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"The Energy Fast Track"

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The Energy Fast Track

IS THE Energy Mobilization Board the one way this nation can cut through red tape and roadblocks when they threaten to derail U.S. energy efforts, as those who've engineered it claim? Or is the energy "fast track" fraught with perils far greater than any posed whenever bureaucratic inertia or environmental opposition stall a key project?

The country and Congress must come to terms with these issues, now that House and Senate conferees have reached a compromise on legislation authorizing the board. How the questions are answered could change the fundamental course of the United States.

As envisioned by the conference committee, the three-member board appointed by the president would have the power to:

- Designate priority projects. (Automatic status would go to any electric utility requesting it when a generating plant is converted from oil or natural gas to coal or when an oil- or gas-fired boiler is replaced).

- Set timetables for federal, state and local government action on such projects and to act in their place if they miss their deadlines.

- Waive laws which represent a "substantial impediment" to a priority project, subject to an expedited review by Congress.

- Waive or suspend any federal, state or local law enacted after a project applied for priority status or after construction had begun. This "grandfather" clause would not require congressional or presidential review.

FROM A practical standpoint, the board has its problems. How, for instance, is a president going to find three people who are capable of such vision? Assuming they are found, will these all-seeing, all-knowing appointees need a staff to advise them if an energy project is sound enough to stand on its own, much less merit special attention?

Will adding another bureaucracy speed energy projects, or will it merely add to the delay? Will the board be overloaded with requests for special consideration?

Will the big projects — refineries, pipelines, slurries and the like — get its attention at the expense of cottage industries, which are likewise subject to bureaucratic tangles and legal delays in developing energy plans?

Shouldn't state and local governments make an effort to pare down on their requirements? Does congressional review make the board too weak to accomplish what's needed?

OR WOULD THE board be too strong with its power to override local, state and federal laws? This question of principle is at the heart of the matter.

We are talking about a fundamental reordering of the federal system on which this country was founded and has functioned for almost 200 years.

The federal system isn't the most efficient way to do business, nor was it designed to be. Rather, it was intended to measure interests and to balance them against one another. The results may not be fast or to everyone's liking, but take the sum of our best thinking to come up with appropriate actions and possible solutions. And at least the answer isn't handed down by fiat at the dictator's pleasure.

The Energy Mobilization Board may, in fact, get energy efforts moving faster and, perhaps, help solve a national emergency ahead of schedule.

The board may also extract a high price for making the train run on time. Interdicting state and local authority as well as federal law — whether for energy independence or any other cause — raises constitutional issues of grave consequence.

What Americans must decide is whether they're willing to pay the freight for switching the fast track on energy.

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