

NEWS

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Statement on 2nd Circuit Vacating and Remanding New York DEC's Denial of Certification

(Washington, D.C.) – The Natural Gas Supply Association (NGSA) today released the following statement regarding the news that U.S. Court of Appeals for the 2nd Circuit vacated and remanded the New York State Department of Environmental Conservation's (NYSDEC) denial of water certification to National Fuel Gas' Empire Pipeline.

Pat Jagtiani, executive vice president of NGSA said:

“We applaud the 2nd Circuit's decision to vacate NYSDEC's unfounded denial of water certification to National Fuel. As stated by the Court, NYSDEC's denial failed to make ‘any rational connection between facts found and choices made.’

“State denials of 401 water certifications must be closely scrutinized to ensure that states are sticking to the facts instead of using their certificates as a tactic simply to limit infrastructure. It's unfortunate that the DEC's actions delayed a pipeline that would provide economic growth to New York's citizens and businesses, while depriving other states reliable access to natural gas supplies that are needed for clean electricity, winter heating and industrial manufacturing.”

For more information, see NGSA's [amicus brief](#) filed with other energy groups and businesses.

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The Natural Gas Supply Association (NGSA) represents integrated and independent companies that supply natural gas. Founded in 1965, NGSA is the only national trade association that solely focuses on producer-market issues related to the downstream natural gas industry. NGSA maintains a deep focus on the regulatory issues that affect natural gas producer-marketers and has been involved in a substantive manner in every one of the Federal Energy Regulatory Commission's significant natural gas rulemakings since FERC's creation in 1977. For more information, please visit www.ngsa.org.

Markets Matter: *Representing America's Major Producers and Suppliers of Natural Gas Since 1965*