

Congress of the United States
Washington, DC 20510

January 23, 2018

The Honorable James Richard “Rick” Perry
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Secretary Perry,

Following our September 25, 2017 meeting regarding the *Plains and Eastern Clean Line Participation Agreement* (Agreement), we write today to bring new developments to your attention concerning the Department of Energy’s (DOE) participation in the Plains and Eastern Clean Line Project (Project). We appreciate the time and diligence you’ve given to our concerns.

First you should be aware that in December, Clean Line Energy Partners announced it had sold the entirety of the Project’s Oklahoma assets to a company unmentioned in the Agreement. Also late last year, Clean Line Energy Partners dropped its interconnection agreement with the Tennessee Valley Authority (TVA), the Project’s most significant potential customer on the eastern end of the 700-mile transmission line. Without an interconnection agreement, it is reasonable to conclude the Project’s ultimate delivery of energy is not expected to occur for at least several more years.

Meanwhile in Arkansas, there are landowners who agreed to easements, who now face an uncertain future, due to the circumstances in Oklahoma and Tennessee. The essentially new Clean Line Project has put these landowners in a special predicament where they face potentially debilitating outcomes with indefinite resolution.

We understand this is a problem your agency inherited from the previous Administration. Therefore, we have included suggestions to either pause the Project or detach the DOE from this case of gross federal government overreach. We request that you give our suggestions your full consideration.

The Clean Line Energy Partners’ sale of Oklahoma assets changes the current version of the Project from the one in which DOE originally agreed to participate. It is clear this drastically changes the Project scope originally agreed to by the DOE. Therefore, we request that the DOE immediately pause the Project and conduct a new study to see if the scope of the altered Project is achievable. If you are unwilling or unable to conduct a new study, we ask that you explain the DOE’s justification of participation following this sale.

Additionally, Article VII of the Agreement enumerates many occurrences where the DOE may terminate its participation. We believe one option is especially pertinent as follows: "(B) the Commencement Date has not occurred by December 31, 2018." In light of the recent events previously mentioned, it is reasonable to anticipate failure to achieve this deadline.

With the Project eminently unable to reach the pre-conditions set out in the Agreement, and the uncertainty of an altered Clean Line Project which has not been properly studied, the Arkansas delegation requests that the DOE pause the Project to either study or terminate its participation before the deadline.

Once again, we appreciate the time and diligence you and the DOE have given to this matter. We believe that Clean Line Energy Partners will be unable to meet the pre-conditions set out in the Agreement and the DOE is justified in terminating the Agreement by the end of this year. As a champion of states' rights throughout your career, we ask that you continue to work with us to end this lingering overreach of the previous Administration.

Sincerely,



John Boozman
U.S. Senator



Tom Cotton
U.S. Senator



Rick Crawford
Member of Congress



French Hill
Member of Congress



Steve Womack
Member of Congress



Bruce Westerman
Member of Congress