

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE
Docket No. 2000-01**

**Re: TENNESSEE GAS PIPELINE COMPANY
LONDONDERRY 20" REPLACEMENT**

**ORDER ON PUBLIC COUNSEL'S MOTION TO NAME
COMMUNITY OMBUDSMAN**

On June 29, 2001, Public Counsel filed a Motion to Name Community Ombudsman in the above captioned docket. On December 28, 2000, the Committee issued a Decision and Order granting a Certificate of Site and Facility to Tennessee Gas Pipeline Company (Tennessee or Applicant) in the above captioned matter. The granting of the Certificate was subject to a number of conditions, including certain conditions concerning orderly development. Condition 4 of the conditions concerning orderly development required the Applicant, Public Counsel and Counsel for the Intervenor to consult with each other for the purpose of selecting a Community Ombudsman and to publish guidelines for the Community Ombudsman. The condition indicated that a Community Ombudsman would be responsible for assisting individual members of the public from any of the affected communities in communicating with the Applicant over the course of the construction of the project. The condition also required that the Community Ombudsman assist the Applicant in communicating with individuals who have raised complaints or concerns or have not otherwise been responsive to the Applicant's communications. The Community Ombudsman condition is quite clear in that the Community Ombudsman is a facilitator and is not required to adjudicate disputes between the Applicant and members of the public. Additionally, the establishment of the Community Ombudsman position must not be interpreted to waive any claim, right, title or process available to any individual or to the Applicant under statutory or common law. See Decision and Order, Attachment ◇, Condition 4.

Public Counsel has requested the Committee to name Mary Usovicz as the Community Ombudsman. The Town of Londonderry, the Londonderry School District, and the Town of Windham have all indicated their support for the selection of Ms. Usovicz as Community Ombudsman. Ms. Usovicz also has the support of the Applicant and Public Counsel.

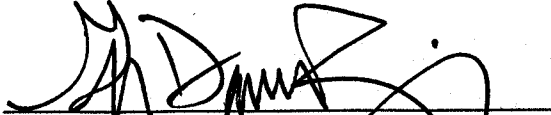
The Londonderry Neighborhood Coalition objects to the appointment of Ms. Usovicz as Community Ombudsman.

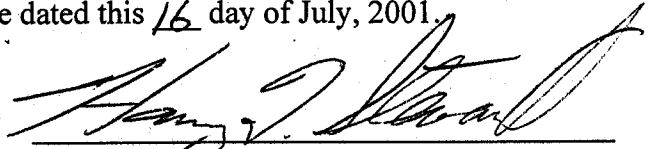
After careful consideration of Public Counsel's motion, the Committee voted to name Mary Usovicz as Community Ombudsman. Ms. Usovicz has the broad support of most of the parties and affected communities in this docket. Moreover, it must be remembered that the Community Ombudsman does not act in an adjudicatory capacity. Her sole purpose is to facilitate communication between members of the public and the Applicant. In accomplishing this task, she


is subject to the guidelines which are attached hereto as Exhibit A.

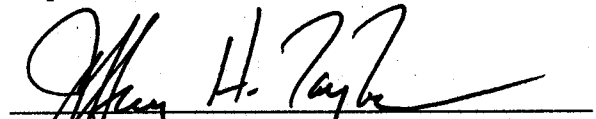
Based upon the foregoing considerations, the motion of Public Counsel to name Mary Usovicz as Community Ombudsman is granted. Additionally, the guidelines which are attached hereto as Exhibit A are adopted by the Committee and shall be followed by the Community Ombudsman.

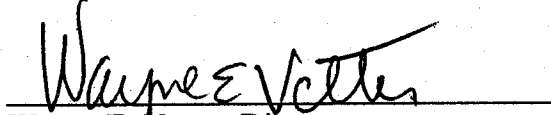
By Order of the Site Evaluation Committee dated this 16 day of July, 2001.

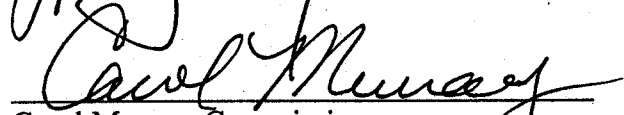

George Dana Bisbee, Acting Chairman
Assistant Commissioner, Department of
Environmental Services



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

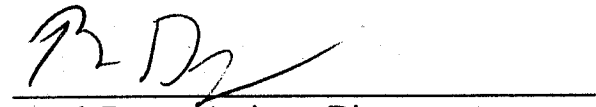

Douglas L. Patch, Chairman
Public Utilities Commission



Jeffrey H. Taylor, Director
Office of State Planning



Wayne E. Vetter, Director
Fish and Game Department

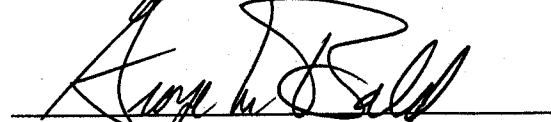

Carol Murray, Commissioner
Department of Transportation



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

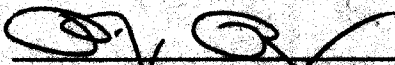

Brook Dupee, Assistant Director
Office of Community & Public Health
Department of Health & Human Services


Mary Ann Manoogian, Director
Governor's Office of Energy &
Community Services

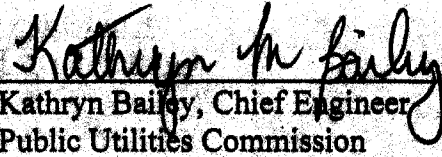

Susan S. Geiger, Commissioner (cd)
Public Utilities Commission


George M. Bald, Commissioner
Department of Resources & Economic
Development


Nancy Brockway, Commissioner (cd)
Public Utilities Commission



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



Kathryn Bailey, Chief Engineer
Public Utilities Commission



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

Guidelines for Ombudsman
Londonderry Replacement Project

Objective: The following procedures should be followed in the event that unresolved issues or concerns arise during the construction of the Tennessee Gas Pipeline Company 20-inch Diameter Replacement Project.

- Procedures:**
1.
 - A. Ombudsman receives phone call from individual member of the public.
 - B. Ombudsman receives contact from representative of Tennessee Gas Pipeline Company (Tennessee) requesting assistance with individual member of the public.
 2.
 - A. Ombudsman calls Tennessee's point-of-contact, Mr. Tom Hite at (603) 432-2654 or other appropriate representative of Tennessee.
 - B. Ombudsman makes contact with individual member of the public.
 3.
 - A. Tennessee arranges a three-way communication between individual, the Ombudsman, and the Tennessee representative.
 - B. Ombudsman assures that the three-way communication occurs within a timely fashion and under appropriate circumstances.
 4.
 - A. Tennessee assesses the issue and determines a course of action.
 - B. Individual member of the public assesses the issue and determines course of action.
 5.
 - A. Tennessee arranges a three-way communication between individual, the Ombudsman, and Tennessee representative who will outline their resolution/position.
 - B. Tennessee arranges a three-way communication between individual, the Ombudsman, and Tennessee representative at which time the individual will outline their/it's position/resolution.
 - C. Ombudsman assures that the three-way communication occurs within a timely fashion and under appropriate circumstances.
 6. Individual still has concerns: contact 1-800-781-4152 (Tennessee Corporate Office in Houston).

7. A. Individual still has concerns: contact 1-800-877-4340 (Federal Energy Regulatory Commission "FERC").
B. Individual still has concerns: contact Russell Nylander, Department of Environmental Services, Water Division, 6 Hazen Drive, PO Box 95, Concord, NH 03301 (603) 271-2981); nylander@des.state.nh.us.
8. At all times communication and attempts at communication between the parties named above will be memorialized by the Ombudsman, copied to Tennessee and available for review by EFSEC.
9. At all times, the Ombudsman shall ensure that all parties have an appropriate opportunity to voice concerns and opinions.
10. At all times, the Ombudsman shall ensure that appropriate documentation is exchanged to allow informed decisions by either party.

NEITHER THESE GUIDELINES NOR THE ESTABLISHMENT OF THE COMMUNITY OMBUDSMAN POSITION SHALL, IN ANY FASHION, BE INTERPRETED TO WAIVE ANY CLAIM, RIGHT, TITLE OR PROCESS AVAILABLE TO ANY INDIVIDUAL OR TO THE APPLICANT UNDER STATUTORY OR COMMON LAW.