Western States and Tribal Nations Natural Gas Initiative Who are They, Really?

National fossil fuel front groups target Oregon while promoting LNG export terminal and pipeline project

The Western States and Tribal Nations Natural Gas Initiative and its national creators, Consumer Energy Alliance and HBW Resources LLC, are pushing for the Jordan Cove Energy Project & Pacific Connector Gas Pipeline. These entities are seeking to advance a long-time industry agenda to expand fossil fuel development.

A Research Brief

Shirley Weathers, Ph.D., and Juliet Grable August 3, 2020

EXECUTIVE SUMMARY

Oregon was introduced to the <u>Western States and Tribal Nations Natural Gas Initiative</u> (<u>WSTN</u>) via a <u>full-page ad</u> in *The Oregonian* on Sunday, May 24, 2020. The ad urged Governor Kate Brown "to give Oregonians and the tribal and rural communities of the West the jobs they need at a time when they need them most. Please let Jordan Cove do its part."

Jordan Cove refers to the Jordan Cove Energy Project and Pacific Connector Gas Pipeline (JC/PC). This proposed project would site a new liquefied natural gas (LNG) facility and export terminal on the coast of Oregon. It would be supplied via a new 229-mile, 36-inch pipeline, beginning at a major interstate gas hub near Malin, Oregon, just north of the California border, and angling west to Coos Bay, a gateway port to the Pacific.

The project, which since 2017 has been owned by Pembina Pipeline Corporation of Calgary, Alberta, has been under consideration for over 15 years. In March 2020, the Federal Energy Regulatory Commission (FERC) issued an Order approving the two critical Natural Gas Act (NGA) authorizations needed to construct and operate the project; however, the project has yet to acquire several key permits and certifications. The FERC Order faces multiple challenges in Federal court--by the State of Oregon, landowners, Tribes, environmental groups, and other non-governmental organizations (NGOs). The project is dedicated 100% for LNG export to Asian markets and the record shows that most, if not all, of the gas exported would be sourced from Canada.

Opponents of the proposal over its lifetime represent a broad coalition of interests: people concerned about the potential negative environmental, cultural, and health and safety impacts of the LNG terminal and pipeline, climate change activists, crabbers and fishermen, Tribes, community residents concerned about the potential hazard of locating the terminal within a tsunami zone, and landowners facing eminent domain.

Project supporters tout the economic benefits and jobs Jordan Cove would bring to an economically depressed region. In more recent years, support has also come from Rocky Mountain gas-producing states including Utah, Wyoming, and Colorado. Now, WSTN is prescribing JC/PC as the economic cure for states hit hard by the COVID-19 pandemic.

The appearance of the WSTN ad prompted us to investigate the organization and its ties to the fossil fuel industry. We quickly learned that WSTN is associated with a national non-profit organization called Consumer Energy Alliance (CEA) and a Houston-based consulting firm, HBW Resources LLC (HBW). Thanks to the investigative efforts of platforms like *Inside Climate News* and DeSmogBlog, we learned that CEA and HBW have long been involved in efforts to promote the fossil fuel industry, often using underhanded and misleading tactics. They often work through the formation of campaigns and new, often regional, organizations (such as WSTN) that are made to appear to have sprung from the grass roots. CEA and HBW have thrown their support behind WSTN and are working behind the scenes to make sure JC/PC becomes a reality.

This briefing paper presents the results of our initial exploration of WSTN, CEA, and HBW. The three entities, particularly CEA and HBW, are closely related, to the point where it's difficult to separate them or assign responsibility for their actions. Nevertheless, we have tried

to differentiate among them, identify key players, describe past campaigns, and anticipate their next moves when it comes to promoting JC/PC.

Our research has convinced us that they are preparing to put significant pressure on Oregon's elected officials and otherwise join the ongoing effort by Pembina, the larger fossil fuel industry, their allies in the Trump Administration, and officials in gas- and oil-producing regions to use Oregon as a conduit to achieving their goals.

CONTENTS

List of Acronyms	V
Introduction	
1. What is Western States and Tribal Nations Natural Gas Initiative (WSTN)?	
2. What is Consumer Energy Alliance (CEA)?	4
2a. CEA's Ties to Washington, DC	6
2b. CEA's "Campaigns"	7
2c. CEA's relationship with Pembina, and how CEA is promoting JC/PC	9
2d. CEA's Climate Change messaging	10
2e. CEA and Renewable Energy	12
2f. Selected Additional CEA Reports and Presentations	13
3. What is HBW Resources LLC (HBW)	
4. More on the Key Players	
Conclusion	19
References	

LIST OF ACRONYMS

APGA	American Public Gas Association
CEA	Consumer Energy Alliance
CZMA	Coastal Zone Management Act
DEIS	Draft Environmental Impact Statement
DOE	(U.S.) Department of Energy
EPA	Environmental Protection Agency
FERC	Federal Energy Regulatory Commission
HBW	HBW Resources LLC
GHG	greenhouse gas
JC/PC	Jordan Cove Energy Project and Pacific Connector Gas Pipeline
LNG	liquefied natural gas
MMT	million metric tons
NERA	New England Ratepayers Association
NGA	Natural Gas Act
NGO	non-governmental organization
OCS	Outer Continental Shelf (Governors Coalition)
PC	Pacific Connector Gas Pipeline
PCGP	Pacific Connector Gas Pipeline
RPSEA	Research Partnership to Secure Energy for America
SCIC	Seven County Infrastructure Coalition
USD	U.S. Dollars

WSTN Western States and Tribal Nations (Natural Gas Initiative)

INTRODUCTION

On Sunday, May 24, 2020 Oregon was introduced to the <u>Western States and Tribal</u> <u>Nations Natural Gas Initiative (WSTN)</u> via a <u>full-page ad</u> in *The Oregonian*. The ad urged Governor Kate Brown "to give Oregonians and the tribal and rural communities of the West the jobs they need at a time when they need them most. Please let Jordan Cove do its part."

Jordan Cove refers to the Jordan Cove Energy Project and Pacific Connector Gas Pipeline (JC/PC). This proposed project would site a new liquefied natural gas (LNG) facility and export terminal on the coast of Oregon. It would be supplied via a new 229mile, 36-inch pipeline, beginning at a major interstate gas hub near Malin, Oregon, just north of the California border, and angling west to Coos Bay, a gateway port to the Pacific.

The project, which since 2017 has been owned by Pembina Pipeline Corporation of Calgary, Alberta, has been under consideration for over 15 years. In March 2020, the Federal Energy Regulatory Commission (FERC) issued an Order approving the two critical Natural Gas Act (NGA) authorizations needed to construct and operate the project; however, the project has yet to acquire several key permits and certifications. The FERC Order faces multiple challenges in Federal court--by the State of Oregon, landowners, Tribes, environmental groups, and other non-governmental organizations (NGO). The project is dedicated 100% for LNG export to Asian markets and the record shows that most, if not all, of the gas exported would be sourced from Canada.

Opponents of the proposal over its lifetime represent a broad coalition of interests: people concerned about the potential negative environmental, cultural, and health and safety impacts of the LNG terminal and pipeline, climate change activists, crabbers and fishermen, Tribes, community residents concerned about the potential hazard of locating the terminal within a tsunami zone, and landowners facing eminent domain.

Project supporters tout the economic benefits and jobs Jordan Cove would bring to an economically depressed region. In more recent years, support has also come from Rocky Mountain gas-producing states including Utah, Wyoming, and Colorado. Now, WSTN is prescribing JC/PC as the economic cure for states hit hard by the COVID-19 pandemic.

The WSTN ad was attributed to 30 entities. Two are individual Oregon county commissioners and three are in-state labor organizations. The remaining 25 are outside of Oregon, including 20 local government entities in Colorado, Wyoming, and Utah, and five labor organizations.

Interestingly, the ad did not include the only Tribal entity involved in WSTN: the Ute Indian Tribe of the Uintah and Ouray Reservation in eastern Utah.

WSTN's *Oregonian* ad appeared just as the State of Oregon had begun responding to JC/PC's efforts to obtain federal assistance to override the state's denial of two key state permits in the midst of the COVID-19 pandemic and its far-reaching impacts. With the FERC approval in hand, JC/PC has asked the Secretary of Commerce to overrule

Oregon's objection to the Project's Coastal Zone Management Act (CZMA) consistency certification. They have also asked FERC to render moot Oregon's denial in May 2019 of the project's Section 401 Water Quality permit by finding that the state exceeded the allowable 12 months and therefore waived its authority. The State, several tribal groups, landowners at risk of eminent domain takings, and NGOs are also appealing FERC's two key NGA authorizations before the D.C. Court of Appeals. WSTN and their national backers' interference in Oregon's efforts to protect its citizens and resources is not welcome.

Indeed, for some months it has been clear that WSTN was created as part of a larger agenda than COVID-19 recovery, local jobs or even giving Western gas-producing states access to markets. Preliminary research shows that WSTN is a new version of a timeworn tool used by long-term proponents of fossil fuel development working with and through a national non-profit organization called Consumer Energy Alliance (CEA) and the consulting firm, HBW Resources LLC (HBW), and its clients.

Courthouse News carried <u>this story</u> on May 22, based on advance notice of the ad from observers closer to WSTN's target states. DeSmogBlog posted additional <u>insight</u> on June 18. <u>Our Land Our Lives</u>, a website devoted to southern Oregon landowners resisting eminent domain seizure of their property by JC/PC's Canadian owners, shed more light on the effort in a <u>blog</u>. A story in <u>Street Roots</u> highlighted the fact that most Oregon Tribes that would be directly affected by the project staunchly oppose it.

This briefing paper presents the results of initial exploration of WSTN, CEA, and HBW. The three entities, but particularly CEA and HBW, are closely related, to the point where it is difficult to separate them or assign responsibility for their actions. Nevertheless, we have tried to differentiate among them, identify key players, describe past campaigns, and anticipate their next moves when it comes to promoting JC/PC.

Key players within those entities are referenced throughout, but are also featured individually in the final pages, along with a few of their higher profile colleagues. Research relies on internet sources and is not intended to be exhaustive.

1. What is Western States and Tribal Nations Natural Gas Initiative (WSTN)?

Their mission statement:

Western States and Tribal Nations (WSTN) is a unique initiative created to foster economic development in the rural communities of Western States, promote tribal self-determination and improve the environment by eliminating natural gas flaring and making cleaner fuels available to Asian energy markets. The key to unlocking this global potential is facilitating the global export of Western natural gas through LNG facilities on North America's West Coast.

The genesis of WSTN is rooted in a study commissioned by the Colorado Energy Office under the administration of former Gov. John Hickenlooper, the Utah Governor's Office of Energy Development, and the Ute Indian Tribe through a grant by Colorado Mesa University's Unconventional Energy Center. The report, released in April 2019, saw promise in natural gas exports from Western sources because of their relative proximity to the Pacific Ocean (half the shipping distance than to comparable facilities in the Gulf of Mexico), significant and available pipeline infrastructure in place and unprecedented LNG demand from Asian countries.

The <u>report</u> mentioned was written by <u>The Research Partnership to Secure Energy for</u> <u>America (RPSEA)</u> and Mercator Energy. RPSEA is a 501(c)(3) not-for-profit corporation that describes itself as "a consortium of premier U.S. energy industry, research universities, independent research organizations, and foundations collaborating with state and federal agencies to meet the nation's growing need for hydrocarbon resources produced from reservoirs in America." RPSEA is focused on research that promotes transporting hydrocarbons from onshore reservoirs, including unconventional (fracked gas) reservoirs. RPSEA has no employees but 23 Directors; their <u>2017-18 tax return</u> indicates that the organization received \$77,500 in membership dues and \$97,779 in unidentified "Industry contracts." The address is listed as 2211 Norfolk, Houston TX, 77098.

The report and two presentations given by WSTN's CEO Andrew Browning to pro-fossil fuel local government groups in Utah and Wyoming indicate that one of WSTN's major goals is the construction and operation of the proposed JC/PC. On February 21, 2020, Mr. Browning told the Seven County Infrastructure Coalition (SCIC) of Utah (audio tape, 11:26) that the organization was "formed between the Colorado Energy Office, the Utah Governor's Office of Energy Development and the Ute Indian Tribe." He told them, as he did the Sweetwater County (WY) Commissioners on May 19 2020 (video, 2:04:43), that JC/PC is the key to giving shale gas being extracted from the Uinta Basin and Piceance Basin through hydraulic fracturing (fracking) access to burgeoning markets in Asia. He discussed the strategy for pressuring Oregon with both groups. He did not mention to either group actions by JC/PC's Canadian corporate owners that could severely limit how much U.S. gas would wind up in the pipeline. Pembina has permits in hand from both the National Energy Board of Canada and the U.S. Department of Energy (DOE) to ship Canadian gas to the Jordan Cove terminal for 100% of the pipeline capacity.

WSTN's <u>2019 tax return</u> shows that they are a 501(c)(4) non-profit. Like RPSEA, the address is 2211 Norfolk, Suite 610, Houston, TX 77098. Their gross revenue = \$73,833. Although Mr. Browning indicated to the Sweetwater County (WY) Commission that they invite memberships for \$5,000, the return reports no income from dues or memberships in that year. Income was all from "Contributions, gifts, grants, and similar amounts received." Sources are not reported. Expenses were almost exclusively for consulting fees just under \$5,000, leaving total assets at \$68,000. The return describes their activities as follows:

EDUCATION, ADVOCACY, COLLABORATION AND ENGAGEMENT: Program services will include 1) building a platform of engagement for policymakers, public officials and the general public on the benefits of natural gas in the western states; 2) communicating the opportunity and benefits of providing natural gas; and 3) developing a framework for stakeholder engagement where interest groups and stakeholders can convene, provide input and help steer the WSTN process.

Officers are Andrew Browning, President and CEO, and David Holt, CFO. Neither one is compensated per the return. Both are founders and key figures within <u>CEA</u>. Both also play lead roles within <u>HBW</u>.

2. What is Consumer Energy Alliance (CEA)?

Their website says this:

For more than 14 years [formed in 2008], Consumer Energy Alliance has worked alongside dedicated citizens and community leaders nationwide, <u>advocating</u> for sensible energy policies for all consumers, such as families and small businesses, by providing sound, unbiased information on energy issues.

During this time we have helped advance the needs of individuals, families, and businesses, both large and small who have been forgotten in the energy debate, mostly those who can least afford to pay more for energy, but others who are struggling to meet budgets and keep their doors open.

Our individual <u>members</u> make up our friends and neighbors who, each and every day, are trying to make a living and contribute to society. Our organizational members also include a collection of companies from across the U.S. that not only employ people, grow and raise the food we eat, but they also produce and sell the goods that all American's [*sic*] use and rely on daily. They are farmers, academia, conservation groups, truck drivers, laborers, trades-people, energy producers, manufacturers, and small business owners.

As an organization advocating for all types of energy consumers across this nation, CEA continues to stand by its commitment to ensuring families – especially low-income individuals and those on fixed incomes or living paycheck-to-paycheck – and businesses trying to meet budgets and payrolls are able to access the energy they need.

CEA and our diverse <u>Board of Directors</u> hope you'll join us as we seek to help people and our policymakers learn more about all of the forms of energy we use in cities and states across the nation, and how sensible policies and thoughtful solutions can help us continue to develop our energy while we meet our environmental, conservation and efficiency goals.

Members include 189 in the category "Consumers/Business/Agriculture/Industry/End Users" and 91 "Energy Providers, Suppliers," among them BP, Chevron, Exxon Mobil, Marathon, and JC/PC's owner, Pembina.

Dun & Bradstreet <u>reports</u> that "Consumer Energy Alliance is located in Houston, TX, United States and is part of the Metal Valve & Pipe Fitting Manufacturing Industry. Consumer Energy Alliance has 13 total employees across all of its locations and generates \$4.61 million in sales (USD)." David Holt is listed as the Principal (recall he is the CFO of WSTN) and Brett Vassey is Chair of the Board. (Andrew Browning is not mentioned by D&B, but he is, in fact, <u>CEA's Chief Operating Officer</u>, as well as WSTN's President and CEO.)

CEA is a 501(c)(4) non-profit corporation. Its address is the same as both WSTN and RPSEA in Houston, TX. Its <u>2018 tax return (Form 990)</u>, shows revenues of \$4,610,666, almost entirely from "Contributions and grants." They paid HBW \$2,815,629 for "Management and Professional" services that year. They paid <u>Wexford Strategies</u> \$119,000 for "Government Affairs."

Sourcewatch.org, a liberal watchdog organization, <u>described</u> CEA this way:

The **Consumer Energy Alliance** (CEA) is a nonprofit organization and a front group for the energy industry that opposes political efforts to regulate carbon standards while advancing deep water and land-based drilling for oil and methane gas. The CEA supports lifting moratoria on offshore and land-based oil and natural gas drilling, encourages the creation and expansion of petroleum refineries and easing the permitting process for drilling. The group also says it supports energy conservation. CEO portrays itself as seeking to ensure a "proper balance" between traditional non-renewable and extractive energy sources and alternative energy sources. The group also supports construction of the Keystone XL Pipeline.

Engaging heavily in communications methodologies, their website speaks for itself. They portray themselves as "the leading voice for sensible energy policies for families and businesses," and of interest to Oregon, they actively oppose state agency actions that go against fossil fuel projects development. In just two of many examples, on June 2, 2020, a blog titled "Leading Consumer Energy Advocate Applauds Environmental Protection Agency Action to Streamline Critical Energy Infrastructure Water Permits" is a full-throated celebration of the issuance of revised Environmental Protection Agency (EPA) regulations for Section 401 of the Clean Water Act, opposed by many states including Oregon for stripping away congressionally granted state and tribal authority to protect water within their boundaries. The following day, a blog titled "Emerging from COVID-19, Reliable, Reasonable and Resilient Energy Is Essential for New York," which takes a similar, but more combative tack than the Oregonian ad, touts fossil fuel infrastructure as a solution to difficult economic circumstances brought on by the pandemic. This piece folds in criticism of New York State's Department of Conservation's "politically motivated denial of a pipeline" (referring to the Northeast Supply Enhancement project) and of passage of the Climate Leadership and Community Protection Act, NY's ambitious GHG emissions control bill signed into law in July 2019.

This interesting admonition appears on their Facebook page:



June 2 at 11:01 AM -

Can you spot the difference between the news and a group posing as news with an agenda? More than ever, PR firms with an agenda are hiring people masquerading as journalists, hiding their motives behind a fancy website so they can relay those agendas for their clients. A former journalist helps us tell between actual news and PR firms who are impersonating the news.

2a. CEA's Ties to Washington, DC

CEA clearly features connections with both the legislative and executive branches of the US government. For example, on May 5, 2020, CEA held a <u>CEA Tele-Town Hall</u> featuring FERC Commissioner Bernard McNamee. David Holt hosted. McNamee focused on the importance of energy infrastructure and projects for the post-COVID economy. He discussed the electric grid at length, but starting at 14:10 he addressed LNG export facilities. At 16:20 he described the "deadlock" on LNG facility approvals before he joined the commission. McNamee boasted that FERC has approved 11 LNG projects since.

On May 21, 2020, CEA hosted <u>another Tele-Town Hall</u>, this one with FERC Chairman Neil Chatterjee. It took place in the afternoon of the same day FERC denied multiple Requests for Rehearing on the FERC Order authorizing JC/PC's NGA Section 3 and Section 7 applications, including one from the State of Oregon. A wide-ranging discussion ensued, including that Chatterjee followed the pathway spokespersons for the fossil fuel industry are beginning to take: that climate change is real, that it is due to human impacts, and that it must be addressed. He did not explain further.

During Andrew Browning's May 15, 2020 presentation to the Sweetwater County Commission, he indicated (video, 20:20:30) that "we" (perhaps referring to CEA, rather than WSTN) had been pulling together officials in the Trump Administration for webinars regarding natural gas exports and the value of adding the West Coast to existing priorities of the east and Gulf coasts. He pitched that Asia would soon make up 80% of the market, with the China market outstripping all of Europe. He also indicated that he had met with DOE the previous week. On July 15, 2020, the DOE posted a press release on its website entitled, "Jordan Cove LNG Export Terminal: Bringing Jobs and Energy Dominance to America's West Coast," announcing a "final long-term order authorizing the export of domestically produced liquefied natural gas (LNG)" from the proposed Jordan Cove LNG terminal. The initial sentence of the July 15 press release could have been lifted from a CEA webpage: "Advancing energy infrastructure projects to drive American energy dominance promotes economic growth and our Nation's true all-of-the-above energy policy." The concluding statement reads like it was written by a PR firm, not a federal governmental agency: "The case is clear: Advancing energy infrastructure projects is good for the economy, it's good for energy security, and it's good for the environment."

The emphasis on "energy security, jobs, and the environment" is also right out of CEA's playbook. The statement explains how exporting natural gas from JCEP will help reduce global carbon emissions, despite the copious research that shows methane leakage from fracking more than negates the emissions benefits of natural gas over coal. There

is also no mention of the 90 or so landowners who are facing the use of eminent domain for this project and the violation of constitutionally guaranteed rights this 100% export project poses to US citizens. At any rate, Browning's May visit with DOE appears to have yielded results.

Both CEA and HBW appear in "Fossil Filled: Oil, Mining Companies Seeking Bailouts Dominate Interior Department Officials' Calendars," an investigation by Public Citizen into the fossil fuel industry's influence on Department of Interior Secretary David Bernhardt and top aides in 2017-2019. Researchers looked at meeting calendars of department personnel and found that, of 679 external meetings with non-governmental entities, nearly two-thirds were with energy companies and their lobbyists. The records named either Consumer Energy Alliance or HBW Resources LLC as somehow involved in nine meetings. Names of individuals involved are often omitted, but Michael Whatley was the contact person for one of those meetings. Jack Belcher represented either CEA or HBW or both at five meetings (NOTE: JC/PC was not provided as the subject of any of those meetings, but of interest to Oregonians, Department of Interior officials met with individuals associated with the JC/PC four times during the period investigated, all but one of which included <u>Ray Bucheger</u>, a Washington, DC-based partner with FBB Federal Relations who has lobbied on behalf of the project since 2013. See **More About Key Players** for more about Michael Whatley, Jack Belcher, and Ray Bucheger.)

2b. CEA's "Campaigns"

As CEA's WSTN begins to reach out to Western gas-producing governments and initiate action in Oregon, it is instructive to look at other, earlier CEA creations.

One such was the <u>Outer Continental Shelf Governors Coalition</u> (OCS). This group was founded in 2011 and describes itself <u>this way</u>, including note of an explicit role of CEA:

The Outer Continental Shelf (OCS) Governors Coalition is a group of coastal state governors who joined together in May 2011 to promote a constructive dialogue on OCS energy-resource planning and development between state and federal governments.

Federal law requires decisions about energy exploration and production on the OCS must be made in consultation with affected states. The governors created the coalition to foster a productive dialogue between the federal government and the coastal states on energy-resource evaluation, sustainable resource development, and other OCS policy matters.

The OCS Governors Coalition utilizes Consumer Energy Alliance for information and administrative support. CEA is a 501(c)(4) organization that advocates for an "all-of-the-above" energy policy, including the shared goal of expanding access to offshore wind, oil and natural gas resources. The OCS Governors Coalition utilizes CEA's resources to improve its understanding of the economic and environmental impact of opening new areas of the Outer Continental Shelf to energy development.

The Center for Public Integrity did a <u>lengthy investigation</u> into OCS in 2015 and found a significantly larger role for CEA than the OCS's website suggests. The Center reports

that "much of the Governors Coalition work has been carried out by HBW Resources and CEA, a group that's channeled millions in corporate funding to become a leading advocate at the state level for drilling." The linked article includes more information about both entities, as well as some of the key players, so is recommended reading.

(Incidentally, on June 15, 2020, the U.S. Secretary of Commerce <u>overrode</u> North Carolina and South Carolina's Coastal Zone Management Act (CZMA) objections to offshore seismic exploration. These were the first overrides made by Secretary of Commerce since 2008 and only the 15th and 16th overrides out of 47 appeal decisions made by the Secretary of Commerce since the first CZMA programs were initiated in 1978.)

This <u>2010 article</u> from Think Progress details CEA's involvement in a five-year plan to build "grassroots" support for offshore drilling. Unfortunately, the link to the original PowerPoint presentation mentioned in the article is broken.

In late 2018, articles in the <u>New York Times</u> and <u>DeSmogBlog</u> linked CEA to <u>Energy4US</u>. They reported that Energy4US.org and an associated Facebook page were used to gather and bundle public comments to the Department of Transportation that supported a rollback of Obama era fuel efficiency standards. The standards were opposed by key members of the oil industry, including Marathon Oil. One FB post began with a request: "File an official comment to SUPPORT our President's plan for safer, cheaper cars that WE get to choose." The post provided a link to facilitate submission. DeSmogBlog also reported that CEA has faced multiple accusations (in 2014, 2016, and most recently in 2018) of submitting fake comments in support of legislation that would benefit utility companies, often at the cost of higher energy prices for consumers. According to DeSmogBlog, Energy4US appears to have grown out of a campaign titled "Secure Our Fuels" organized in 2016 by CEA in concert with HBW. Both are proponents of the Keystone XL Pipeline. The structures of both Energy4US and Secure Our Fuels resemble WSTN and OCS.

An <u>article</u> published by Energy and Policy Institute describes a poll released by CEA which claims to show that a majority of voters in North Carolina, Virginia, and West Virginia support the Atlantic Coast Pipeline. (This controversial pipeline project was recently cancelled by the project owners after numerous delays and lawsuits.) However, the press release on the polling did not disclose that Dominion, one of the ACP's owners and other project supporters had provided financial support to CEA for the poll. The article claims that "CEA has a history of fraudulently representing public support for its clients' energy projects," and provides one example where CEA submitted letters to FERC in support of a new pipeline using the names of 347 Ohio residents, at least one of whom had been dead since 1998.

The history of CEA and HBW activities goes back several more years and some are perhaps more disturbing. One example is collaboration between Michael Whatley, an individual holding positions in both entities, and Gary Mar, a Canadian diplomat who on April 15, 2020 became head of Canada West Foundation, a Calgary-based think tank. They designed to defeat measures and legislation in the U.S. aimed at lowering carbon emissions. Investigative reporters with U.S.-based Salon.com and *Tyee*, a Canadian news site, used the Freedom of Information Act (FOIA) to obtain communications

between CEA and the Alberta government to engage in what the reporters called "a sophisticated and stealthy public relations offensive, one designed to manipulate the U.S. political system, to deluge the media with messages favorable to the tar-sands industry, to sway key legislators at state and federal levels, and most importantly, to defeat any attempt to make the gasoline and diesel pumped everyday into U.S. vehicles less damaging to the climate." The goal of it all? "Defeat" President Obama's effort to reduce carbon consumption and keep America hooked on Canada's \$441 billion tar sands industry, no matter what the cost to our planet's future. The <u>article</u>, which was published in December 2011, is well worth a read.

2c. CEA's relationship with Pembina, and how CEA is promoting JC/PC

Getting closer to home, an August 2019 article that appeared in *High Country News* detailed CEA's relationship with Pembina and efforts to promote Jordan Cove through public comments submitted to FERC, public testimony, and op-eds. "We have been working with the Pembina/Jordan Cove Team to pull in letters of support from around the Rockies for submission to the FERC," Andrew Browning, CEA's chief operating officer, wrote in an email to a distribution list on July 3, 2019, two days before the close of a public comment period on Jordan Cove's Draft Environmental Impact Study (DEIS). Browning noted that more than 120 individuals, including dozens of elected officials, had signed onto 84 separate letters.

The article goes on to reveal that CEA provided more than encouragement:

The emails included draft letters, which CEA told recipients they could use "in whole, or tailor the comments to meet the needs of your organization."

A search of the FERC docket shows numerous letters of support that use CEA's draft almost verbatim, including those submitted by Utah State Sens. Evan J. Vickers (R) and Ronald Winterton (R); Utah State Reps. Daniel N. Johnson (R), Phil Lyman (R), Logan Wilde (R) and Derrin R. Owens (R); Wyoming State Sens. Michael Von Flatern (R), Eli Bebout (R) and Liisa Anselmi Dalton (D); and Wyoming State Rep. Steve Harshman (R)."

In another email in mid-April, Browning informed a group of elected officials and industry representatives that CEA had developed a "series" of op-eds from organized labor, tribal and other groups with "the goal of 'building a bigger tent' and showing elected officials the broad public support and constituency of Jordan Cove." The first was a piece signed by Gary Arnold, business manager of Pipefitters Local Union 208 in Denver. This article states that JC/PC "could be a boon for Colorado." He called JC/PC a "generational milestone" on par with Henry Ford's invention of the assembly line, World War II, and the Space Race of the 1950s and 1960s. In the view attributed to Arnold in this first of the CEA series, the project will be an expression of the distinctly American desire to pull together and help others: "Unity for the greater good. Unity for our fellow man. Unity to help others"

"We'll be developing these types of Op-eds for constituencies in Utah and Wyoming as well," Browning wrote.

Courthouse News reporter Karina Brown, in early <u>coverage</u> of the WSTN full-page ad on May 24, reported accurately that Browning told Sweetwater County (WY) Commissioners at their May 19 meeting that, "Western States is partnering with Pembina." His exact words during that meeting were, "We have jumped in with full partnership with Pembina in their permitting process."

However, Brown reported that she was told by "Western States' spokesman, Bryson Hull . . . that Pembina is not a member of the group [rather that] Pembina is a member of a separate industry group called Consumer Energy Alliance, where Browning is chief operating officer. Hull said the two groups have separate boards, but shared members. They also share a spokesman. Hull described the partnership between Pembina and Consumer Energy Alliance as being similar to the services provided to farms by the American Farm Bureau."

When Browning made his <u>presentation</u> to the SCIC in Salt Lake City, Utah in February 2020, he spoke as CEO of CEA, not WSTN. He noted that CEA has 550,000 member organizations nationwide and had organized out-of-state support for JC/PC during Oregon state agency public hearings in 2019. He said they are working to increase that support. They developed WSTN earlier in 2019 to engage in local action, including lobbying, "education," and perhaps grassroots action.

2d. CEA's Climate Change messaging

In his meeting with Sweetwater County Commissioners, Browning, speaking then as CEO of WSTN, revealed that the organization is "putting together a study" to address the political challenges of West Coast public officials who are halting energy projects by raising concerns about climate change. He said their study would be based on a 2018 joint study by University of Calgary, Johns Hopkins University, the Massachusetts Institute of Technology and Southern Methodist University which (Browning claimed) found that LNG exported from Canada's west coast (British Columbia) would feasibly decrease global greenhouse gas emissions by 60%.

Here Browning is clearly cherry-picking convenient statistics. First, the 60% reduction figure was lifted from a sentence in the study's introduction, which itself relies on <u>data</u> from the U.S. Energy Information Administration (EIA) comparing the energy intensity of coal-fired and natural gas-fired electricity generation. In addition, Browning failed to mention two important qualifiers noted in the study: the emissions reductions depend greatly on which country is importing the Canadian LNG and what fuels the LNG is replacing. If the import of LNG either replaces or prevents new renewable energy infrastructure, the emissions benefit may be negated, the study notes:

Due to plummeting costs of renewable power, it may increasingly be able to compete economically with gas-powered electricity generation in non-OECD Asian countries. In this scenario, LNG imports would result in increased greenhouse gas emissions in importing countries.

The researchers also acknowledged that more work needs to be done to more accurately estimate upstream methane emissions.

<u>CEA released a report</u> in 2019 called *A Report on Natural Gas Markets for the Western States and Tribal Nations* which touts Jordan Cove as the primary solution to enhancing markets for Rocky Mountain gas. This report also references the 2018 Canadian study (p. 25) and quotes Johns Hopkins University researcher Sarah Jordaan from an <u>article</u> that appeared in *Business in Vancouver* (BIV): "You can imagine (natural gas) provides a more flexible grid, which can be lower carbon overall if this renewable-natural gas combo is coming in and displacing...coal-fired power plants."

Here again, the report cherry-picks. Though the BIV article was biased towards the benefits of exporting LNG from BC, it also acknowledged some of the limitations of the 2018 study around calculating methane emissions, along with Jordaan's "valid concern" that low natural gas prices could result in "negative displacement" of renewable energy in some countries.

Strategies to reduce GHG emissions, including methane from natural gas production and transport, are complex. Nicholas Kusnetz, now of Inside Climate News, addressed some of those complexities in a January 2020 story, "<u>Is Natural Gas Really Helping the</u> <u>U.S. Cut Emissions?</u>" Jessica Trancik, an Associate Professor at MIT whom Kusnetz interviewed, explained how investing in new natural gas infrastructure could compromise progress on reducing emissions:

If the aim is to get to zero net emissions by midcentury, . . . "then you have to transition away from natural gas." At this point, she said, any new natural gas power plant or pipeline, which may be expected to continue operating for decades, creates a new financial incentive to continue to use more gas, making it that much harder to phase out fossil fuels.

"I think we should be very hesitant of investing in new infrastructure with a long life," she said.

It is worth noting that in early 2018 Oil Change International released a <u>report</u>, *Jordan Cove LNG and Pacific Connector Pipeline Greenhouse Gas Emissions*, which analyzed the lifecycle emissions impacts of JC/PC. The researchers concluded that the project would "add significantly to greenhouse gas emissions both globally and within the state of Oregon."

The report estimated that annual emissions in the reference case are 36.8 million metric tons (MMT), which translates into more than 15 times the 2016 emissions from Oregon's only remaining coal plant at the time. Annual emissions in the high case are 52 MMT. The report estimates the in-state emissions impact of the project at 2.2 MMT per year and the total lifecycle in-state emissions impact at 36.8 MMT. This makes JC/PC the largest single source of climate pollution in the state of Oregon after 2020 and jeopardizes the state's stated climate goals.

The OCI report factored in methane leakage along the supply chain based on a combination of actual well data from the US Rockies shale plays, EPA averages for transportation, and JC/PC's own project estimates and found that "even a conservative estimate of methane leakage undermines claims that the gas supplied to global markets

via the project would lead to a net reduction in GHG emissions." The analysis also concluded that "there is no evidence to support an assumption that gas supplied by the project would replace coal in global markets."

Browning told the Sweetwater Commissioners that WSTN is seeking funding for its upcoming study from Colorado Mesa University, University of Utah, and San Juan College in New Mexics. He assured his audience that "we will utilize [the report] in the public debate on climate change." He said the study is expected to come out toward the end of summer 2020.

We anticipate that CEA (and possibly, WSTN) are going to push forward the misleading "clean natural gas" message to full advantage. In fact, that effort has already begun, as illustrated by this <u>op-ed</u> written by Kevin Doyle, Executive Director of CEA Southeast, which appeared in the *Roanoke Times* on July 12, 2020. The piece is a triumphant celebration of the United States' "environmental victory" and details how carbon emissions have declined, even as natural gas and oil production have increased. To illustrate his point, he uses statistics for Virginia, claiming that "From 1990-2017, statewide emissions have fallen by as much as 89% . . . That this under-reported achievement occurred while the state's population was growing over 37% is astounding."

Doyle listed as his source a "recent Consumer Energy Alliance (CEA) analysis." CEA's website provides numerous similar studies focused on other states. However, like the Virginia op-ed, they cherry-pick facts and ignore recent <u>evidence</u> that methane emissions from flaring and leakage in natural gas production—a powerful greenhouse gas that CEA's analyses ignore—are far higher than estimated. It seems that the EPA's temporary rule during the COVID-19 pandemic may result in under-reporting of methane and all other GHG emissions, as well.

2e. CEA and Renewable Energy

CEA's stance on renewable energy is worthy of examination. They include solar and wind energy as part of their "all-of-the-above" energy strategy (although the overwhelming majority of the entities listed under CEA's list of "Energy Supplier" members appear to be fossil fuel companies). Their website pays lip service to the benefits of those sources; however, several investigations have revealed that the organization's motives may be suspect. They have often supported efforts to undermine renewable energy. An <u>article_from the Energy & Policy Institute</u> calls CEA an "anti-solar utility front group" and outlines their strategy, which the authors describe this way:

The strategy of appearing to promote solar while attacking it is straight from the utility industry's playbook, both in terms of its revamped <u>"pro-clean energy"</u> <u>messaging</u> designed to confuse, and its political tactics.

The article includes many examples of CEA's attacks on net metering:

Florida Power & Light, a CEA member, has been the leading funder of <u>Amendment 1</u>, a Florida ballot initiative with confusing "pro-solar" language, but

which could cripple the already stunted solar market there. CEA has, unsurprisingly, <u>supported Amendment 1</u>.

In February 2018, Senator Sheldon Whitehouse (D-RI) spoke on the Senate floor to explain how lobbyists "created this fake consumer group" and noted how the Consumer Energy Alliance had been promoting legislation in Kentucky to weaken the state's net metering policy.

The article also cites an incident where CEA was caught repeatedly submitting fraudulent letters which attacked net metering and defended utility companies' fixed-rate increase proposals in Wisconsin:

CEA submitted names of 2,500 state residents that "supported" the utilities' proposals. Madison Capital Times <u>revealed</u> that certain people on the CEA petition were in fact against the proposal. The <u>PSC then dismissed the</u> <u>petition</u> saying it would not be included in the record.

<u>New England Ratepayers Association (NERA)</u> was formed in 2017 and is a member of CEA. NERA has asked FERC to throw out state laws that allow net metering, arguing that "net metering is an unfair subsidy that leads to a shift in costs to consumers who do not have rooftop solar."

An <u>article</u> published by *Inside Climate News* points out that, although the petition received many more comments opposed than in favor, the effort still represents a genuine threat to rooftop solar:

The goal of the petition "is to eviscerate state net metering and therefore eviscerate financing tools to make rooftop solar systems affordable," said Tyson Slocum of the consumer group Public Citizen.

His group <u>has said</u> that New England Ratepayers is not being forthright about its sources of financing and is falsely claiming to stand up for low-income consumers. New England Ratepayers, which does not disclose its donors, got 90 percent of its budget from 15 companies or individuals paying dues of \$20,000 or \$5,000 each, according to the organization's 2018 tax form.

2f. Selected Additional CEA Reports and Presentations

"<u>National Energy Campaigns: What is Happening and What's Needed</u>," a PowerPoint presentation at <u>American Public Gas Association</u> (APGA) Winter Meetings, February 2017 by David Holt of CEA. Outlines strategy for combatting "anti-energy groups" to promote the Trump energy agenda.

"<u>Utah and Colorado - Opportunities to Collaborate: Policy, Advocacy and Development</u> of Natural Gas Markets for the Uintah and Piceance Basins," a meeting packet for a panel discussion hosted by the Utah Governor's Office of Energy Development, West Slope Colorado Oil and Gas Association, Colorado Energy Office, Uintah County, the Utah Petroleum Association and Consumer Energy Alliance on August 30, 2017. Andrew Browning of CEA moderated the panel including Bob Braddock and Elizabeth Spomer of Jordan Cove LNG (AKA PC/JC). The panel focus:

This panel will examine a joint political, policy and advocacy strategy that utilizes the significant political influence and resources of the Utah and Colorado delegations to address the major natural gas demand and infrastructure challenges facing natural gas producers in the Uintah-Piceance basin. The panel will also discuss the broad and bi-partisan coalition that has successfully developed to promote Jordan Cove LNG in Colorado and the policy, political and advocacy tools at the state, local and national levels that are needed to develop natural gas demand outlets and change the economics of Rocky Mountain natural gas.

3. What is HBW Resources LLC (HBW)?

The lines between CEA and HBW are at least blurred, but the latter entity predates CEA and was its founder. Eyes on the Ties, an online news site devoted to transparency in corporate actions and public policy, <u>describes</u> the cozy relationship in an article about CEA's and HBW's involvement in pushing Enbridge's Line 3 pipeline in Minnesota: "... CEA hardly exists as a real group – it's more a series of websites, press releases, and photo-ops run by a well-paid consulting and lobbying firm based in Houston called HBW Resources."

HBW was <u>formed</u> in 2005 by David Holt, now Managing Partner. He was joined two years later by Partners Andrew Browning and Michael Whatley—hence the name, H(olt) B(rowning), W(hatley). Like WSTN, RPSEA, and CEA, it is based at 2211 Norfolk, Suite 601, Houston, TX, although oddly, it does not appear via a business entity search of the Texas Secretary of State's database. It shows up instead on the Colorado Secretary of State's website as a foreign LLC with a jurisdiction of Texas. Browning, who lists an address in Centennial, CO, a suburb of Denver, is the Registered Agent. The firm's <u>website</u> says this about what they do:

HBW Resources is an integrated strategic consulting and advocacy firm. Our multidisciplinary approach provides our clients with innovative thinking and hands-on seasoned experience. Our approach cuts through partisan views to represent national and international companies, trade associations, labor unions, not-for-profit organizations, Federal and State level departments and agencies, academia, and non-governmental organizations (NGOs). With offices in Houston, Washington D.C., Columbus, Denver, Lexington, Tallahassee and Jacksonville, HBW Resources has forged a solid reputation of working effectively at the cross-section of the public policy, regulatory, technical and political arenas to provide high value, strategic counsel needed to achieve results for our clients.

David Holt describes some of how the firm does its work:

HBW's core expertise is implementing and managing expansive energy-specific advocacy campaigns to generate a full complement of stakeholder, media and grassroots support for thoughtful, positive energy development.

Dun & Bradstreet <u>describes</u> HBW: "... located in Houston, TX, United States and is part of the Consulting Services Industry.... [it] has 7 total employees across all of its locations and generates \$878,502 in sales (USD)." There are 2 companies in the HBW Resources, LLC corporate family. The "parent" location is in Houston, TX with annual sales revenues of \$878K; the 'branch' location is in Washington, DC; \$130K. D&B doesn't mention the other offices in its free section.

<u>SourceWatch</u>, operated by the progressive nonprofit watchdog Center for Media and Democracy, describes HBW as "a Washington, D.C.-based lobbying and public affairs consulting firm that has close ties to Alberta's tar sands industry. The firm engages in astroturfing on behalf of the big extractive energy industries."

4. More on the Key Players

Andrew Browning is President and CEO of WSTN and, from available sources located thus far, he frames its messages, recruits its members, and guides its activities. He is also Chief Operating Officer of CEA, and within that organization, he is also the Director of its "Rockies" regional chapter. He reports having been with CEA from 2008 to the present and is a founder. He joined HBW in 2007, just two years after its establishment.

Browning's bio according to HBW's website:

Andrew Browning heads HBW's Denver office where he provides strategic counsel, issues management, grassroots, and advocacy expertise to oil and gas, utility, renewable energy, government, and manufacturing clients. With over 20 years of experience in both the private and government sectors, Andrew Browning was previously Director of Government Relations at Methanex –the world's largest methanol producer and distributor- and a White House appointee to DOE during the Clinton administration where he served as a special assistant in the Office of Fossil Energy. He holds a Master's degree in International Affairs from Johns Hopkins School of Advanced International Studies (SAIS) and a B.A. in Government from the University of Texas at Austin.

His presentations to Utah and Wyoming natural gas proponents can be heard or seen via links above.

David Holt is WSTN's CFO, a founder and current President of CEA, and Managing Partner at HBW. His bio for HBW:

David has more than 25 years of experience working for state and federal agencies and Congress and directing outreach and advocacy efforts. David founded what became HBW Resources in 2005 in order to provide counsel and guidance to companies regarding governmental and industry energy initiatives, including issues related to energy security, exploration and production, advanced technologies, air quality, and refining. HBW's core expertise is implementing and managing expansive energy-specific advocacy campaigns to generate a full complement of stakeholder, media and grassroots support for thoughtful, positive energy development.

Previously, David served as Vice President of Government Affairs for Hart Energy Services; Senior Legal & Energy Counsel to Chairman James E. Nugent of the Texas Railroad Commission; Counsel to the House Judiciary Committee; and in the Public Affairs & Media Office of the U.S. Department of State under President George H.W. Bush.

David also currently serves as President of Consumer Energy Alliance, a trade association that focuses on expanding the dialogue between the energy sector and the rest of the economy. With more than 280 corporate members and 450,000-plus individual members representing every sector of the U.S. economy, Consumer Energy Alliance has become the "voice of the energy consumer."

David regularly authors op-eds and appears in national media outlets. He is a frequent speaker at national energy forums, has testified before Congress and is regularly sought out by policymakers and business leaders for his energy policy insight.

David serves as a founding Board Member of the Consumer Energy Education Foundation and a member of the Board of Trustees of the St. Anne Catholic Foundation.

David Holt is also long-time promoter of the Alberta Tar Sands through HBW and CEA, according to several sources, including <u>DeSmog</u> and <u>SourceWatch</u>.

Bryson Hull appears to be the newest member of the staff at HBW and appears to be playing a role in WSTN.

WSTN's website does not mention Mr. Hull, although a June 12, 2019 notice on HBW's "Intelligence Blog" announces his addition to that firm's staff in June 2019 as a new Vice President of Communications and Media. He holds the same position for <u>CEA</u>. The blog provides this about his background:

Hull, who also worked for The Associated Press and Bloomberg, gained significant experience in the energy sector after Reuters hired him in Houston to report on exploration and production companies, pipeline operators, integrated utilities and Enron Corp., which collapsed into bankruptcy a year later.

His bio at the HBW website:

Bryson Hull brings two decades of journalism and communications experience to HBW Resources, having reported on politics, business and wars in nearly 20 countries across Africa, Asia, the Middle East, and North America.

As Vice President of Communications and Media based in Washington, DC, Bryson advises HBW's clients on communications strategies to propel their business objectives forward and navigate complex challenges including policy debates, crises and long-term threats to their reputation and license to operate.

Before joining HBW in 2019, Bryson advised Fortune 500 clients in the energy, finance, and transportation sectors on traditional and digital communications strategies for a Washington-based media intelligence company, developing

innovative, nuanced solutions for persistent problems, new market & country entries and reputation management.

Michael Whatley is another Partner at HBW with long-term ties (until very recently, when he took charge of the North Carolina Republican Party) to CEA. His <u>bio</u>:

Michael Whatley works with a wide range of companies and trade associations in the energy and transportation sectors helping them with policy making, communications and strategic engagement with Congress, federal Departments and Agencies and State Governments. Whatley's proven campaign and government expertise assist HBW's clients to achieve their goals.

Whatley previously served as Chief of Staff for Senator Elizabeth Dole (R-NC), Subcommittee Staff Director and Chief Counsel for the U.S. Senate Environment and Public Works Committee, Principal Deputy Assistant Secretary of Energy and Counsel to the U.S. Senate Republican Conference Secretary Paul Coverdell (R-GA). Prior to his service in Washington, Whatley clerked for The Honorable Robert D. Potter, U.S. District Court Judge, Western District of North Carolina.

He holds a J.D. and Master's degree in Theology from the University of Notre Dame, a Master's degree in Religion from Wake Forest University and a B.A. in History from the University of North Carolina at Charlotte.

His <u>LinkedIn profile</u> reveals those and additional affiliations and includes time spans:

- HBW Resources, Partner, 2007-present.
- Consumer Energy Alliance, Executive Vice President, January 2008-June 2019
- North Carolina Republican Party, Chairman, June 2019-present
- Patriot Group, LLC, President, January 2005-December 2007
- U.S. Senate, Chief of Staff to Senator Elizabeth Dole, January 2004-December 2004
- Senate Clean Air, Climate Change and Nuclear Safety Subcommittee, Staff Director and Chief Counsel, January 2003- January 2004
- U.S. Department of Energy, Principal Deputy Assistant Secretary, January 2001-January 2003
- U.S. Senate, Senator Paul Coverdell, Counselor to the Conference Secretary, April 2000-December 2000.

As mentioned above, in 2011, U.S. media site *salon.com* and Canadian media site *Tyee* obtained evidence of plans and activities between Whatley and a Canadian diplomat that dramatically set back efforts to address climate change during the Obama Administration and beyond. According to the article, Whatley, CEA, and HBW were central to accomplishing the goal.

Jack Belcher was Executive Vice President of CEA until June 2019 and held the same position with CEA until 2018. He is now Senior Vice President of Cornerstone Government Affairs. His <u>bio</u>:

As a principal, he provides strategic and tactical advice to energy and transportation companies and financial institutions, focusing on government relations, regulatory affairs, public policy, strategic communications, situational risk management, and Environmental, Social, and Governance (ESG) performance. Jack also serves as managing director of the National Ocean Policy Coalition.

Jack has served as executive vice president of HBW Resources, LLC, regulatory affairs and policy manager for Shell North America's Exploration & Production Division, and staff director for the U.S. House of Representatives Subcommittee on Energy and Mineral Resources. Jack also previously worked for the Independent Petroleum Association of America, Hart Energy Publications, and Texaco Gas Marketing Inc.

... During his service on the Subcommittee, he planned and organized congressional hearings on issues pertaining to oil and gas development on federal lands, directed congressional oversight activities over the Interior Department for both onshore and offshore energy activities, and helped craft oil and gas, mining, and geothermal energy provisions of the Energy Policy Act of 2005.

During the Obama Administration, as Executive Vice President of CEA he wrote articles calling for resistance to efforts to limit emissions from fossil fuel development and use. For example, <u>this</u> blog was published at Hart Energy's website, apparently decrying Oregon Senator Jeff Merkley's "Keep it in the Ground" campaign.

Ray Bucheger is a seasoned D.C. lobbyist. He is Legislative Director for Portlandbased law firm <u>Lindsay-Hart</u> and a partner at <u>FBB Federal Relations</u>, a lobbying firm.

Bucheger has lobbied on behalf of Jordan Cove LNG LLC and Jordan Cove Energy Project LP since 2013. <u>According to ProPublica</u>, between 2013 and 2018 Bucheger lobbied for Pioneer Group on behalf of Jordan Cove LNG LLC and Jordan Cover [*sic*] Energy Project LLP through Lindsay, Hart, Neil & Weigler and FBB Federal Relations. Since 2018 he has lobbied on behalf of Jordan Cove LNG, LLC, Jordan Cove Energy Project, LP, and Pacific Connector Gas Pipeline, LP through FBB Federal Relations.

In 2013 <u>Bucheger was approached</u> by the Bay Area Chamber of Commerce president Brooke Walton for advice on how to promote JC/PC locally. Bucheger recommended starting a local booster club and referred a lawyer from Lindsay-Hart, who helped Walton create Boost Southwest Oregon. This pro-JC/CP organization received funding from Veresen, the project's owner at that time.

Ray Bucheger's LinkedIn profile:

Ray has more than a decade of experience in Washington, D.C. Drawing on his diverse experience and extensive contacts at the White House, throughout the Executive Branch, and on Capitol Hill, Ray guides his clients through a wide range of issue areas.

Kevin Doyle and Wexford Strategies

Wexford Strategies was an independent contractor to CEA in 2018 under the category of "Government Affairs." The organization describes itself this way:

... with offices in Florida and in Washington, DC, [Wexford Strategies] specializes in public affairs, strategic business development, issue advocacy and government relations with a focus on companies and organizations that require advocacy assistance in Tallahassee, in Washington or in the local community and who need assistance in maneuvering the maze that is the federal, state and local government." They name two main services, 1) Business Development, Government Affairs Consulting, Lobbying Services and 2) Public Relations, Issue Advocacy, Media, Political Campaigns.

Wexford had additional ties to CEA, though, besides being a contractor in 2018. According to his LinkedIn <u>profile</u>, Kevin Doyle, Wexford's Managing Partner, was also CEA's Executive Director for the Florida and Georgia. His association there began in 2012. And since 2014, he had been a Strategic Partner for Florida with HBW. Parts of his resume changed in early 2019 when HBW formally incorporated Wexford Strategies into the fold. As of February of that year, he gained his current positions as Vice President for State Affairs within both CEA and HBW.

In a February 2020 CEA <u>blog</u> identifying him as CEA Virginia State Director, Doyle took what appears to be a standard tack of painting green energy proponents as threats to consumers. He said that he is "tired of the circus anti-energy activists continue to create in the courtroom over the Atlantic Coast Pipeline." He went on: "The tired modus operandi of suing at every opportunity on the thinnest of claims amounts to an abuse of the justice system, especially when you consider how much Virginia's families and small businesses will benefit from the lower prices and increased supplies the ACP will bring when it's finally built."

CONCLUSION

There is undoubtedly much more to be learned about the major players and the organizations they use to further fossil fuel development and combat meaningful efforts to address the impacts of climate change through renewable energy development, but this provides some insight and may help direct further investigation and actions.

Our research has convinced us that these entities—committed to putting special interest over public interest—are preparing to put significant pressure on Oregon's elected officials and otherwise join the ongoing effort by Pembina, the larger fossil fuel industry, their allies in the Trump Administration, and officials in gas and oil producing regions to use Oregon as a conduit to achieving their goals.

(Prepared by Shirley Weathers, Ph.D., <u>walsh.weathers@gmail.com</u> and Juliet Grable, <u>julietgrable@gmail.com</u>, Edition 1, August 3, 2020. Additional assistance by Ted Gleichman, Deb Evans, Ryan Beam, and Stan Holmes.)

REFERENCES

2018 Form 990 for Research Partnership To Secure Energy for America (RPSEA). Cause IQ. N.d. Web. 3 August 2020.

https://www.causeiq.com/organizations/view_990/371438613/8fffcc2ba0916791d1c51c199013e 0d8

2019 Short Form Return of Organization Exempt From Income Tax. Western States and Tribal Nations Natural Gas Initiative. N.d. Web. 3 August 32020. <u>https://55399d5c-df35-433c-97d2-b0c94860d333.filesusr.com/ugd/03b97c_9bd7c3457c73450ab31e91029e792972.pdf</u>

"About Consumer Energy Alliance." Consumer Energy Alliance. N.d. Web. 3 August 2020. https://consumerenergyalliance.org/about/

American Public Gas Association. "Home." N.d. Web. 1 August 2020. <u>https://www.apga.org/home.</u>

"Appeals to the Secretary of Commerce Under the Coastal Zone Management Act." Office for Coastal Management, National Oceanic and Atmospheric Administration (NOAA). 7 July 2020. Web. 3 August 2020. <u>https://coast.noaa.gov/data/czm/consistency/media/appealslist.pdf</u>

"A Report on Natural Gas Markets for the Western States and Tribal Nations." The Research Partnership to Secure Energy for America (RPSEA) and Mercator Energy. 2019. Web. 1 August 2020. <u>https://55399d5c-df35-433c-97d2-</u> <u>b0c94860d333.filesusr.com/ugd/a1fc4d_6375f5e4959b4f8baa8af10000a50cef.pdf</u>

Belcher, Jack. Cornerstone Government Affairs. N.d. Web. 2 August 2020.

Belcher, Jack. "It's Time To Fight Back Against Anti-Development Threat." Hart Energy. 16 June 2016. Web. 2 August 2020. <u>https://www.hartenergy.com/opinions/its-time-fight-back-against-anti-development-threat-122453.</u>

Bennett, Nelson. "Gas could help put brakes on climate change, study finds." BIV. 6 February 2018. Web. 1 August 2020. <u>https://biv.com/article/2018/02/gas-could-help-put-brakes-climate-change-study-finds</u>.

Bodine, Susan Parker. "Memorandum Subject: COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program." United States Environmental Protection Agency. 26 March 2020. Web 1 August 2020. <u>https://www.epa.gov/sites/production/files/2020-</u>03/documents/oecamemooncovid19implications.pdf.

Brown, Karina. "Proposed Oregon Pipeline Gains Momentum Despite State Opposition." Courthouse News Service. 22 May 2020. Web. 1 August 2020. <u>https://www.courthousenews.com/proposed-oregon-pipeline-gains-momentum-despite-state-opposition/</u>

Browning, Andrew. "Bios/Leadership." HBW Resources. N.d. Web. 1 August 2020. https://hbwresources.com/bios/andrew-browning-partner/. Bucheger, Ray. "Our People." Lindsay-Hart. N.d. Web. 2 August 2020. https://lindsayhart.com/ray-bucheger.

Bucheger, Ray. "Profile." N.d. Web. 2 August 2020. <u>https://www.linkedin.com/in/ray-bucheger-084a265/</u>.

"CEA Tele-Townhall with Federal Energy Regulatory Commission Chairman Neil Chatterjee." Consumer Energy Alliance. Video. 21 May 2020. Web. 1 August 2020. https://www.youtube.com/watch?v=xrof7hCcm2A

"Consumer Energy Alliance." DeSmogblog. N.d. Web. 3 August 2020. https://www.desmogblog.com/consumer-energy-alliance-cea#fake2018

"Consumer Energy Alliance." SourceWatch. Updated 11 July 2018. Web. 1 August 2020. https://www.sourcewatch.org/index.php/Consumer_Energy_Alliance

"Consumer Energy Alliance Company Profile." Dun & Bradstreet. N.d. Web. 3 August 2020. https://www.dnb.com/business-directory/companyprofiles.consumer_energy_alliance.454e3efbaec375d2223df5300efc4d86.html#financialsanchor

Consumer Energy Alliance Facebook post. 2 June 2020. Web. 2 August 2020. <u>https://www.facebook.com/ConsumerEnergyAlliance/posts/10157562500767815?</u> xts [0]=68 .ARBs5dj7AnyCWHGm2-FO-uKtw9pv0A9gZb82JR-

6LIK4dvFdody4kt1xe4uDaPKgYdfnZ3iU1jRQjh6oqHPN4HY3BwEja4IxfR-

4oD2U2rE0LYPp5moU5KAbKtCSMl5aWO5giWak4ywlUqntd0RuyUdmjl-

bbCsw62RCWQdoaRIRrtQL1U-7haY1BL6SDV-xOWFnfTIZ1mAet-5neCmCKEs_orkatH-FrR5DEWI0tl-

x7FWKaJDi2fKnNjw0IJVnxHESmD_800x7I7Z2wJEJVfJom1wqZEZgldQhL4ZWi2gpNhb2cFjkj GKGazERK-gE7dRCbZgyZfPhpvIIyQ

Consumer Energy Alliance. "Staff." N.d. Web. 2 August 2020. https://consumerenergyalliance.org/about/staff/.

Cunningham, Nick. "With Prospects Souring for Oregon Gas Terminal, an Obscure Group Raises Pressure for State Approval." DeSmog. 18 June 2020. Web. 1 August 2020. <u>https://www.desmogblog.com/2020/06/18/oregon-jordan-cove-Ing-gas-western-states-tribal-nations</u>

D'Angelo, Chris. "Energy lobbyists changed politicians' official letters supporting gas project." High Country News. 26 August 2019. Web. 3 August 2020. <u>https://www.hcn.org/articles/energy-and-industry-lobbyist-changed-politicians-official-letters-supporting-gas-project-jordan-cove</u>

Dembicki, Geoff. "Big Oil and Canada thwarted U.S. carbon standards." Salon. 16 December 2011. Web. 3 August 2020.

https://www.salon.com/2011/12/15/big_oil_and_canada_thwarted_u_s_carbon_standards/

Doyle, Kevin. "ACP Project Essential to Virginia's Energy Future." Consumer Energy Alliance. 7 February 2020. Web. 2 August 2020. <u>https://consumerenergyalliance.org/2020/02/acp-project-essential-to-virginias-energy-future/</u>.

Doyle, Kevin. "Amendment 1 would boost solar energy and benefit all: My Word." Orlando Sentinel. 12 June 2016. Web. 1 August 2020. <u>https://www.orlandosentinel.com/opinion/os-ed-solar-energy-amendment-one-myword-060816-20160610-story.html</u>.

Doyle, Kevin. "Doyle: America's greatest untold success story." The Roanoke Times. 12 July 2020. Web. 1 August 2020. <u>https://roanoke.com/opinion/commentary/doyle-americas-greatest-untold-success-story/article_9a5e05ac-49b0-511b-8f63-f6531eb1c409.html</u>.

Doyle, Kevin. "Profile." LinkedIn. N.d. Web. 2 August 2020. <u>https://www.linkedin.com/in/kevindoyleflorida/</u>. Dun & Bradstreet. "Hbw Resources, LLC." N.d. Web. 1 August 2020. <u>https://www.dnb.com/business-directory/company-</u> <u>profiles.hbw_resources_llc.6a4bea2b8f68d4750e8a0f9e9dc12d87.html</u>.

"Emerging from COVID-19, Reliable, Reasonable and Resilient Energy Is Essential for New York." Consumer Energy Alliance. 6 July 2020. Web. 1 August 2020. https://consumerenergyalliance.org/2020/07/emerging-from-covid-19-reliable-reasonable-and-resilient-energy-is-essential-for-new-york/

"Energy4US." DeSmog. N.d. Web. 3 August 2020. https://www.desmogblog.com/energy4us

"Energy4US." Koch Vs. Clean. N.d. Web. 3 August 2020. https://www.kochvsclean.com/energy4us/

Fang, Lee. "Exclusive: BP Worked With FreedomWorks And The Chamber To Build 'Grassroots' Support For More Drilling." Think Progress. 6 May 2010. Web. 3 August 2020. <u>https://thinkprogress.org/exclusive-bp-worked-with-freedomworks-and-the-chamber-to-build-grassroots-support-for-more-drilling-73479919e7d4/</u>

Energy and Policy Institute. Page on Consumer Energy Alliance. N.d. Web. 1 August 2020. <u>https://www.energyandpolicy.org/renewable-energy-state-policy-attacks-report-2015/consumer-energy-alliance/</u>.

FBB Federal Relations. "Home." N.d. Web. 2 August 2020. https://www.federalrelations.com/.

"Frequently Asked Questions: How much carbon dioxide is produced per kilowatthour of U.S. electricity generation?" U.S. Energy Information Administration. Updated 20 February 2020. Web. 3 August 2020. <u>https://www.eia.gov/tools/faqs/faq.php?id=74&t=11</u>

Gearino, Dan. "Inside Clean Energy: Rooftop Solar Could Lose Big in Federal Regulatory Case." Inside Climate News. 18 June 2020. Web. 1 August 2020. https://insideclimatenews.org/news/17062020/inside-clean-energy-rooftop-solar.

Grable, Juliet. "Fossil Fuel Front Group Pushes Jordan Cove." Our Land, Our Lives. 19 June 2020. Web. 1 August 2020. https://www.ourland-ourlives.org/post/fossil-fuel-front-group-pushes-jordan-cove

Haggstrom, Emily. "Public Affairs Firm HBW Resources Incorporates Wexford Strategies and New Staff, Widening Scope and Expanding Client Reach." HBW Resources. 12 February 2019. Web. 2 August 2020. <u>https://hbwresources.com/intelligence/</u>.

HBW Resources. "Who We Are." N.d. Web. 1 August 2020. https://hbwresources.com/.

Holt, David. "Bios/Leadership." HBW Resources. N.d. Web. 1 August 2020. https://hbwresources.com/bios/david-holt-managing-partner/.

Holt, David. "National Energy Campaigns, What's Happening & What's Needed: Threats and Opportunities." Consumer Energy Alliance. 1 February 2017. Web. 1 August 2020. <u>https://assets.documentcloud.org/documents/5743787/National-Energy-Campaigns-What-Is-Happening-and.pdf</u>.

Hull, Bryson. "Vice President, Media and Strategic Communications." HBW Resources. N.d. Web. 2 August 2020. <u>https://hbwresources.com/bios/bryson-hull-vice-president-communications-and-media/</u>.

"Jordan Cove LNG Export Terminal: Bringing Jobs and Energy Dominance to America's West Coast." U.S. Department of Energy. 15 July 2020. Web. 1 August 2020. <u>https://www.energy.gov/articles/jordan-cove-Ing-export-terminal-bringing-jobs-and-energydominance-america-s-west-coast</u>

"Jordan Cove LNG L.P. (Jordan Cove LNG) 9 September 2013 Application for a Licence to Export Natural Gas pursuant to Section 117 of the National Energy Board Act (NEB Act) National Energy Board (Board) Reasons for Decision." National Energy Board of Canada. February 2014. Web. 3 August 2020. <u>https://docs2.cer-rec.gc.ca/ll-</u>

Licence_Export_of_National_Gas.pdf?nodeid=2421338&vernum=-2

Kasper, Matt. "Florida Power Companies Continue To Spend Money Supporting Amendment 1 To Limit Solar." Energy and Policy Institute. 28 October 2016. Web. 1 August 2020. https://www.energyandpolicy.org/florida-amendment-1/.

Kasumu, Adebola et al. "Country-Level Life Cycle Assessment of Greenhouse Gas Emissions from Liquefied Natural Gas Trade for Electricity Generation." Environ. Sci. Technol. 2018, 52, 4, 1735–1746. 12 January 2018. Web. 3 August 2020. https://pubs.acs.org/doi/abs/10.1021/acs.est.7b05298

Kusnetz, Nicholas. "Governors and Oil Industry Work Hand in Hand in Offshore Drilling Group." The Center for Public Integrity. 24 November 2014. Web. 3 August 2020. <u>https://publicintegrity.org/politics/state-politics/governors-and-oil-industry-work-hand-in-hand-in-offshore-drilling-group/</u>

Kusnetz, Nicholas. "Is Natural Gas Really Helping the U.S. Cut Emissions?" Inside Climate News. 30 January 2020. Web. 1 August 2020. https://insideclimatenews.org/news/30012020/natural-gas-methane-carbon-emissions.

"Leading Consumer Energy Advocate Applauds Environmental Protection Agency Action to Streamline Critical Energy Infrastructure Water Permits." Consumer Energy Alliance. 2 June 2020. Web. 1 August 2020. <u>https://consumerenergyalliance.org/2020/06/consumer-energy-advocate-applauds-environmental-protection-agency-action-to-streamline-critical-energyinfrastructure-water-permits/</u> New England Ratepayers Association. Web. 1 August 2020. http://www.neratepayers.org/.

Novotny. Tim. "Jordan Cove battle waged on different fronts." The World. 28 January 2014. Web. 2 August 2020. <u>https://theworldlink.com/news/local/jordan-cove-battle-waged-on-different-fronts/article_360744d0-884a-11e3-ad29-0019bb2963f4.html</u>.

"Order Granting Long-Term Multi-Contract Authorization to Import Natural Gas from Canada to the Proposed Jordan Cove LNG Terminal in the Port of Coos Bay, Oregon." United States Department of Energy Office of Fossil Fuel Energy. 18 March 2014. Web. 3 August 2020. <u>https://fossil.energy.gov/ng_regulation/sites/default/files/programs/gasregulation/authorizations/</u> 2014/orders/ord3412.pdf

Outer Continental Shelf Governors Coalition. Home page. N.d. Web. 3 August 2020. <u>http://ocsgovernors.org/</u>

Pomerantz, David. "Front group paid by Dominion releases shady poll showing support for Dominion's Atlantic Coast Pipeline." Energy and Policy Institute. 22 May 2017. Web. 3 August 2020. <u>https://www.energyandpolicy.org/front-group-cea-releases-poll-showing-support-dominion-atlantic-coast-pipeline/</u>

ProPublica. "Lobbying Arrangements Results for 'Ray Bucheger." N.d. Web. 2 August 2020. https://projects.propublica.org/represent/lobbying/search?search=Ray+AND+Bucheger.

Public Citizen, "Motion to Dismiss of Public Citizen, Inc." 15 June 2020. Web. 1 August 2020. https://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=15557937.

Research Partnership to Secure Energy for America (RPSEA) and Mercator Energy. *A Report* on Natural Gas Markets for the Western States and Tribal Nations. 2019. Web. 1 August 2020. <u>https://55399d5c-df35-433c-97d2-</u>

b0c94860d333.filesusr.com/ugd/a1fc4d_6375f5e4959b4f8baa8af10000a50cef.pdf.

Return of Organization Exempt from Income Tax (Form 990) 2018. Consumer Energy Alliance Inc. Web. 3 August 2020.

https://projects.propublica.org/nonprofits/display_990/261658339/12_2019_prefixes_23-26%2F261658339_201812_9900_2019122616978024

"RPSEA Launches Program to Leverage Investments in Onshore Research." RPSEA. 9 December 2019. Web. 1 August 2020. <u>https://rpsea.org/2019/12/09/rpsea-launches-program-to-leverage-investments-in-onshore-research/</u>

Seidman, Derek. "Out-of-State Fossil Fuel Lobbying Firm is Behind Line 3 Pipeline Astroturf Campaign in Minnesota." Eyes on the Ties. 6 December 2017. Web. 1 August 2020. <u>https://news.littlesis.org/2017/12/06/out-of-state-fossil-fuel-lobbying-firm-is-behind-line-3-pipeline-astroturf-campaign-in-minnesota/</u>.

Seven County Infrastructure Coalition (SCIC) Meeting. Audio file. 21 February 2020. Web. 1 August 2020. <u>http://scic-</u>

utah.org/storage/app/uploads/public/5e5/439/4be/5e54394be49a4352302526.mp3

Sheppard, Kate. "This Messaging Guru Is Helping Utilities Clean Up Their Appearance." HuffPost. 29 March 2016. Web. 1 August 2020. <u>https://www.huffpost.com/entry/messaging-utilities-solar-power_n_56f45cd6e4b014d3fe22b572</u>.

SourceWatch. "Astroturfing." The Center for Media and Democracy. 25 February 2020. Web. 1 August 2020. <u>https://www.sourcewatch.org/index.php?title=Astroturf</u>.

SourceWatch. "HBW Resources." The Center for Media and Democracy. 25 December 2018. Web. 1 August 2020. <u>https://www.sourcewatch.org/index.php/HBW_Resources</u>.

Sweetwater County, WY Board of Commissioners meeting 19 May 2020. Web. 1 August 2020. https://www.youtube.com/watch?v=YOjjZnKoHZ8

Tabuchi, Hiroko. "Global Methane Emissions Reach a Record High." The New York Times. 14 July 2020. Web. 1 August 2020. <u>https://www.nytimes.com/2020/07/14/climate/methane-emissions-record.html</u>.

Tabuchi, Hiroko. "The Oil Industry's Covert Campaign to Rewrite American Car Emissions Rules." The New York Times. 13 December 2018. Web. 3 August 2020. https://www.nytimes.com/2018/12/13/climate/cafe-emissions-rollback-oil-industry.html

"Tele-Town Hall with FERC Commissioner, Bernie McNamee." Consumer Energy Alliance. Video. 5 May 2020. Web. 1 August 2020. <u>https://www.youtube.com/watch?v=eAcdK-NdYbA</u>

U.S. Energy Information Administration. "How much carbon dioxide is produced per kilowatt hour of U.S. electricity generation?" 20 February 2020. Web. 1 August 2020. https://www.eia.gov/tools/faqs/faq.php?id=74&t=11.

Utah Governor's Office of Energy Development, West Slope Colorado Oil and Gas Association, Colorado Energy Office, Uintah County, the Utah Petroleum Association and Consumer Energy Alliance. "Utah and Colorado - Opportunities to Collaborate Policy, Advocacy and Development of Natural Gas Markets for the Uintah and Piceance Basins." 30 August 2017. Web. 1 August 2020. <u>http://scic-</u>

utah.org/storage/app/uploads/public/5cd/1d5/162/5cd1d51628578463769392.pdf.

Western States and Tribal Nations Natural Gas Initiative. Home page. N.d. Web. 1 August 2020. <u>https://www.westernnaturalgas.org/</u>

Whatley, Michael. "Bios/Leadership." HBW Resources. N.d. Web. 2 August 2020. https://hbwresources.com/bios/michael-whatley-partner/.

Whatley, Michael. "Profile." LinkedIn. N.d. Web. 2 August 2020. https://www.linkedin.com/in/michael-whatley-a19311b/.

"WSTN Urges Oregon Governor to Let Jordan Cove LNG Plays its Part in State's Economic Recovery." Western States and Tribal Nations Natural Gas Initiative. 24 May 2020. Web. 1 August 2020. <u>https://www.westernnaturalgas.org/post/openlettertogovernorbrown</u>

Zibel, Alan. "Fossil Filled: Oil, Mining Companies Seeking Bailouts Dominate Interior Department Officials' Calendars." Public Citizen. 20 May 2020. Web. 1 August 2020. https://www.citizen.org/article/fossil-filled/