

(i) Use of general terms

In applying the provisions of this section in the case of natural gas subject to a prohibition order issued under this section, the term “petroleum products” (as defined in subsection (h)(2) of this section) shall be substituted for the term “heavy petroleum fuel oil” (as defined in section 717y(e)(7) of this title) if the person subject to any order under this section demonstrates to the Commission that the acquisition and use of heavy petroleum fuel oil is not technically or economically feasible.

(Pub. L. 95-617, title VI, § 607, Nov. 9, 1978, 92 Stat. 3171.)

CODIFICATION

Section was enacted as part of the Public Utility Regulatory Policies Act of 1978, and not as part of the Natural Gas Act which comprises this chapter.

DELEGATION OF FUNCTIONS

Functions of President under this section, except for authority to declare, extend, and terminate a natural gas supply emergency pursuant to subsecs. (a) and (b) of this section, delegated to Secretary of Energy, see section 1-102 of Ex. Ord. No. 12235, Sept. 3, 1980, 45 F.R. 58803, set out as a note under section 3364 of this title.

DEFINITIONS

For definitions of terms used in this section, see section 2602 of Title 16, Conservation.

CHAPTER 15C—ALASKA NATURAL GAS TRANSPORTATION

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§ 719. Congressional findings

The Congress finds and declares that—

- (1) a natural gas supply shortage exists in the contiguous States of the United States;
- (2) large reserves of natural gas in the State of Alaska could help significantly to alleviate this supply shortage;
- (3) the expeditious construction of a viable natural gas transportation system for delivery of Alaska natural gas to United States markets is in the national interest; and
- (4) the determinations whether to authorize a transportation system for delivery of Alaska natural gas to the contiguous States and, if so, which system to select, involve questions of

the utmost importance respecting national energy policy, international relations, national security, and economic and environmental impact, and therefore should appropriately be addressed by the Congress and the President in addition to those Federal officers and agencies assigned functions under law pertaining to the selection, construction, and initial operation of such a system.

(Pub. L. 94-586, § 2, Oct. 22, 1976, 90 Stat. 2903.)

EXPIRATION DATE

Pub. L. 94-586, § 20, Oct. 22, 1976, 90 Stat. 2916, provided that: “This Act [this chapter] shall terminate in the event that no decision of the President takes effect under section 8 of this Act [section 719f of this title], such termination to occur at the end of the last day on which a decision could be, but is not, approved under such section.”

SHORT TITLE

Pub. L. 94-586, § 1, Oct. 22, 1976, 90 Stat. 2903, provided that: “This Act [enacting this chapter and provisions set out as notes under this section and section 1651 of Title 43, Public Lands] may be cited as the ‘Alaska Natural Gas Transportation Act of 1976.’”

ANTITRUST STUDY

Pub. L. 94-586, § 19, Oct. 22, 1976, 90 Stat. 2916, directed Attorney General of United States to conduct a thorough study of antitrust issues and problems relating to production and transportation of Alaska natural gas and, not later than six months after Oct. 22, 1976, to complete such study and submit to Congress a report containing his findings and recommendations with respect thereto.

§ 719a. Congressional statement of purpose

The purpose of this chapter is to provide the means for making a sound decision as to the selection of a transportation system for delivery of Alaska natural gas to the contiguous States for construction and initial operation by providing for the participation of the President and the Congress in the selection process, and, if such a system is approved under this chapter, to expedite its construction and initial operation by (1) limiting the jurisdiction of the courts to review the actions of Federal officers or agencies taken pursuant to the direction and authority of this chapter, and (2) permitting the limitation of administrative procedures and effecting the limitation of judicial procedures related to such actions. To accomplish this purpose it is the intent of the Congress to exercise its constitutional powers to the fullest extent in the authorizations and directions herein made, and particularly with respect to the limitation of judicial review of actions of Federal officers or agencies taken pursuant thereto.

(Pub. L. 94-586, § 3, Oct. 22, 1976, 90 Stat. 2903.)

§ 719b. Definitions

As used in this chapter:

- (1) the term “Alaska natural gas” means natural gas derived from the area of the State of Alaska generally known as the North Slope of Alaska, including the Continental Shelf thereof;
- (2) the term “Commission” means the Federal Power Commission;
- (3) the term “Secretary” means the Secretary of the Interior;