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The Federal Trade Commission
Public Comment
600 Pennsylvania Avenue, NW
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Dear Chair Kovacic and Commissioners Harbour, Leibowitz, and Rosch:

As the Commission considers a Proposed Rule to implement Section 811 of the Energy Independence and Security Act of 2007, I write to ask the Commission to address situations involving intentional conduct that distorts the market and inhibits the flow of crude oil to domestic markets.

I respectfully request that you use the Commission's new authority to address anti-competitive conduct arising in conjunction with the transportation of crude oil to domestic markets. At a time when demand for domestic supplies of crude oil is high, we hope that the Commission will address conduct that apparently may be considered beyond the scope of authority granted to the Federal Energy Regulatory Commission, in which a single company gains exclusive control of energy-related infrastructure, such as pipelines and refineries, for moving domestic crude to a consuming market.

I also request that when you issue the final rule, that you also provide advisory guidance to address situations as we have described that impose artificial barriers on the transportation of crude oil and discourage much-needed capital investment in domestic production at a time when domestic production is critically needed.

Sincerely,

Lisa Murkowski,
U.S. Senator, Alaska