department of State, Office of Global Change (State Department) submitted a request for a greenhouse gas (GHG) emissions analysis for the Saguaro Connector Pipeline Project that covers lifecycle upstream and downstream GHG emissions. As stated in the Environmental Assessment issued for the project, the courts have explained that because the authority to authorize natural gas exports rests with Department of Energy, the National Environmental Policy Act does not require the Commission to consider the upstream or downstream GHG emissions that may be indirect effects of the export itself.¹ Thus, the State Department request is beyond the scope of the Commission's analysis in this proceeding.

Under Executive Order No. 10485, the Commission may issue a presidential permit only "after obtaining the favorable recommendations of the Secretary of State and the Secretary of Defense." The State Department's information request, is set forth in accession number 20231109-3024, also shown in the attachment to this letter. Please coordinate with the State Department to address their information needs to complete their review.

¹ See *Sierra Club v. FERC*, 827 F.3d 36, 46-47 (D.C. Cir. 2016) (the Department of Energy's "independent decision to allow exports—a decision over which the Commission has no regulatory authority—breaks the NEPA causal chain and absolves the Commission of responsibility to include in its NEPA analysis considerations that it 'could not act on' and for which it cannot be 'the legally relevant cause.'").

File your response in accordance with the provisions of the Federal Energy Regulatory Commission's (FERC or Commission) Rules of Practice and Procedure. In particular, 18 C.F.R. § 385.2010 (Rule 2010) requires that you serve a copy of the response on each person whose name appears on the official service list for this proceeding.

When filing documents and maps be sure to prepare separate volumes, as outlined on the Commission's website at <https://www.ferc.gov/ceii-filing-guide>. Any Critical Energy Infrastructure Information should be filed as nonpublic and labeled "Contains Critical Energy Infrastructure Information—Do Not Release" (18 C.F.R. § 388.112) and should be filed separately from the remaining information, which should be marked "Public."

Please file a complete response within seven (7) days of the date of this letter. If certain information cannot be provided within this time frame, please indicate which items will be delayed and provide a projected filing date. File all responses under oath (18 C.F.R. § 385.2005) by an authorized representative of Saguaro and include the name, position, and telephone number of the respondent to each item.

Sincerely,

Noor Ahmad
Chemical Engineer
Division of Pipeline Certificates
Office of Energy Projects

Attachment

From: [Maroney, Hagen D](#)
To: [Cyrus Zaraby](#)
Cc: [Kotaniyan, Henry](#); [Allston, Mark R](#); [McManus, Matthew T](#); [Wing, Robert D](#); [Ticknor, Scott B](#); [Rodriguez Alvez, Fernando N](#); [Livingston, David W](#)
Subject: Additional Information Request for U.S. Department of State Saguaro Pipeline Application Review
Date: Wednesday, November 8, 2023 6:07:17 PM
Attachments: [image001.png](#)

You don't often get email from maroneyhd@state.gov. [Learn why this is important](#)

In reference to Docket no. CP23-29-000

The U.S. Department of State requests that **by COB, Friday, November 17**, the Federal Energy Regulatory Commission (FERC) provide the Department with a greenhouse gas (ghg) emissions analysis for the Saguaro pipeline project that covers lifecycle upstream and downstream ghg emissions rather than only the local project construction and operation ghg emissions described in FERC's Environmental Assessment for the project. Providing a full lifecycle ghg analysis for the Saguaro project would be consistent with the September 21, 2023, *Fact Sheet: Biden Harris Administration Announces New Action to Reduce Greenhouse Gas Emissions and Combat the Climate Crisis*, in which the President directs agencies to consider ghg impacts in environmental reviews conducted pursuant to the National Environmental Policy Act (NEPA). The Fact Sheet cites the Council on Environmental Quality's (CEQ's) January 2023 interim guidance on how agencies should consider ghg emissions in their NEPA reviews and notes that the public comment period on the interim guidance closed on April 2023 and CEQ is now working to finalize this guidance.

Sincerely,
Hagen

Hagen Maroney
Deputy Director
Office of Global Change (OES/EGC)
Teleworking: 401-363-6887 | Office: 202.647.3935 | MaroneyHD@state.gov

