

STATE OF ALASKA THE LEGISLATURE

2005

Source
SCR 15

Legislative
Resolve No.
13



Authorizing the Legislative Budget and Audit Committee to pursue and direct litigation relating to state natural gas transportation.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the economic and fiscal futures of the state are closely tied to the commercialization of North Slope natural gas; and

WHEREAS the current climate of increasing national demand for natural gas combined with declining natural gas reserves has created a demand for the state's energy resources; and

WHEREAS the United States Congress passed and the President of the United States signed into law the Alaska Natural Gas Pipeline Act to bring the state's North Slope natural gas to the lower 48 states; and

WHEREAS the Alaska Natural Gas Pipeline Act (P.L. 108-324) required the Federal Energy Regulatory Commission to issue regulations governing the conduct of open seasons for state natural gas transportation projects; and

WHEREAS the Legislative Budget and Audit Committee provided testimony and written comments to the Federal Energy Regulatory Commission during the development of

the open season regulations; and

WHEREAS the Federal Energy Regulatory Commission issued Order No. 2005 on February 9, 2005, and the totality of the regulations was consistent with the substance of the testimony and comments of the Legislative Budget and Audit Committee; and

WHEREAS Order No. 2005 conforms to the congressional mandate that the open season regulations promote competition in the exploration, development, and production of Alaska natural gas; and

WHEREAS Order No. 2005 also meets congressional directives to provide for access to in-state delivery points for local consumption needs within the state; and

WHEREAS ChevronTexaco Natural Gas, a division of Chevron U.S.A., Inc., filed an appeal to the United States Court of Appeals for the District of Columbia on April 8, 2005, challenging Federal Energy Regulatory Commission Order No. 2005; and

WHEREAS, in order to preserve the ability of the Alaska State Legislature to voice concerns or objections or provide relevant facts and testimony to the United States Court of Appeals for the District of Columbia, it is necessary to file a motion to intervene within 30 days of the appeal;

BE IT RESOLVED that the Alaska State Legislature delegates to the Legislative Budget and Audit Committee the full authority to intervene, appeal, and take all action necessary to pursue and direct litigation regarding the Federal Energy Regulatory Commission Order No. 2005; and be it

FURTHER RESOLVED that the Legislative Budget and Audit Committee is authorized to hire counsel and make all decisions concerning the objectives, scope, and means of pursuing these objectives, including settlement, compromise, and appeal.