

THE STATE OF NEW HAMPSHIRE
ENERGY FACILITY SITE EVALUATION COMMITTEE

Portland Natural Gas Transmission System
and
Maritimes & Northeast Pipeline, L.L.C.
SEC Docket No. 96-01

**ORDER AMENDING CERTIFICATE OF SITE AND FACILITY
AND RELATED ORDERS AND DECISIONS**

I. **Procedural Status**

On July 16, 1997, the Energy Facility Site Evaluation Committee ("Committee") issued a Decision in this docket granting Portland Natural Gas Transmission System ("PNGTS") a Certificate of Site and Facility pursuant to RSA 162-H to construct, operate, and maintain the PNGTS Project, and granting Maritimes & Northeast Pipeline, L.L.C. ("M&N") and PNGTS a Certificate of Site and Facility pursuant to RSA 162-H to construct, operate, and maintain the Joint Facilities and their associated facilities. The Committee subsequently issued Orders and Decisions on September 26, 1997, November 21, 1997, and January 28, 1998, disposing of various issues raised by the parties. On October 27, 1997, PNGTS and M&N filed a New Hampshire Supreme Court Rule 10 Appeal by Petition which was accepted by the New Hampshire Supreme Court on February 26, 1998.

To address all the outstanding issues raised on appeal, the Committee has decided to amend its various Orders and Decisions as set forth herein. Any party who wishes to comment or request a hearing on the issues addressed in this order may do so, in writing addressed to the Committee Chair, no later than June 10, 1998. If no comments or hearing requests are received, this order will become final on June 11, 1998.

II. NHPUC Conditions

A. NHPUC Condition D, Internal Inspection, Bullet 2, Page 3, Permit Conditions for Construction and Installation of Applicants' 24-inch and 30-inch Pipeline, Attachment D, Decision of July 16, 1997, as subsequently amended, shall be replaced with the following:

The Applicants voluntarily agree to perform a baseline internal inspection in accordance with acceptable industry practices by internal inspection devices within three years after the pipeline is in service.

B. NHPUC Condition E, Quality Control/State Inspections/Field Changes, Bullet 3, Pages 3 and 4, Permit Conditions for Construction and Installation of Applicants' 24-inch and 30-inch Pipeline, Attachment D, Order of July 16, 1997, as subsequently amended, shall be replaced with the following:

The Applicants voluntarily agree to pay the remaining costs not covered by funds received from USDOT associated with the state acting as the USDOT "designated interstate agent" pursuant to 49 CFR Part 192 during the construction of the pipeline. Total costs to the Applicants are not to exceed \$70,000.00. Said inspectors will not have "stop work ability". However, all noted deficiencies in construction shall be mitigated prior to operation.

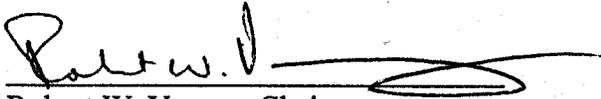
III. NHPUC Conditions: Committee Decisions and Orders of September 26, 1997, and November 21, 1997

NHPUC Condition F, Laterals, Page 4, Permit Conditions for Construction and Installation of Applicants' 24-inch and 30-inch Pipeline, Attachment D, Decision of July 16, 1997, as amended, shall be replaced with the following (including amendment to Committee Orders and Decisions of September 26, 1997, and November 21, 1997):

All laterals that are the subject of this proceeding which are constructed off the mainline facilities in New Hampshire shall be designed, constructed, and installed in accordance with the same criteria as the primary facilities, namely, the standards and requirements of 49 CFR Part 192 and Conditions A through E above, as amended, to which the Applicants have voluntarily agreed.

The Committee's rulings (1) regarding NHPUC Condition F, Page 11, September 26, 1997, Decision on Applicants' Motion for Rehearing; and (2) at Part I, seventh paragraph (at page 2) and at Part II, fourth numbered paragraph (at page 3) of the November 21, 1997, Order Granting Hearing on Joint Supplemental Motion for Reconsideration and Motion to Enforce are no longer effective.

By Order of the Energy Facility Site Evaluation Committee pursuant to NH RSA 162-H, this 1st day of June, 1998.

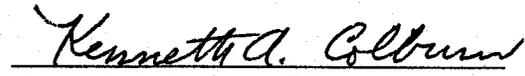


Robert W. Varney, Chairman
Commissioner, Department of
Environmental Services

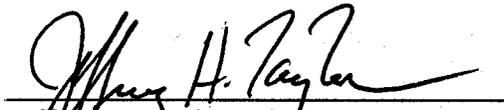


Douglas L. Patch, Vice-Chairman
Chairman, Public Utilities Commission

Harry T. Stewart, P.E., Director
Water Division
Department of Environmental Services



Kenneth A. Colburn, Director
Air Resources Division
Department of Environmental Services



Jeffrey H. Taylor, Director
Office of State Planning



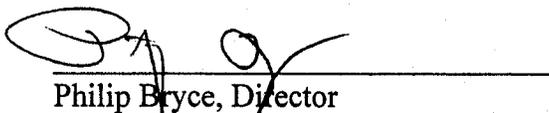
Deborah Schachter, Director
Governor's Office of Energy &
Community Services



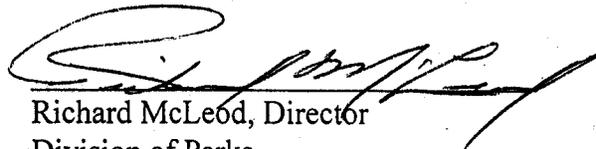
Robb Thomson, Commissioner
Department of Resources &
Economic Development



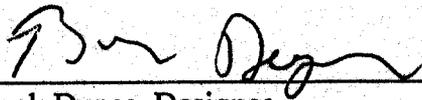
Leon S. Kenison, Commissioner
Department of Transportation



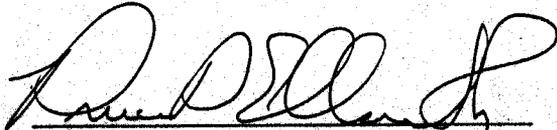
Philip Bryce, Director
Division of Forests & Lands
Department of Resources &
Economic Development



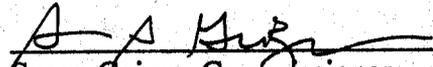
Richard McLeod, Director
Division of Parks
Department of Resources &
Economic Development



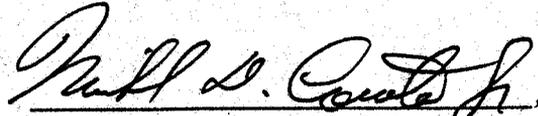
Brook Dupee, Designee
Commissioner
Department of Health & Human Services



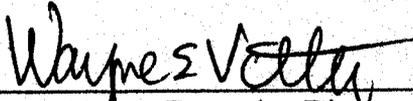
Bruce B. Ellsworth, Commissioner
Public Utilities Commissioner



Susan Geiger, Commissioner
Public Utilities Commission



Michael D. Cannata, Jr., Chief Engineer
Public Utilities Commissioner



Wayne Vetter, Executive Director
Fish and Game Department