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# Washington Energy Report

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## [D.C. Circuit Holds that FERC Lacks Jurisdiction over Certain Interstate Gas Sales by Municipalities](#)

By [Russell Kooistra & Christopher Zentz](#) on May 1, 2018

POSTED IN [NATURAL GAS](#)

On April 24, 2018, the U.S. Court of Appeals for the D.C. Circuit ("D.C. Circuit") held that FERC lacks jurisdiction over certain of the City of Clarksville, Tennessee's ("Clarksville") interstate sales of natural gas for resale, because the plain language of the Natural Gas Act ("NGA") excludes sales by municipalities from FERC's jurisdiction, which extends to interstate sales of natural gas for resale under NGA section 7.

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## [FERC Approves Settlement with PSEG Subsidiary over Allegations of Inaccurate Cost-Based Offers in PJM Energy Market](#)

By [Jamond Perry & Thomas DeVita](#) on May 2, 2018

The Washington Energy Report is a weekly publication written by the Troutman Sanders Federal Energy Regulatory Commission ("FERC") practice that monitors and reports on significant developments in FERC and energy-related matters around the country.

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On April 25, 2018, FERC approved a Stipulation and Consent Agreement (“Settlement”) between the Office of Enforcement (“OE”) and PSEG Resources & Trade, LLC (“PSEG”). The Settlement resolves an investigation into whether PSEG violated certain sections of the PJM Interconnection, L.L.C. (“PJM”) Tariff, Operating Agreement, and FERC’s Market Behavior Rule, when PSEG submitted incorrect cost-based offers into the PJM energy market between 2005 and 2014. FERC determined that the Settlement was a fair and equitable resolution of the matter, and that the penalty imposed upon PSEG reflected the nature and seriousness of the violations.

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[New York Denies Water Permit for Transco’s Northeast Supply Enhancement Project](#)

By [Meghan Mandel](#) & [Jasmine Hites](#) on April 30, 2018

POSTED IN [NATURAL GAS](#)

On April 20, 2018, the New York State Department of Environmental Conservation (“NYSDEC”) denied the Transcontinental Gas Pipe Line Company, LLC’s (“Transco”) application (“Application”) for a Water Quality Certification (“WQC”) for the Northeast Supply Enhancement Project (“Project”). The NYSDEC denied the Application without prejudice, asserting that the Application provided incomplete information upon which to make a determination.

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