

1 STATE OF NEW HAMPSHIRE

2 SITE EVALUATION COMMITTEE

3 July 17, 2008 - 7:00 p.m.
4 Pelham Elementary School
5 61 March Road
6 Pelham, New Hampshire

7 In re: SITE EVALUATION COMMITTEE:
8 Docket No. 2008-002: Application of
9 Tennessee Gas Pipeline Co. for a
10 Certificate of Site and Facility for
11 the Concord Lateral Expansion Project.
12 (Public informational hearing)

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15 PRESENT: SITE EVALUATION COMMITTEE:

16 Thomas S. Burack, Cmsr. Dept. of Environmental Services
17 (Chairman of SEC - Presiding Officer)

18 Thomas B. Getz, Chrmn. Public Utilities Commission
19 (Vice Chairman of SEC)

20 Graham J. Morrison, Cmsr. Public Utilities Commission
21 Harry T. Stewart, Dir. DES - Water Division
22 Amy L. Ignatius, Dir. Office of Energy & Planning
23 Philip Bryce, Dir. Div. of Forests & Lands (DRED)
24 Robert Scott, Dir. Air Resources Division (DES)
25 Brook Dupee Dept. of Health & Human Services
26 Randall Knepper Public Utilities Commission

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30 COURT REPORTER: Steven E. Patnaude, LCR No. 52

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2 ALSO PRESENT:

Michael Iacopino, Esq.
Counsel for the Committee

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Cedric Dustin
Administrator for the Committee

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Peter C. L. Roth, Esq.
Senior Assistant Attorney General
N.H. Dept. of Justice
Counsel for the Public

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Reptg. Tennessee Gas Pipeline Co.:
Donald Pfundstein, Esq. (Gallagher...)
Jay Allen, Esq. (El Paso Pipeline Group)

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1 P R O C E E D I N G S

2 CHAIRMAN BURACK: Thank you. Good
3 evening, ladies and gentlemen. My name is Tom Burack, and
4 I'm the Commissioner of the New Hampshire Department of
5 Environmental Services, and, in light of my service in
6 that capacity, I also serve as Chair of this Committee,
7 the New Hampshire Site Evaluation Committee, otherwise
8 referred to as the "SEC". This Committee is created under
9 the auspices of RSA 162-H, and includes the Commissioners
10 or Directors of a number of state agencies, as well as
11 specified key personnel from various state agencies.

12 At this point, I would like to have the
13 other members of the Committee introduce themselves, we
14 will then introduce Committee staff, and I will then
15 review for you our agenda for the evening. We'll start
16 with Mr. Knepper please.

17 MR. KNEPPER: My name is Randy Knepper.
18 I'm Director of Safety with the Public Utilities
19 Commission.

20 DIR. STEWART: Harry Stewart, Water
21 Division Director, Department of Environmental Services.

22 MR. DUPEE: Brook Dupee, representing
23 the Department of Health & Human Services.

24 DIR. BRYCE: Philip Bryce, Director of

1 Forests & Lands, from the Department of Resources &
2 Economic Development.

3 DIR. SCOTT: Bob Scott. I'm the
4 Director of the Air Resources Division, with the
5 Department of Environmental Services.

6 CMSR. MORRISON: Graham Morrison,
7 Commissioner, New Hampshire Public Utilities Commission.

8 VICE CHAIRMAN GETZ: I'm Tom Getz. I'm
9 Chairman of the Public Utilities Commission and Vice Chair
10 of this Committee.

11 DIR. IGNATIUS: I'm Amy Ignatius. I'm
12 the Director of the Office of Energy & Planning.

13 CHAIRMAN BURACK: I will now introduce
14 Committee staff, and we will shortly introduce Counsel to
15 the Public as well. To my immediate right is Michael
16 Iacopino, who serves as legal counsel to the Site
17 Evaluation Committee. At the far end of the table there,
18 to Mr. Knepper's right, is Cedric Dustin, who serves as
19 Administrator for the Site Evaluation Committee. And, he
20 will be the person with whom you will -- to whom you will
21 provide cards, if you have questions as members of the
22 public you would like to ask, or if you would like to have
23 an opportunity to comment before the close of the program
24 this evening.

1 We do have only one item on our agenda
2 for this evening's meeting. We will hold a public
3 information hearing in Docket Number 2008-002, the
4 Application of Tennessee Gas Pipeline Company for a
5 Certificate of Site and Facility for the Concord Lateral
6 Project.

7 We will go ahead now and introduce Peter
8 Roth, to Amy Ignatius's immediate right. Peter, would you
9 like to introduce yourself.

10 MR. ROTH: Sure. I'm Peter Roth. I'm a
11 Senior Assistant Attorney General from the Department of
12 Justice. And, I am Counsel to the Public, appointed by
13 the Attorney General, to represent the public interest in
14 this proceeding. Even though I'm sitting at this table, I
15 am not a member of the Committee.

16 CHAIRMAN BURACK: Thank you, Attorney
17 Roth. We're going to turn now to the agenda item, and I'm
18 going to provide you with some background regarding this
19 matter. And, then, we will have a presentation by the
20 Applicant, followed by questions from the Committee,
21 questions from Public Counsel, and then an opportunity for
22 members of the public to ask questions on cards that
23 Mr. Dustin will make available to you, and then an
24 opportunity, for anyone who would like to do so, to sign

1 up on a sheet that Mr. Dustin will circulate, an
2 opportunity for anybody who would like to provide public
3 comment. We also have provided, in the back of the room,
4 a public information sheet, a double-sided piece of paper,
5 that provides some more information regarding the Site
6 Evaluation Committee and how we do our work. And, I think
7 it's important for everybody to understand that tonight's
8 proceeding is not a hearing on the merits with respect to
9 this project. This is a public information meeting, an
10 opportunity for the public to provide comment, but there
11 will be a separate hearing at a date that I do not believe
12 has yet been scheduled for a hearing on the merits, at
13 which we will hear further information and testimony from
14 the Applicant, as well as from any parties who seek to
15 intervene in this matter, in addition to an appearance by
16 Attorney Roth, as Counsel to the Public. And, if you have
17 further questions about the proceedings, we certainly,
18 either through Mr. Dustin or Attorney Iacopino, I would
19 suggest that you direct your questions to, in particular
20 to Attorney Iacopino, after tonight's program, and he can
21 answer any further questions about the process itself.

22 Let me now provide you with some
23 background about this matter. On April 22, 2008,
24 Tennessee Gas Pipeline Company, known to us as the

1 "Applicant", filed an Application for a Certificate of
2 Site and Facility for the Concord Lateral Expansion
3 Project, also known as the "Application". The Application
4 seeks a Certificate of Site and Facility, which we refer
5 to as a "Certificate", for the construction and operation
6 of an energy facility in Pelham, Hillsborough County, New
7 Hampshire, consisting of a new 6,130 horsepower
8 compression station on the Applicant's Line 200 system,
9 known as the "Concord Lateral System", which we refer to
10 simply as the "Lateral", in Pelham, New Hampshire. The
11 construction and operation of the compressor will allow
12 the Applicant to provide an incremental 30,000 decatherms
13 per day of capacity to EnergyNorth. The Application for a
14 Certificate of Site and Facility also seeks approval of
15 upgrades at the Applicant's existing Laconia Meter
16 Station, which is located in Concord, New Hampshire, we
17 refer to that as the "Meter Station", including piping
18 modifications to accommodate the additional capacity.

19 The facilities are proposed to be
20 located on private property located in Pelham,
21 Hillsborough County, New Hampshire, and in Concord,
22 Merrimack County New Hampshire. The new compressor
23 station will be located on a parcel of land identified by
24 the Town of Pelham Tax Map as Lot 1-5-111, that's the map,

1 parcel, and lot number. The Pelham location consists of
2 11.6 acres, of which 4.2 acres will be fenced to contain
3 the compressor building and required auxiliary buildings.
4 The upgrades at the Meter Station in Concord, New
5 Hampshire, will occur at 17 Broken Bridge Road, Concord,
6 New Hampshire. The Meter Station is an existing structure
7 located within a fenced area in Concord, and occupies
8 approximately 0.5 acres.

9 The compressor station in Pelham is
10 proposed to consist of a 6,130 horsepower turbine-driven
11 centrifugal compressor unit fueled by natural gas that
12 will be installed inside a new compressor building.
13 Associated facilities that will also be constructed and
14 operated by the Applicant include a filter separator,
15 discharge gas cooler, and blow down silencer, control
16 building, and an auxiliary building.

17 In order to accommodate the increased
18 capacity created by the proposed compressor unit in
19 Pelham, the Applicant also seeks approval of plans to
20 modify station piping at its existing Meter Station
21 located in Concord, Merrimack County, New Hampshire. The
22 existing Meter Station is comprised of two measuring
23 facilities; the Concord measuring facility and the Laconia
24 measuring facility. The Applicant proposes to replace a

1 total of approximately 60 feet of existing 4-inch and
2 6-inch pipe from Line 273C-100 to the Laconia measuring
3 facility with 12-inch pipe. Additionally, existing 6-inch
4 piping within the meter station will be reconfigured and
5 reconnected between Lines 273C-100 and 270B-100 to serve
6 as a tie-over line to insure continuous service in the
7 event of outages on the primary line.

8 Again, we have already had an
9 introduction of Attorney Peter Roth as counsel, and I'll
10 just provide a little further background here. When an
11 application for a certificate of site and facility is
12 filed, RSA 162-H provides that the Attorney General shall
13 appoint an attorney to serve as Counsel to the Public.
14 Counsel to the Public represents the public in seeking to
15 protect the quality of the environment and is seeking to
16 assure an adequate supply of energy. Counsel to the
17 Public is accorded all the rights and privileges and
18 responsibilities of an attorney representing a party in a
19 formal action. In this case, the Attorney General has
20 appointed Senior Assistant Attorney General Peter Roth to
21 serve as Counsel to the Public. As we all understand,
22 Mr. Roth is present here this evening.

23 With respect to notice of this hearing,
24 it was published in the Manchester Union Leader on

1 June 30, 2008; in the Concord Monitor on June 30, 2008;
2 and in the Nashua Telegraph on June 28, 2008.

3 What I'd like to do now is provide a
4 description of the process that will be followed during
5 this evening's hearing. Again, the purpose of our hearing
6 tonight is to provide information to the public regarding
7 the Application of Tennessee Gas and also to take public
8 questions and comments regarding the Application or the
9 proposed facility. We will start the hearing by allowing
10 the Applicant, through its representatives, to make a
11 public presentation about the project. Thereafter, we
12 will entertain questions from the Committee and Public
13 Counsel. When there are no more questions from the
14 Committee or Public Counsel, we will then turn to
15 questions raised by the public. If you wish to ask a
16 question concerning the Application, please write your
17 question on a card, identify yourself on the card, and
18 provide the card to our Administrator, Cedric Dustin. The
19 Chair will then read the questions and seek responses from
20 the Applicant.

21 Finally, we will entertain public
22 comments on the project. And, if you wish to speak or
23 comment on the proposed project, you should alert
24 Mr. Dustin, and he will see that you have access to the

1 microphone. And, we will ask you to please identify
2 yourself by name before making your comments.

3 Please also remember that everything
4 being said here today is being recorded by our court
5 reporter, this gentleman here, who is rapidly taking down
6 everything that we're saying tonight. And, it is very
7 important, therefore, that we not only identify ourselves,
8 but also speak clearly and loudly. Although, I think,
9 with this very good amplification system in here, there
10 won't be any problem with folks being heard if you're
11 close to the microphone.

12 So, with that, I will turn the floor
13 over to Mr. Pfundstein to introduce himself and the
14 project and to make the Applicant's presentation.

15 MR. PFUNDSTEIN: Thank you, Mr.
16 Chairman, members of the Committee. For the record, my
17 name is Donald Pfundstein. I'm a lawyer with Gallagher,
18 Callahan & Gartrell, which is based in Concord, New
19 Hampshire, and we are New Hampshire counsel to Tennessee
20 Gas Pipeline Company, with respect to the Application
21 subject to the proceedings we're here for this evening.

22 We appreciate the opportunity to meet
23 with the Committee, but also, at least as importantly, the
24 members of the local community who are interested to learn

1 more about the project. The Company has a number of
2 professional staff with us this evening. And, at this
3 point, I'd like to take the opportunity to introduce each
4 of them. And, if you could just stand up or give us a
5 little hand wave, that might be useful. To my immediate
6 right is the senior lawyer from the Company involved with
7 this project, Jay Allen; to his right is the Principal
8 Engineer, Tom Fillip. Sorry, Tom. And, I should
9 introduce to you also at this time the Manager of Business
10 Development for Tennessee Gas Pipeline, who will actually
11 be making the presentation, Mr. Mike Stokdyk. Also with
12 us this evening is John Gavin, who is the property
13 rights/right-of-way individual. And, with him as well are
14 Steve Rogers, the Area Supervisor, who is involved with
15 the operations of the facility, and also Dave Carroll, who
16 is an Area Manager, who likewise is involved with the
17 day-to-day operations of the facility.

18 Now, I think the only one I've forgotten
19 is my good friend over there, Howdy McCracken, who is the
20 Principal Environmental Engineer associated with the
21 Project. So, we think we have a pretty good team of
22 professionals from the Company that will be able to help
23 the Committee and the public with their interest this
24 evening.

1 With that, Mr. Chairman, with your
2 blessing, I would simply ask that Mr. Stokdyk take us
3 through the presentation which he has prepared this
4 evening.

5 CHAIRMAN BURACK: Very well. And, if
6 you would just give me a chance to mention one other thing
7 I neglected to mention before, I think a number of the
8 members of the public are aware of this, the Committee
9 this afternoon, accompanied by some members of the public,
10 did take a tour of the site, led by Attorney Pfundstein
11 and various employees of Tennessee Gas. And, we may have
12 additional questions this evening based on what we saw
13 during that site visit.

14 So, Mr. Stokdyk, please proceed.

15 MR. STOKDYK: Thank you, Mr. Chairman.
16 Good evening, everybody. Thanks for taking time out of
17 your busy schedules to --

18 CHAIRMAN BURACK: Mr. Stokdyk, if you
19 hold just a moment, I think you need to hold the
20 microphone.

21 MR. STOKDYK: Sure.

22 CHAIRMAN BURACK: Thank you.

23 MR. STOKDYK: Sure. Thank you for
24 taking time out of your busy schedules to join us here

1 tonight and let us tell you a little bit more about the
2 Project. As was mentioned, I have a slide show here I'd
3 like to go through with you and tell you a little bit more
4 about it, because sometimes pictures are worth a thousand
5 words, as they say.

6 So, with that, first of all, who are we?
7 Tennessee Gas Pipeline Company, we are an interstate
8 natural gas transmission company that has been operating
9 in New Hampshire for over 50 years. Our system, pipeline
10 system extends from the Gulf of Mexico, to just south of
11 Concord, New Hampshire. Earlier we were talking about the
12 "Laconia Meter Station", that's basically the far northern
13 terminus of our system. We operate 13,700 miles of
14 pipeline and over 1.4 million horsepower of compression.
15 And, that's about 523 compressor units, at 75 stations
16 scattered along the line from the Gulf Coast, again, up to
17 this region. The parent company of Tennessee is El Paso
18 Corporation, which also owns several other pipelines. So,
19 we have a lot of engineering, design, construction, and
20 operational expertise to draw upon.

21 The Project that we're here to talk
22 about tonight is an expansion of our existing natural gas
23 pipeline system that is needed to serve the growth in New
24 Hampshire's natural gas needs. The customer is

1 EnergyNorth Natural Gas, which is a subsidiary of National
2 Grid. EnergyNorth has reviewed the need for this capacity
3 with the New Hampshire Public Utility Commission and has
4 received approval for this new supply. The new compressor
5 station, with a 6,130 horsepower compressor unit will be
6 located on an 11-acre site, as was mentioned before, in
7 the Pelham Industrial Park, which is on the northern edge
8 of Pelham, near Mammoth Road.

9 For those of you who may not be familiar
10 with what a natural gas compressor is, probably more of
11 you are familiar with pumps that might operate on water,
12 something of that nature. And, basically, what it does is
13 it takes the fluid, in this case natural gas, rather than
14 water that a pump would do, and just moves additional
15 quantities down the pipeline, whether, again, whether that
16 be water, natural gas, or something of that nature. While
17 the main portion of the Project takes place here in Pelham
18 and that we'll be talking about tonight, again, there was
19 also some minor piping modifications at the Laconia Meter
20 Station that is necessary in order for additional gas to
21 be moved through that facility as well.

22 We anticipate that all of these
23 expansions will be constructed started next spring and
24 summer, and will be ready for in-service in the

1 October/November time frame of 2009.

2 Next, let's talk a little bit about the
3 outreach that has taken place to date. Our outreach
4 program really started back at the very end of last year.
5 We met with some of the officials with the Town of Pelham
6 in December, followed that up early in the new year with
7 the Windham, as well as the Concord, officials. We then
8 mailed out landowner notices to all parties within a half
9 mile of our site in early February.

10 And, while we're on that point, I would
11 like to take this opportunity to acknowledge that while we
12 sent out approximately 500 notices at that time, we did
13 have some errors in our landowner database, such that a
14 few of the landowners were not properly notified in that
15 time frame. We were made of those errors in June, and
16 we've attempted to rectify that by contacting those
17 landowners, distributing information to them, and
18 answering questions to the best of our abilities. I want
19 to apologize for that oversight to those landowners and
20 request that, if there's anybody else that's present
21 tonight who feels that they haven't received sufficient
22 information, please let John Gavin, who's in the back
23 there, let him know and we'll make sure to catch up to
24 everybody. But we believe we have everybody covered at

1 this point.

2 At that same time, we posted notices in
3 the Windham Independent, the Salem Observer, and the
4 Nashua Telegraph, notifying everybody of the project.

5 Following that, a FERC site visit was held on March 2nd,
6 which several of the local residents attended. For those
7 of you who are not familiar, the FERC is the Federal
8 Energy Regulatory Commission.

9 Then, in mid June, we invited some of
10 the interested parties to take a bus trip to one of our
11 existing stations in southern Massachusetts, for those
12 abutters to see and hear an existing compressor station.
13 And, then, of course, we've had our series of meetings
14 today at -- both at Concord, as well as the one at the
15 site today here in Pelham, and, of course, tonight's
16 meeting.

17 Let's take a quick look again, for many
18 of you may not be familiar with what a compressor station
19 might look like. And, this one, obviously, is an aerial
20 shot of one of our existing stations. This particular one
21 is the one down in Mendon that some of you went to see on
22 the bus trip last month. Now, this particular facility is
23 a little larger than the one that we're contemplating
24 building here. At this location, both this building

1 [indicating] and this building [indicating] are compressor
2 buildings. There's a total of three units at this site,
3 versus the one that we're looking to building in Pelham.
4 And, so, basically, you won't have this building
5 [indicating]. This building would be representative of
6 what you would expect here in Pelham, with a single unit
7 in it. This building [indicating] is the control and
8 auxiliary building, and will also be similar to what -- to
9 what we'll be constructing here. Although, it hasn't been
10 determined for sure whether we will be doing basically one
11 extended building or basically two buildings kind of
12 end-to-end. But, again, it will be similar in size to
13 that.

14 This [indicating], over here, is the
15 natural gas coolers. Again, given that this is a larger
16 facility that moves more gas, has more compressors and so
17 forth, the size of the cooler, and I'll be showing you a
18 layout of the Pelham site in a few minutes, but the size
19 of the one in Pelham should be approximately half the size
20 of this particular one.

21 Now, I know that that was a little hard
22 to see, because it was an aerial shot, and it's hard to
23 get a perspective of scale just how big are these things,
24 what do they really look like, when you don't have snow on

1 them and you're looking at them from the side and so
2 forth. So, this is to give you an idea of a different
3 facility that we just completed construction on last
4 summer in Massachusetts, to give you a little bit better
5 idea. Now, once again, this station again is also bigger
6 than the one that we're looking at. It has two units in
7 the compressor building over here [indicating]. So, our
8 compressor building would be more likely from, say, here,
9 on over, to give you an idea of size, a few trucks and
10 such here to give you an idea of scale. And, this is the
11 control building over here [indicating], and this is the
12 auxiliary building here [indicating]. And, again, we may
13 -- we haven't decided yet whether that's going to be two
14 separate buildings or whether it will be one longer one.
15 But, to the degree that it's two, they're going to be
16 lined up kind of end-to-end, over to the side of the
17 compressor building. That, again, we'll show you on the
18 layout in a minute here.

19 This just gives you an idea of kind of
20 the backside of that compressor building we were looking
21 at. This structure that's coming off of the compressor
22 building over here is what's known as the "valve shed".
23 And, basically, these are the pipes taking the gas in and
24 out of the compressor building. At that -- At the Pelham

1 location, we're likely to have more of the pipes buried
2 than what you see in this particular one. But, otherwise,
3 and again this is for two units, so other than having
4 duplicative facilities back this way, it's kind of
5 representative of the piping coming out of the compressor
6 building.

7 So, those are some of the existing
8 sites. Just, again, to give you an idea of what some of
9 this looks like. Now, let's talk a little bit more about
10 the Pelham site. This is an aerial view, again, of the
11 Pelham Compressor Station. In order to orient those of
12 you who are kind of familiar with this part of town, this
13 is Mammoth Road, running over this way [indicating],
14 Industrial Park Drive to the south. We're looking mostly
15 north, heading up this direction [indicating]. Up here to
16 the north is the Whispering Winds complex. To the east,
17 over here [indicating], say, right up in here, here, down
18 in this area here [indicating], are some of the existing
19 residences. Over here, to the west of us, is the trailer
20 storage yard. And, then, outlined in purple here, this is
21 the drive basically coming down off of the Industrial
22 Park, which, again, is property that we own. The blue
23 lines running up through here, the twin blue lines, are
24 our existing pipeline system that is currently serving the

1 State of New Hampshire.

2 As I mentioned, the purple basically is
3 an outline of our total site. You can see that the
4 property line basically follows Beaver Brook, on this side
5 [indicating], and then the red here is the area that we're
6 looking to have fenced in. And, the yellow outlines the
7 road, the paved road inside the site as well. This, as I
8 was mentioning, is the control and auxiliary building over
9 here [indicating], the compressor building here
10 [indicating], gas cooler down here [indicating], and then
11 the interconnection to the existing pipeline system would
12 take place here [indicating]. This is actually a road,
13 shown in yellow, it's not actually meant to depict the
14 piping coming over there or anything of that nature.

15 Probably the thing that we have heard
16 the most concern about, and is difficult to describe what
17 that is, would center around sound. And, some people have
18 said that the compressor station will sound like a jet
19 circling overhead all day, which definitely is not the
20 case. But it does exemplify a very good point about
21 sound, and that being that it's extremely difficult to
22 describe in terms that everybody can understand and really
23 relate to. And, using that as an example, the jet that
24 is, that sound, for example, would be very different if it

1 was a jet that's coasting in for a landing, one that's
2 taking off at full power, one that's cruising overhead at
3 10,000 feet, whether it's 30,000 feet, you know, it can
4 mean very different things. We were out at the site
5 today, and we had I think about four of them that went
6 over, and they were probably, I don't know, I would guess
7 maybe 15,000 feet, half of the normal cruising altitude
8 that you might see those big jets.

9 And, then, secondly, besides the
10 distance from something like that, and whether it's
11 running at full power and so forth, you know, what is the
12 environment that you're doing it? Are you standing on the
13 edge of a freeway when you listen to something like that?
14 Next to some rush hour traffic? Or are you on your back
15 porch and otherwise dead silence? Or, are you within your
16 house when you're listening to a jet going overhead?

17 So, it's basically, what I'm trying to
18 say is, is it's very difficult to quantify for everybody
19 exactly how much noise that there will be, so that
20 everyone can easily relate to it and tell whether it will
21 be significant to them.

22 With regards, though, to the sound of
23 the compressor station, the allowable noise levels for
24 compression on interstate pipelines is controlled by

1 federal regulations to 55 decibels at the nearest noise
2 receptors. By comparison, that jet engine that I
3 mentioned earlier, reportedly, again, this is just from
4 common literature, reportedly is in the 130 decibel level
5 at a distance of 100 meters, just to give you some
6 comparison. The 55 decibel level was carefully
7 established, and, again, is a federal right, it's applied
8 across the United States. Now, you may not be aware of
9 this, but sound is actually cumulative. So that that 55
10 decibels that I'm talking about is a combination of not
11 only the new equipment, but also the existing sound
12 sources, such as wind, traffic, birds, planes, air
13 conditioning units, and so forth.

14 To give you a feel in Pelham, the
15 existing background noise range from 44 to 47 decibels
16 when some sound tests were done. The noise modeling
17 performed to date for our filings projects that we will be
18 at or below that 55 decibel level at all the residences,
19 basically, the sound receptors. But, admittedly, while
20 the modeling of that sound is a useful tool, it's not
21 totally accurate, and it really is part science and part
22 art. Every location has different prevailing condition --
23 Every location has different prevailing conditions, wind
24 and topography and trees and so forth that will affect the

1 sound. But the bottom line is, is given that it is a
2 somewhat uncertain science, that's why we will perform
3 additional noise tests within 30 days after the facilities
4 go into service. And, if it should be above 55 decibels,
5 we'll take any appropriate additional steps necessary to
6 lower it to those levels. And, that's guaranteed, it's a
7 federal requirement, and we absolutely, positively will
8 meet that threshold.

9 So, what are we doing proactively with
10 regards to that noise? If you'll give me a moment, I
11 think my noise is down here on the floor.

12 MR. PFUNDSTEIN: Right.

13 MR. STOKDYK: The sound mitigation
14 measures. The first thing that we are doing at that
15 location is we're going to put sound insulation panels in
16 the compressor building. And, by the way, these are some
17 measures that we committed to back in March, in response
18 to a data request at the federal proceedings, at the
19 Federal Energy Regulatory Commission. So, you can find
20 them there if you're interested. We will also install not
21 only low noise fans, but also variable speed motors on
22 those fans that allows us to run at the very lowest speeds
23 possible. We will also install compressor and generator
24 intake and exhaust mufflers. And, as I mentioned before,

1 we will bury or sound insulate the piping. We will also
2 install a vent silencer at the facility.

3 Now, a few people, while sound I guess
4 is probably what we've heard the most questions about, a
5 few people have also asked what the facility will look
6 like and what we're doing in the way of esthetic
7 mitigation. And, to try and give you an idea, again, of
8 what it would look like, we went through those pictures
9 earlier and had the bus tour and so forth. But, just in
10 general, with regards to esthetics, the first thing is we
11 intentionally located the facility in an industrial area,
12 so it will be similar in appearance to the neighboring
13 facilities to the south and to the west. We'll also leave
14 a buffer zone of trees to the north. We've also committed
15 to planting additional trees in that buffer to improve it.
16 And, we'll also have earth tone buildings and piping at
17 that location to better blend into the landscape.

18 So, as you can see, Tennessee is taking
19 significant steps to try to address the concerns of its
20 local residents. We want to thank you again for your
21 attention and the opportunity to provide this information.
22 Thanks.

23 CHAIRMAN BURACK: Thank you very much.
24 Attorney Pfundstein, are there any additional materials or

1 information that you would like to present at this time or
2 information you would like to share with us?

3 MR. PFUNDSTEIN: Mr. Chairman, I would
4 like --

5 CHAIRMAN BURACK: I might just ask you
6 if you would take the microphone here.

7 MR. PFUNDSTEIN: Sure. Just a very
8 brief comment. To supplement your description of the
9 publication and notice of this hearing, which was
10 accurate, today we received a copy of the notice, which
11 also ran in the Pelham/Windham News on July 11, 2008. I
12 know my office actually even tried to get it published
13 earlier, but the newspaper was apparently closed for the
14 week of July Fourth, so -- And, we will be filing a
15 further document for the record indicating that the
16 publication was even wider than what was ordered.

17 With that, we have nothing further at
18 this time.

19 CHAIRMAN BURACK: Okay. Thank you. I
20 would ask if you would please submit for the record an
21 electronic version of the presentation that has been
22 provided here this evening, as well as if you could also
23 provide at least one full color copy for the record as
24 well. I may ask you to provide additional color copies,

1 but at least one for now.

2 MR. PFUNDSTEIN: Absolutely.

3 CHAIRMAN BURACK: Thank you very much.

4 Okay. We will now proceed to the next phase of this
5 evening's program, in which we will have questions from
6 Committee members for the Applicant. And, I'll ask
7 Committee members if they would just raise their hand,
8 catch my eye, and I will then call upon you. Mr. Bryce,
9 would you like to begin?

10 DIR. BRYCE: Yes. I have a question
11 about the height of the stacks. And, I don't know if it's
12 possible to put the slide show back up. There was a
13 facility that you had a picture of that had two stacks in
14 it. And, I was wondering if you could bring that up and
15 tell us whether or not the stacks that are proposed for
16 this site are the same size as those in height, in
17 particular, or if they're lower. And, if you could --
18 And, if you could show generally what they might look
19 like. Yes, that one there. Thank you.

20 MR. STOKDYK: To be honest with you, I

21 --

22 CHAIRMAN BURACK: Would you make sure
23 you have the microphone please.

24 MR. STOKDYK: And, again, just for

1 everyone's reference, what we're talking about here is the
2 exhaust stack. And, again, this one being for two units,
3 and there will only be a single one at this new facility.
4 I honestly don't know. I would guess it would be somewhat
5 similar. Steve, Dave, if you have any idea whether this
6 is greater or less than 50 foot stacks at that location?

7 UNIDENTIFIED SPEAKER: I don't know the
8 specifications off the top of my head.

9 MR. FILLIP: Yes.

10 MR. STOKDYK: So, I guess the best we
11 can --

12 MR. FILLIP: Yes. Tom Fillip.

13 CHAIRMAN BURACK: Would you please just
14 take the microphone here. Thank you.

15 MR. FILLIP: I was involved in that.
16 I'm thinking that the eave height here was about 22 feet,
17 and the peak might have been about 35 feet. So, given
18 that, 22, it's going to be fairly those to 50 feet, I
19 would say.

20 CHAIRMAN BURACK: I might suggest and
21 request that it might be helpful if you would submit a
22 side view drawing to the Committee showing what the
23 building would look like relative to the stack height
24 that's actually being proposed here in this facility, so

1 we can all understand the relative heights.

2 MR. ROGERS: Sure.

3 MR. FILLIP: Okay.

4 CHAIRMAN BURACK: Mr. Bryce, do you have
5 a further question along that line?

6 DIR. BRYCE: Yes, Mr. Chairman. And, if
7 I could follow up and ask for them to confirm the height
8 of those stacks. Thank you.

9 CHAIRMAN BURACK: Other questions?
10 Mr. Knepper?

11 MR. KNEPPER: Yes, I have a question.
12 Is that the Mendon, Massachusetts compressor station?

13 MR. STOKDYK: Correct.

14 UNIDENTIFIED SPEAKER: No, no.

15 MR. STOKDYK: Oh, I'm sorry. No, Mendon
16 was the snowy one that we --

17 CHAIRMAN BURACK: Would you please, I
18 know this is a little challenging, but we just need to
19 keep track of where the microphone is, if we could. And,
20 I think we may have to perhaps get a new battery for it.
21 But let's just keep passing the microphone around with
22 whoever is speaking. Thank you.

23 MR. STOKDYK: That is not. The Mendon
24 is the snowy one that we showed from the aerial. This one

1 is actually in south central Massachusetts, and the name
2 of that is?

3 MR. FILLIP: Charlton.

4 MR. STOKDYK: Charlton, Massachusetts.

5 CHAIRMAN BURACK: Mr. Knepper did you
6 have a further question on this?

7 MR. KNEPPER: Yes, I want to make sure,
8 I'm clarifying. You said after, if this is to be built,
9 afterwards you do a one-time test to make sure it stays
10 within 55 dBA, is that what you do? Or, do you
11 continuously monitor? How does that work?

12 MR. STOKDYK: It is a -- It is a
13 one-time survey that is done afterwards to make sure that
14 it is in compliance. It is not continuous.

15 MR. KNEPPER: If I heard you right, I
16 guess you have similar compressor stations up and down
17 your pipelines across the country, 75 different locations.
18 Have any of them ever kind of wandered or creeped up or
19 changed, and then you had to go back and make some
20 retrofits or is that something that doesn't normally
21 happen?

22 MR. STOKDYK: The 55 is a continuing
23 obligation, but the measurement is usually done just one
24 time, because these are fixed facilities and they're not

1 likely to change characteristics over time. Basically,
2 once you have done some noise attenuation type of efforts
3 there, the facilities are going to pretty much stay the
4 same for the life of them.

5 CHAIRMAN BURACK: Any further questions
6 on that, Mr. Knepper?

7 MR. KNEPPER: No, that's all I have on
8 sound.

9 CHAIRMAN BURACK: Thank you.
10 Mr. Stewart.

11 DIR. STEWART: Having walked the site
12 this afternoon, it's a fairly steep site, in terms of, you
13 know, where the buildings and the roads are going to be
14 placed. So, I have really two questions. One is, during
15 construction, can you explain and comment on how water
16 quality in Beaver Brook will be protected as the
17 construction occurs, as the site is opened up, you know,
18 and graded to final grade, and then the buildings are
19 erected?

20 MR. McCracken: Yes, Howdy McCracken
21 here. The site will be under full compliance with erosion
22 control. And, you know, that hay bails and the silt
23 fences will provide protection for that during
24 construction.

1 DIR. STEWART: And, after construction,
2 what will the storm water system look like, in terms of,
3 you know, how water will be managed, storm water will be
4 managed coming off of the site, to ensure that there's no,
5 you know, significant contamination from run-off getting
6 into Beaver Brook?

7 MR. McCracken: Yes. The Alteration of
8 Terrain Permit, which is a requirement that we will -- we
9 are obtaining as part of this EFSEC filing, has a design
10 in it that shows the flow of water and how it's going to
11 be controlled, and we will be under compliance with that
12 plan.

13 DIR. STEWART: And, what will that plan
14 be? I'm trying to kind of understand. In looking at the
15 plan, you know, I see, you know, there's storm water
16 impoundments. And, so, I'm trying to have you express how
17 storm water is going to be managed to ensure that water
18 quality is protected. I mean, what are the features of
19 the installation that will ensure that?

20 MR. McCracken: Well, there's two
21 impoundments that are in that plan that will store the
22 water temporarily. And, all of that, again, is under
23 review under -- are you looking at the Alteration of
24 Terrain?

1 DIR. STEWART: Yes, I'm looking at a
2 plan of the site.

3 MR. McCRACKEN: And, so, the regrade,
4 and the details have been all specified and submitted,
5 and, you know, we'll be under the permit there. Yes,
6 after construction, if that's part of your question, you
7 know, there will be replanting of vegetation and that --
8 which also will be able to control any run-off situation.

9 DIR. STEWART: Okay. Thank you.

10 CHAIRMAN BURACK: May I just ask a
11 follow-up? In terms of the pavement that would be put
12 down, are you proposing to put down your standard
13 impervious pavement or are you looking at pervious
14 pavement or other technologies that would allow for
15 greater infiltration on the site?

16 MR. STOKDYK: The standard would be
17 asphalt.

18 CHAIRMAN BURACK: Standard asphalt,
19 standard impervious pavement? Okay. Thank you.
20 Mr. Dupee, did you have questions?

21 MR. DUPEE: Yes, Mr. Chairman. First, I
22 have a general question, and that goes back to some folks
23 I guess were missed during the initial notification. And,
24 I was curious as to was there any sort of pattern to that?

1 In other words, were the folks closest to the facility not
2 notified? I'm just wondering how, you know, was it a
3 random sort of thing? I'm mainly concerned,
4 Mr. Pfundstein, that individuals that are closest to the
5 facility would have time to react to it, and if they were
6 notified in June, if somebody was concerned about that?

7 MR. STOKDYK: Sure, if I could address
8 that. And, John, correct me if I'm wrong about this, but,
9 as I understand it, the notifications were received for
10 the Whispering Winds complex, and the notifications were
11 received over here with the Heberts. The ones that were
12 not received, unfortunately, were these up in this, up in
13 this region [indicating]. There were three residences
14 that were missed. And, what was happening -- what
15 happened was, when they were put into the database for all
16 of the mail-outs and so forth, basically, the ownership of
17 these was attributed to the developer, Whispering Winds.
18 And, so, notification actually for those properties went
19 to that developer. Unfortunately, we didn't receive any
20 type of return mail indicating that error. So, basically,
21 again, they didn't receive any type of notification until
22 the June time frame.

23 MR. DUPEE: Mr. Chairman?

24 CHAIRMAN BURACK: Please.

1 MR. DUPEE: So, then, the letter was
2 actually sent to whom you thought were the owners of that
3 property, but it was never received by the actual owners,
4 but you did send the letter?

5 MR. STOKDYK: The notification went out
6 to who we had in our database as the owners of that
7 property. But that database was incorrect. So, yes,
8 notification went out, but to the wrong entity, if you
9 will.

10 MR. DUPEE: I want to talk a bit about
11 the stack for a second. We talked about specifically its
12 height. In terms of esthetics, and is there a way that
13 could be engineered such that that stack wouldn't have to
14 exist, it wouldn't have to exist at a certain height, when
15 you were pursuing your options how to construct the
16 facility, did you consider alternatives to this, the
17 standard stack sort of architecture?

18 MR. STOKDYK: The stack height is driven
19 by a couple of issues. One is emissions, particulate, as
20 well as sound. And, so, that the height, 50 feet again in
21 this instance, are driven by those considerations. So,
22 while we wouldn't, obviously, object on an operational
23 basis to something lower, consideration of the neighbors
24 and so forth actually is what drives us to put in a stack

1 height basically of 50 feet.

2 MR. DUPEE: So, if I understand that
3 correctly, the taller stack would reduce the amount of
4 noise that any abutter would experience, is that what
5 you're telling me?

6 MR. STOKDYK: That's my understanding.
7 Tom, is that correct?

8 MR. FILLIP: Yes.

9 MR. STOKDYK: Yes.

10 CHAIRMAN BURACK: Please.

11 MR. DUPEE: Could I ask some more
12 specific questions about noise. In terms of the site
13 itself, when we visited there this afternoon, we talked
14 about how that site would be prepared. And, I understand
15 that, essentially, the trees would be removed from I
16 assume the area inside the fence. And, the trees I think
17 could serve as a significant sound buffer, in fact, the
18 facility proposes to even put in a buffer of trees further
19 around. And, I was just wondering for the record, you
20 know, why you mentioned taking down the trees inside the
21 fenced perimeter?

22 MR. STOKDYK: Sure. And, again,
23 basically what we were saying is the area inside of the
24 red line here of the fence. So, right around the

1 facilities themselves, the trees would be removed. And,
2 again, that's for two issues. One being security, we do
3 place cameras at the remote facilities, and you'd like to
4 be able to monitor them better than having foliage and so
5 forth in the way.

6 Number two is a safety concern. In the
7 unlikely event of some type of a fire or something at a
8 facility like this, you don't really want vegetation right
9 in the vicinity of the buildings, in order to help spread
10 that fire to any of the neighboring trees and so forth.
11 So -- It also, just in general, provides a safer work
12 environment for people that are working within that area,
13 for vehicles, all of that type of thing.

14 MR. DUPEE: Thank you. Further, Mr.
15 Chairman?

16 CHAIRMAN BURACK: Please. Go ahead.

17 MR. DUPEE: I don't think that you're
18 necessarily prepared to do this evening, but I'm
19 interested to see a table that showed all the sources of
20 noise from a facility of this sort and what can be done to
21 mitigate that noise, and what the Applicant proposes to
22 mitigate. I know you showed a chart earlier that showed
23 some of those things, mufflers for intake/exhaust and on
24 the motors you're going to use to run the compressor.

1 But, if there are any other sources of noise, I'd be
2 curious to know what those are and what can be done to
3 mitigate the noise. Which sort of brings me on to my main
4 question, when you made your presentation you talked about
5 "a picture being worth a thousand words". And, in talking
6 about sound, so maybe sound is worth a thousand pictures.
7 I don't know. Because what folks are trying to figure out
8 here tonight is "what does 55 decibels sound like?" And,
9 you mentioned that there's a guarantee being offered by
10 the Applicant that, if that 55 decibel level is not met
11 within a certain period of time, you will correct to
12 mitigate to that level. So, the question I have is, who
13 decides what 55 decibels is? Is it the Applicant? Will
14 it be this Committee? Is it some other entity? Because I
15 think it's hard for us to judge what that guarantee is
16 worth, without knowing how one determines what 55 decibels
17 sounds like.

18 MR. STOKDYK: Sure. After construction
19 is finished, again, within 30 days, we basically have to
20 send a third party out to go out and do a sound survey,
21 where they actually go out and measure it. And, so, that
22 basically is the check on it. And, I believe we have to
23 file that with the Federal Energy Regulatory Commission.
24 I'm getting nods over here from my regulatory lawyer.

1 And, so, that report will be filed with the FERC.

2 CHAIRMAN BURACK: Mr. Dupee, go ahead
3 please.

4 MR. DUPEE: I'm not sure I heard an
5 answer to my question. But, when we have the actual
6 hearing, I would be very curious to know how one measures
7 55 decibels, so that we would be able to know whether or
8 not we had actually achieved that range.

9 MR. STOKDYK: If you would maybe, maybe
10 I skipped over that. But, basically, I mean, they take
11 sound meters out there to do a survey, and they measure
12 the noise.

13 MR. DUPEE: I guess, as a means of
14 comparison, if you would allow, Mr. Chairman, would the
15 noise that we might expect to hear at Mendon, would that
16 be somewhat equivalent, if we're trying to draw a parallel
17 between noises, is that a 55 decibel amount, noise amount,
18 that people could listen to, perhaps, to know what it
19 sounds like?

20 MR. STOKDYK: That's exactly why we took
21 people to that facility, because it is so hard to
22 describe. And, so, we were trying to give them some type
23 of a concept of exactly what 55 sounded like. We have not
24 gone out and measured to make sure that that one is

1 exactly at 55. It's a similar type, again, of facilities
2 that we're running. And, so, our expectation is that it
3 would be in that same type of a range, with that same
4 equipment running, at the same type of a distance. And,
5 so, when we took people out there, one of the things that
6 I might not have mentioned here is that the nearest sound
7 receptors, the different residences, all turn out to be
8 somewhere in the 600-foot range at this particular
9 location. And, so, we took the residents out there. We
10 basically took them out to the 600-foot distance, and we
11 let them listen to the facility. And, then, basically
12 walked up the road, up to the gate to the facility, which
13 is at 300 feet or so, just so that they could get a
14 feeling for, "Okay, yes, it is running, and this is what a
15 compressor station will sound like."

16 MR. DUPEE: Thank you. One last
17 question, Mr. Chairman?

18 CHAIRMAN BURACK: Please, Mr. Dupee, go
19 ahead.

20 MR. DUPEE: I think also you mentioned
21 earlier in a conversation "it's difficult to measure
22 decibels, because they could be -- the weather could have
23 an impact upon that, other equipment or noise emitters in
24 the area could affect what that might sound like." So,

1 I'm just wondering that what venue or avenue is there for,
2 let's say, if we go through the 30 day period, the noise
3 sounds acceptable, but yet a month or so later events
4 change, what avenue or what way is there for a citizen or
5 an individual or state agency to come back and request
6 that that sound level be checked?

7 MR. STOKDYK: I'm not aware of any
8 regular avenue, but back on your question of the 55, I
9 know there are standardized conditions, they try to go out
10 and take the measurements when there is only a certain
11 amount of wind and so forth. And, as I said, we don't
12 really expect there are going to be changes in the
13 operation of our facilities. And, so, if there are
14 changes in that locality, I would say it more likely is
15 going to be caused by additional jet-over flights, more
16 noise off of Mammoth, you know, traffic, those types of
17 things, than any changes to our facility.

18 MR. DUPEE: Do I understand you
19 correctly to say that you always hit a 55 total, and that
20 you're counting your noise, as well as anybody else's?

21 MR. STOKDYK: That is correct.
22 Although, that is a average over like a 24-hour period.
23 And, so, it takes into effect short-term high noises,
24 again, like the jets flying overhead, large trucks going

1 down the street. There is construction, for example,
2 right now to the north of us, behind Whispering Winds.
3 There's another complex going up. You may have seen some
4 of the large -- "backhoe" is understating it actually,
5 it's much bigger than a backhoe, but those type of noises
6 are also factored into that.

7 MR. DUPEE: Thank you. No other
8 questions now, Mr. Chairman.

9 CHAIRMAN BURACK: Thank you. We may
10 have further questions on these noise issues. Mr. Scott.

11 DIR. SCOTT: Thank you, Mr. Chairman.
12 Before I actually ask the question of the Applicant, as
13 the Director of the Air Resources Division, as part of
14 this proceeding we also have issued a draft permit for the
15 air pollution devices that are part of the project. That
16 draft is for public -- out for public notice right now,
17 and make sure the audience is aware of that. The comment
18 period for both comments being received and if somebody
19 would like to have a hearing on that air permit, that
20 closes right now the 11th of August. I have a copy here
21 for anybody who would be interested in that. With that --
22 and please see if you are.

23 With that, I would like to ask the
24 Applicant to briefly outline the two devices that are

1 receiving a permit for the air permit.

2 MR. STOKDYK: The two devices that I'm
3 familiar with would be, again, the 6,130 horsepower
4 compressor at that location. With regards to air
5 emissions is -- the technology is -- employed on that is
6 what's known in the industry as the "best available
7 control technology", it's called the "SoLoNOx" unit,
8 basically, again, best available out in the industry.
9 And, that would be the main source of emissions. There is
10 also, as we mentioned earlier, a backup generator at that
11 facility. We are going to be on purchased power at that
12 particular facility, and so we don't anticipate that
13 backup generator, unless electric power is just not
14 terribly reliable, but it will not run much. But that
15 would be the other source of emissions at that location.

16 DIR. SCOTT: Mr. Chairman?

17 CHAIRMAN BURACK: Please, Mr. Scott.

18 DIR. SCOTT: And, as a follow-up, it's
19 my understanding that both those devices have been modeled
20 to be sure of being in compliance with both federal and
21 state requirements for air pollution?

22 MR. STOKDYK: That is correct.

23 DIR. SCOTT: Thank you.

24 CHAIRMAN BURACK: Further questions from

1 the Committee? Ms. Ignatius.

2 DIR. IGNATIUS: Thank you. This is
3 following up on the earlier discussion about the surface
4 within the fenced area. And, so, whoever within the
5 Company would be best to answer that. As I understand,
6 within the fenced area, which is far smaller than the full
7 11-acre track, I don't know how large that area is within
8 the fencing, do you know?

9 MR. STOKDYK: Approximately 4.2 acres, I
10 believe.

11 DIR. IGNATIUS: Okay. So, a little over
12 four acres. There will be roads and there will be the
13 concrete foundation -- concrete slabs for the buildings to
14 go on top. Do you anticipate that all of that 4 acres
15 will be asphalted over or only the areas that have roads
16 connecting within it?

17 MR. STOKDYK: Only the areas shown in
18 yellow there, which is basically the kind of the roads and
19 buildings and so forth.

20 DIR. IGNATIUS: So, what would the
21 surface be for the areas that don't have buildings and
22 don't have roads on it within the fenced area?

23 MR. STOKDYK: I don't believe we've
24 gotten into that level of design at this particular

1 facility, but our standard would typically either be
2 crushed rock or some combination of crushed rock and
3 grassed areas. Is that correct, Dave or Steve?

4 DIR. IGNATIUS: Well, that's good to
5 hear. I guess I'd encourage you, as you get to the final
6 details of that, to seek pervious surfaces as much as
7 possible in your plans, so that you don't have a real
8 change in what's now a wooded area, with suddenly a very
9 different kind of surface and what that could mean for
10 run-off, not just during the construction period, but for
11 all time.

12 Also, just on noise, you described that
13 a compressor station is going to make noise, but is that
14 24 hours a day or are there certain days it runs, certain
15 days it does not? What does a typical operation look
16 like?

17 MR. STOKDYK: And, I guess, let me start
18 by saying, a typical operation of our compressor stations
19 can vary quite a bit from region to region, depending upon
20 the particular function they serve. Again, at this
21 particular location, it's toward the northern extremities
22 of our system, and it's going to be used entirely for
23 deliveries of gas into the State of New Hampshire. And,
24 so, the utilization of that compressor will actually be

1 driven directly from, at any given time, what the
2 consumers in the State of New Hampshire, you know, how
3 much gas they're utilizing.

4 Given that this particular facility is
5 capable of adding roughly 30,000 decatherms per day to a
6 roughly 200,000 decatherms per day pipeline system that's
7 currently out there, and you can see that it's only for
8 that last increment of capacity that the station will be
9 run. And, so, we might refer to this basically as a
10 "peaking unit". And, it, while it will be available to
11 run at any given time during the year, it's our
12 anticipation that its main use will be during the winter
13 heating seasons, when we experience the -- at least we
14 have historically experienced the peak loads in the State
15 of New Hampshire.

16 DIR. IGNATIUS: So, during the harshest
17 part of the winter, it's likely to be running quite often?

18 MR. STOKDYK: It definitely would be the
19 harshest part of the winter it would run. I don't -- I
20 guess, quite often, I don't know how to quantify it, but
21 yes.

22 DIR. IGNATIUS: And, some parts of the
23 year it might not be running at all?

24 MR. STOKDYK: Correct.

1 DIR. IGNATIUS: Do you anticipate truck
2 traffic much in and out of the site once the construction
3 would be done?

4 MR. STOKDYK: No, there's -- we don't
5 anticipate that you'll have -- it is a very small
6 installation as a compressor station goes, and we don't
7 anticipate that there will be much traffic at all.

8 MS. IGNATIUS: And, I guess one other
9 area I wanted to ask you about that we discussed at the
10 morning hearing as well and the Concord facility. What
11 outreach do you make to a community so that they
12 understand the facility, I'm talking specifically about
13 police and fire, safety issues? So that they understand
14 the facility, they understand what is going on there, what
15 should be happening and what should not be happening on
16 site?

17 MR. STOKDYK: And, we do make contact
18 with those entities. As I've said, we've already met with
19 some of them, the Town officials and so forth. And, then,
20 we get down to some of the town services. We do that both
21 during the, you know, in preparation for construction, we
22 meet with those entities. And, we will also have training
23 for them soon, before -- shortly before it goes into
24 service and there is, in addition to that, a regular

1 program of contact with those officials and Tennessee Gas,
2 as well as, I believe, the LDCs in this area maintain with
3 fire and police and so forth.

4 DIR. IGNATIUS: Would municipal
5 officials have to invest in any new equipment or
6 certification in order to be able to be sort of
7 responsible officials with a compressor station within
8 their locality?

9 MR. STOKDYK: I don't believe so.

10 DIR. IGNATIUS: If there were anything
11 that did require a municipal purchase or additional
12 training, is that something that the Company would foot
13 the bill for?

14 MR. STOKDYK: We would definitely
15 undertake, as I said, for any type of specific training.
16 And, again, I don't envision that there would be any
17 additional equipment that would be needed. But we'd be
18 interested in hearing if there was such a thing, and have
19 those discussions with those particular parties.

20 MS. IGNATIUS: Thank you.

21 CHAIRMAN BURACK: Other questions?
22 Mr. Knepper, you had further questions?

23 MR. KNEPPER: Yes, I just want to make
24 some clarifications here. In the Application, in the very

1 first words, it says "To meet the growing demand in New
2 England", that's what the purpose for it was, but I just
3 want to make sure I heard you correctly, this is for New
4 Hampshire, right?

5 MR. STOKDYK: Yes. All the new capacity
6 that this project is being constructed for is to serve
7 EnergyNorth. The delivery points are all in New
8 Hampshire. And, so, it is entirely, basically, a New
9 Hampshire service project.

10 MR. KNEPPER: And, then, the next
11 question I have is, for the most part, are these
12 compressor stations for the most part unattended? There's
13 not people there most of the time. They kind of come in
14 and out occasionally or --

15 MR. STOKDYK: That will be correct.
16 This would be an unmanned station. And, you would have
17 personnel in from time to time.

18 MR. KNEPPER: And, the last question, I
19 kind of want to make sure I was clarifying on that slide
20 that we saw that the background noise of 45 to 47, that's
21 during the daytime. At nighttime those decibels drop,
22 right? According to somewhere in this Application I saw
23 sound data. Is that correct?

24 MR. STOKDYK: I believe that that is

1 correct. That, typically, the sound levels will drop off
2 at nighttime. You have less road noise and less --

3 MR. KNEPPER: Somewhere around 33 or 34,
4 I believe is what I saw. So -- Okay. That's all I have.

5 CHAIRMAN BURACK: Thank you,
6 Mr. Knepper. Other? Other questions?

7 (No verbal response)

8 CHAIRMAN BURACK: I have a few questions
9 here. I'd like to just take you back to the slide showing
10 the footprint of the facility on the site. And, I'm
11 wondering if you could please describe for us the design
12 criteria that you consider in determining how much area,
13 in fact, needs to be occupied by the facility, the
14 structures, the roadway, etcetera. That is, have you made
15 an effort to ensure that you, in fact, are having the
16 lowest possible footprint of the overall facility on the
17 property? Can you speak to that issue?

18 MR. STOKDYK: I think, in general, I can
19 address that, and I'll let these gentlemen jump in if I
20 leave something out. But, basically, we do, in fact, try
21 to minimize the footprint. We do have to keep in mind,
22 especially during construction and so forth, to get the
23 equipment and so forth into that particular facility, so
24 you do have to take into account turning radiuses of

1 trucks, supply trucks, those types of things. So, that
2 really is the driver for just, you know, what kind of
3 curvature you can put on the road and just how much room
4 you need in there for those types of vehicles to maneuver.

5 CHAIRMAN BURACK: Thank you. You have
6 spoken about the training that might be provided, but not
7 provided us with much understanding of what the nature of
8 that training is and specifically who within the town or
9 town services might be provided with that training. And,
10 I would appreciate it if you would provide some more
11 detail on that please.

12 MR. STOKDYK: I'm going to let Steve
13 Rogers speak to that.

14 MR. ROGERS: My name is Steve Rogers,
15 the Area Supervisor. Typically, near the construction
16 phase, it would be local police and fire departments with
17 the Town, and we offer training, we bring the chief and
18 all the shifts of the firefighters through the facility,
19 we make them aware of how to access the rest of the
20 facility, the type of emergency plans we'll put in place,
21 we'll address any of the chief or the Town's concerns at
22 that time. And, we've done that successfully in the past
23 at other facilities, like Mendon, and other facilities we
24 have in Hopkinton and Burrillville, Rhode Island.

1 CHAIRMAN BURACK: Why don't you hold on
2 to the mike, because I've got follow-up questions on that.
3 Here in New Hampshire, and you're probably aware of the
4 system, we have mutual aid agreements, I suspect that
5 these towns of Windham and Pelham have mutual aid

6 agreements with other towns. And, so, I think it would be
7 important, if this project were to move forward, that you
8 ensure that that training that you would provide would
9 include all of the communities participating in whatever
10 the mutual aid agreements are that these towns are part of
11 to.

12 MR. ROGERS: Sure. Whatever the chief
13 wants us to do, we'll follow through on that.

14 CHAIRMAN BURACK: It was also explained
15 to us that this station will not have a full-time staff
16 located here, but that this will be an unmanned station.
17 And, I would appreciate it if you would explain to us what
18 that means in practical terms, what are the monitoring
19 devices or other devices that exist here for somebody
20 somewhere real-time to be observing and tracking what is,
21 in fact, occurring here? And, where are those people or
22 systems located that would respond to a situation here and
23 how quickly would they be able to get here in the event
24 that personnel were needed on site?

1 MR. ROGERS: The system has a fire
2 protection panel or system, a fire protection system, made
3 up of UV-IR detectors or gas detectors, and it has heat
4 detectors. And, it's an automated system based on inputs
5 that shut the station down and evacuate the gas in the
6 yard. It's a protection system for the facility. The
7 facility is connected to our gas control facility in
8 Houston, Texas, and it's monitored 24/7/365 there. So,
9 any alarms that happen at that facility are reported to
10 that gas control center in Texas. And, they will call
11 myself or have people on call 24 hours a day that can
12 respond to the facility. You know, it depends on the time
13 of day, but I would say we'd easily be able to get there
14 within an hour, but that would be probably the worse case,
15 probably sooner most times.

16 CHAIRMAN BURACK: So, you've spoken to
17 the issue of emergency situations or other upsets,
18 whatever they might be at the facility, in terms of just
19 day-to-day operations, if the compressor is going to be
20 turned on or turned off, where is that decision made,
21 where is that directed from, and how does that decision
22 get transmitted to this facility? Is that microwave
23 transmissions or radio transmissions? Telephone? What's
24 the process?

1 MR. ROGERS: Yes, it will be through a
2 T-1 circuit probably to the facility, a wire. It will be
3 -- That decision will be made by the gas control people in
4 Texas to turn it on, and they will turn it off when it's
5 not needed. They will monitor the flows and the demand in
6 the line and operate the station as required.

7 CHAIRMAN BURACK: Thank you. Are there
8 other questions from the Committee at this time?

9 (No verbal response)

10 CHAIRMAN BURACK: Okay. If not, I'm
11 going to turn things to Attorney Peter Roth, Counsel to
12 the Public, to ask questions.

13 MR. ROTH: Thank you. And, I'd just
14 like to introduce myself a little bit more to the people
15 here in the community. And, my role in this process is to
16 sort of bug these guys as much as I think is necessary.
17 And, I read what they submit, and I listen to the people
18 who talk to me about it and their concerns. And, I have a
19 stack of my cards here, if anybody wants to pick one up.
20 And, you can send me email or you can call me on the
21 phone. I can arrange to meet with you, outside of this
22 meeting and outside of the presence of the Applicant or
23 the Committee, and we can have kind of a weird
24 attorney/client relationship. And, the reason I say it's

1 "kind of weird" is because everybody in the state is
2 essentially my client in this, and yet I can't sit here
3 and say that "I will do exactly what you tell me to do",
4 because I have to represent the interests of all the
5 people in the state. But the ones that talk to me are the
6 people that, obviously, I hear. And, the people who don't
7 talk to me, I can only guess as to what they think. So, I
8 encourage you to pick up one of my cards or give me a call
9 or send me an e-mail, and, if you want to meet, again,
10 I'll make myself available to do this.

11 As far as the process is concerned,
12 we're negotiating right now over when to schedule the
13 hearing on the merits and do discovery and some what we
14 call "technical sessions", where I sit down with the
15 project's engineers and consultants and learn more about
16 the project and what it's going to do and how it's going
17 to work. So, what you're hearing tonight is kind of a
18 preliminary bird's-eye view of it. And, when the hearing
19 on the merits happens, there's going to be a lot more
20 detail and a lot more people testifying and be
21 cross-examined on the various issues.

22 Now, for my questions. The Committee, I
23 will just point out that the Committee, actually, they all
24 have other jobs and they're here more or less on their own

1 time. And, they have done a really -- they have asked a
2 lot of the questions that I was going to ask, so I only
3 have a few.

4 And, I understand that there was mention
5 of an emergency response plan for this facility or for
6 these types of facilities. Is that plan publicly
7 available and can you make it part of the record?

8 CHAIRMAN BURACK: While they are
9 considering their response to that question, I just want
10 to point out that I have asked the Administrator, Cedric
11 Dustin, to just provide for members of the public cards,
12 if any members of the public have specific questions they
13 would like to ask, it would be helpful if you would just
14 write your question down on the card, let Mr. Dustin know
15 you have a card, and he will bring them up to me so I can
16 actually read the questions out. And, we will, at the
17 close of the question period, again, have an opportunity
18 for, I have I believe a list of five members of the public
19 so far who have indicated they would like to have a chance
20 to speak to the Committee and provide a comment. And, if
21 there are any other members of the public who would like
22 to do so, please just let Mr. Dustin know so that we can
23 accommodate everyone who would like to be heard.

24 If you would please go ahead and respond

1 to the question that you were asked by Attorney Roth.

2 MR. ROGERS: As I said earlier, we'll
3 meet with the local police and fire department and we'll
4 file a plan with them in regards to the project.

5 MR. ROTH: But, as part of this
6 Application, part of this process, can you have that plan
7 prepared for a review by the Committee and by myself and
8 the public?

9 MR. ROGERS: Yes, I'm told we will file
10 a plan.

11 MR. ROTH: Okay. And, will part of the
12 plan include providing local fire and police departments
13 access to the facility, so they don't have to wait for an
14 hour for somebody to show up if there's an emergency on
15 the site?

16 MR. ROGERS: We'll have a follow-up plan
17 to tell you that. I can tell you, in Hopkinton we have
18 what's called a "Knox Box", Hopkinton, Massachusetts,
19 where the fire department has access to the facility
20 through those boxes. And, whether that's something that
21 the local fire department wants, we'll have to discuss
22 that with them.

23 MR. ROTH: Okay. What sort of frequency
24 do you expect to have people on site at this facility,

1 either observing or maintaining or operating the equipment
2 in there.

3 MR. ROGERS: It would be a minimum of
4 once of week. During times of maintenance, we could be
5 there all week or several weeks at a time, with crews up
6 to four or five people.

7 MR. ROTH: And, there was mention of, I
8 believe it was you, that mentioned that there was a fire
9 detection system, with various parameters being checked,
10 heat, smoke, that sort of thing. Is there -- Will there
11 be a fire suppression system installed as well?

12 MR. ROGERS: No.

13 MR. ROTH: And, if a fire were to occur
14 with, obviously, a lot of volatile, combustible gas, what
15 would happen?

16 MR. ROGERS: If a fire occurred, the gas
17 would be vented to the atmosphere through the vent stacks,
18 and the gas coming into the facility would be shut off by
19 what we call "side valves" through the pipeline. So, what
20 happens is the whole facility loses all the natural gas in
21 the facility, and it's basically not much -- not much left
22 to burn. You know, it's metal buildings and steel pipe,
23 and there's not much flammable material.

24 MR. ROTH: Is there any risk of

1 explosion associated with that, with a fire like that?

2 MR. ROGERS: I suppose there could be a
3 risk, but the systems are designed not to explode, yes.

4 MR. ROTH: And, how do those side valves
5 get closed?

6 MR. ROGERS: Well, the design of the
7 system that we have is called a "pressure to activate ESD
8 system". A pneumatic signal goes out to the valve and it
9 will shut the valve. The system is designed, if it sees
10 something, the PLC will make a decision to have what they
11 call an "ESD", a signal will go out to the valves to shut
12 them down, and open the valves required to safely evacuate
13 the gas from the facility.

14 MR. ROTH: Okay. Does any of that
15 involve a human being?

16 MR. ROGERS: No.

17 MR. ROTH: No. So, that's all an
18 automatic process?

19 MR. ROGERS: Yes.

20 MR. ROTH: Is it done by a person in
21 Houston or does it just happen automatically with the
22 technology on site?

23 MR. ROGERS: It's all automated. It all
24 happens automatically.

1 MR. ROTH: Okay. There was some
2 discussion about the sound and noise. And, with other
3 facilities of this type and size, are they typically
4 located, you know, within 600 feet of residences? Or are
5 they generally more remote?

6 MR. ROGERS: I have residents in
7 Hopkinton probably within 600 feet of the facility.

8 MR. ROTH: Within how many?

9 MR. ROGERS: Six hundred. I would have
10 to double check, but we have a resident right outside the
11 fence line. The residence, I mean, I can't comment
12 exactly how far away they are, but there are residences,
13 in the area of the Hopkinton, Massachusetts facility, that
14 have residents nearby, but --

15 MR. ROTH: But, around the country, are
16 they typically located in residential areas or are they
17 out in the countryside, in the farms or somewhere?

18 MR. STOKDYK: The system itself, as I
19 said, where we have thousands of miles of pipeline, varies
20 greatly. In some areas, you are out in the middle of the
21 country. And, some of these locations are -- that were
22 built many, many years ago, and were some of the first
23 infrastructure, if you will, in those particular regions.
24 And, so, it really varies greatly location by location.

1 In some locations, we have -- we do have residences that
2 are very near our fence lines and so forth. And, I would
3 speculate, but I don't take measurements or anything else,
4 that it's probably less than the 600 feet. And, in other
5 ones, there's not a house in sight. So, it really does
6 vary greatly from location to location.

7 MR. ROTH: And, do you employ different
8 kinds of sound mitigation, depending on whether it's
9 located in proximity to residences, versus out in a
10 cornfield in Iowa?

11 MR. STOKDYK: Yes. In this particular
12 instance, as we said, we're employing a lot of mitigation
13 measures that you would not find at some of the more
14 remote locations.

15 MR. ROTH: And, do you have any
16 locations where you have rated and mitigated it so that
17 the sound is somewhat lower than 55 decibels? Despite the
18 FERC regulation that says you can -- that's you're
19 minimum, do you go lower than that ever?

20 MR. STOKDYK: We would always like to
21 end up, obviously, placing things, placing attenuation
22 devices and being lower than that. That's our target to
23 be a good neighbor. The problem being, again, is that
24 noise is somewhat unpredictable. And, while we may seek

1 to do that, we really can't guarantee, because, again,
2 some of the noise is unpredictable and can be difficult to
3 mitigate. So, I guess it's, you know, in some areas, yes,
4 you're below 55, but that may be some of the remote areas,
5 where the nearest residences could be, you know, thousands
6 of feet away or something of that nature, with no
7 mitigation whatsoever on that, on that station.

8 MR. ROTH: So, you don't know, well,
9 maybe you do, but are there specific instances that you're
10 aware of where, because of community concerns or licensing
11 requirements from a committee like this, where you
12 specifically endeavored to go below 55?

13 MR. STOKDYK: I am not where -- that we
14 have ever tried to -- I shouldn't say -- I'm not aware
15 that we have ever said we are going to employ any absolute
16 positive thing we can think of, because you can get pretty
17 ridiculous. I mean, you could go so far as to put a
18 bubble over the whole facility, in theory, with a stack
19 coming out of the bubble and so forth. And, so, no, the
20 bottom line is, I am not aware of any facilities where we
21 have guarantied that we were going to be below the 55
22 level. I guess further, to try and answer, yes, in some
23 instances we end up below it. But, again, that's
24 typically because of the imprecise nature of the modeling

1 and so forth. We desire to be lower, but, again, it's
2 just very hard to say this is exactly where we're going to
3 end up.

4 MR. ROTH: Do you ever employ sort of
5 resident-specific mitigation efforts, like new, you know,
6 storm windows or home insulation and that kind of thing on
7 specific residences that are impacted?

8 MR. STOKDYK: To my knowledge, we have
9 not. We try to treat the source of the sound, rather than
10 any, which, of course, would again apply across all of the
11 sound receptors, rather than treating the sound receptors
12 themselves.

13 MR. ROTH: Does the -- I guess this
14 follows up on a question from one of the Committee
15 members, in terms of the various devices and the noises
16 they make. Is it fair to say that some of the noisiness
17 of a particular device or system depends upon its
18 condition and maintenance? And, I guess following that,
19 the follow up is, do you have a specific maintenance plan
20 for the devices that's designed to keep in mind preserving
21 their quietness?

22 MR. STOKDYK: To my knowledge, when
23 we're talking about sound insulation, panels, insulation
24 on pipe, mufflers, and so forth, they are -- they

1 basically don't have moving parts. And, so, the design of
2 them and the performance of them to my knowledge is quite
3 static and doesn't change over time.

4 Steve tells me that over time, if, in
5 the past, if mufflers have worn out or something of that
6 nature, that we have replaced them.

7 MR. ROTH: Yes, I was going to say,
8 once, occasionally, my car tells me I need a new muffler,
9 so -- Now, with respect to the stack, I found an air
10 permit while we were sitting here, and the stack is at
11 least planned or designated in the air permit application
12 to being 55 feet. Have you done any photo simulations of
13 what that would like look like from the various residences
14 around the facility? And, if not, because I suppose if
15 you had you would have them here, can you do them?

16 MR. STOKDYK: I'm not aware that we have
17 employed that before. The concern that we have really
18 about trying to do pictorial projections, I guess, of
19 something like this, it is that, depending upon the exact
20 angle you're looking at, depending upon the seasons,
21 depending upon exactly what is affected during
22 construction, you know, having that picture apply exactly,
23 because it's at a static or at one point looking at it, at
24 a certain elevation, a certain angle, and so forth. And,

1 the difficulty we are always concerned with is somebody
2 afterward pulling out that picture and saying "Well, it
3 doesn't look like that from where I'm looking at it."
4 And, so, it's not really a technique that we have employed
5 in the past. We try to give people a good idea, again,
6 about the heights, and we definitely can show, for
7 example, the height in relation to the buildings and that
8 type of thing. But we hesitate, we prefer to take them to
9 similar facilities to give some idea or again to show them
10 some pictures of them to give an idea of what it looks
11 like.

12 MR. ROTH: So, I take it you will not,
13 you're not going to do a photo simulation?

14 MR. STOKDYK: That would be our strong
15 preference.

16 MR. ROTH: Okay. What are the emissions
17 coming out of the stack? What's coming out of that stack?
18 And, which way is it going to generally go?

19 MR. STOKDYK: We don't have the expert
20 on that particular issue with us here tonight. And, in
21 general, emissions are going to go mostly upward. The
22 reports themselves that are submitted in our filing does
23 talk about the particular compliance of that and the
24 particular criteria that we're meeting or exceeding for

1 those emissions. In general, I know that this is
2 classified as basically a small emissions source, as
3 compared to other types of emissions. But, beyond that, I
4 probably would reference you to the report itself to see
5 exactly what those components are.

6 MR. ROTH: That's all I have for now.
7 Thank you.

8 CHAIRMAN BURACK: No further questions
9 at this time, Mr. Roth?

10 MR. ROTH: No. No, I'm through.
11 Thanks, Mr. Chairman.

12 CHAIRMAN BURACK: Okay. Thank you. We
13 have a number of questions from the public. But, before
14 we turn to that, I understand from the gentleman who's
15 very kindly running all this equipment that we need to
16 take a break.

17 MR. GREENWOOD: Want to do it now?

18 CHAIRMAN BURACK: We could take it now.
19 This may be a good time to break. We'll take a break now.
20 We're going to change the recording film. And, then, we
21 will reconvene, why don't we say, it's 8:37 or 8:38 by
22 this clock, why don't we reconvene at 8:40. Okay. Thank
23 you. We will recess until then.

24 (Whereupon a recess was taken at 8:33

1 p.m. and the hearing reconvened at 8:49

2 p.m.)

3 CHAIRMAN BURACK: Before turning to
4 questions from the public, I want to say a special thank
5 you to two folks who have been working to help all of the
6 -- make all of the electronics, including the television
7 here, work well for us. Alex Maal, the young man behind
8 the screen there, as well as Jim Greenwood, from Pelham
9 TV. And, I understand that this is being streamed live at
10 this time, and also will be available for downloading live
11 streaming in the future by folks who are interested in
12 being able to observe these proceedings at a later time.
13 So, thank you, gentlemen, very much for your assistance in
14 making the service available to the Committee and to the
15 interested members of the public.

16 What I would like to do now is turn to
17 the questions that have been asked by members of the
18 public, submitted on cards. And, one of the reasons we
19 ask that these questions be submitted in writing is so
20 that we can determine whether, in advance, whether these
21 are more appropriately answered by the Applicant or
22 actually by the Committee or by our legal counsel. And,
23 in this instance, there are two questions which I think in
24 the first instance are probably best addressed by

1 Mr. Iacopino, legal counsel to the Committee. I assure
2 you that all the questions that have been raised, have
3 been put on paper, will be asked this evening.

4 So, the first question I'm going to ask
5 Mr. Iacopino to address is whether he could briefly
6 explain for all of us why local land use board review and
7 approval is preempted pursuant to RSA 162-H?

8 MR. IACOPINO: And, the simple answer to
9 the question is because the Legislature has determined
10 that it is preempted. The passage of RSA 162-H has right
11 in its very first section the purposes of the statute.
12 And, the statute speaks to the fact that energy production
13 is a statewide concern, and it's not just a local concern
14 in communities where energy facilities are located. The
15 State -- The statute also expresses its purpose that,
16 going along with the construction of energy facilities,
17 there are important environmental issues that concern the
18 entire state, as well as important economic issues, and,
19 of course, important energy issues.

20 So, the State has determined that the
21 siting of energy facilities and electric generation
22 facilities, and things like pipelines and power plants,
23 are to be -- to go through a committee that is designed to
24 do an integrated review, of which land use planning is

1 part of the review that the committee does. And, because
2 it's the Legislature that gives the authority to your
3 towns and cities here in New Hampshire to pass zoning
4 ordinances and planning ordinances, the Legislature can
5 also preempt that authority. And, that's what they have
6 done in the passage of RSA 162-H. They have essentially
7 preempted the authority of the local government to make an
8 energy facility subject to local regulation.

9 CHAIRMAN BURACK: Thank you. In that
10 connection, I would ask you, Attorney Iacopino, if you
11 would answer this question. Will the building,
12 electrical, and plumbing permits for this facility, would
13 they be -- have to be obtained from the Town and would
14 inspections be performed by local inspectors?

15 MR. IACOPINO: The answer to that
16 question depends in very large part on what this Committee
17 decides to do about those issues after an adjudicatory
18 hearing. The Committee, it is not unusual, when a
19 certificate -- if a certificate is granted, for the
20 Committee to put conditions on the certificate. And, in
21 most cases where a certificate of this nature has been
22 granted, where you have a facility going from the ground
23 up, compliance with building codes, electrical codes, and
24 things like that become a condition of the certificate,

1 if, in fact, the Committee determines that a certificate
2 is warranted in any particular case.

3 In most cases, the Applicant will confer
4 with the Town authorities. In many cases, they come back
5 to the Committee before the hearing on the merits with
6 stipulations about things like that, that will be included
7 as part of the certificate, if one were to be granted.

8 So, the answer to the question is, is
9 that the inspections and whatnot could be done by the
10 Town, by the Town inspector, if that's what this Committee
11 decides should be a condition of the certificate. There
12 have been instances in the past where a third party has
13 been designated as an inspector, based upon -- primarily
14 based upon stipulations that have been received by the
15 Committee and then made part of a particular certificate.

16 The other thing that the Committee, you
17 should be aware of, often does is delegates to state
18 agencies, not local authorities, but to state agencies to
19 monitor particular aspects of the certificate, such as,
20 for instance, air quality or water quality, and gives
21 those authority -- sometimes delegates authority to those
22 agencies to even permit minor modifications. So, there is
23 some flexibility in the statute, so that we don't have to
24 have a Committee meeting every time there is a small

1 change.

2 However, the answer to that particular
3 question about your actual local codes, and whether your
4 building inspector will inspect, is going to be determined
5 at the end of the case, if, in fact, the certificate is
6 granted.

7 CHAIRMAN BURACK: Thank you,
8 Mr. Iacopino. I have a number of questions now for the
9 Applicant. First, is there any type of communications
10 tower planned for the facility? And, if so, what might
11 that look like or entail?

12 MR. STOKDYK: My understanding is that
13 there would be a roughly 50-foot communications tower at
14 this site. And, I guess, description-wise, Steve, you
15 want to tell them what a typical might look like. It
16 hasn't been designed to that level of detail. Might be
17 like a light pole is the description.

18 CHAIRMAN BURACK: Okay. Thank you. I
19 have a number of questions for you here regarding noise
20 issues. And, I'm just going to share with you, ask these
21 of you, and just -- first, why not require annual decibel
22 testing during peak winter use period?

23 MR. STOKDYK: I guess the main reason
24 again being that it's not anticipated that you are going

1 to have a change in these facilities. I think that would
2 be the predominant reason.

3 CHAIRMAN BURACK: In the case of this
4 particular facility, given that you have indicated that
5 you anticipate this will come on line sometime
6 October/November time frame of this year -- of 2009, when
7 would you anticipate approximately that the testing would
8 actually be performed? Let's assume that the facility
9 comes on line November 1st, when would you anticipate the
10 testing?

11 MR. STOKDYK: We are required to test
12 the facilities within 30 days of it going into operation.

13 CHAIRMAN BURACK: And, how is that
14 determination of the first operation date made? Is that
15 based on FERC regulation?

16 MR. STOKDYK: I'm sorry, could you
17 repeat the question?

18 CHAIRMAN BURACK: Yes. Who determines
19 what the operating -- what the initial operation date is?
20 Is that specified in FERC regulation or where does that
21 appear? How is that determination made?

22 MR. STOKDYK: Basically, the
23 determination is made by the Company when the units have
24 been fully tested out, and we believe that they are fully

1 operational, we will notify FERC of that, and we get
2 basically an official in-service date at that time.

3 CHAIRMAN BURACK: Thank you. Is it
4 common practice to put a compressor station 181 meters
5 from a house?

6 MR. STOKDYK: As I've said a little bit
7 earlier, it has varied all over the system. What I --
8 What I guess I'd go further to say is, is when you look at
9 New England in general, you're looking at much more
10 densely populated areas than many parts of the country,
11 where it's just not feasible to find locations, especially
12 industrial zoned locations, easily, in order to put
13 compressor facilities in. And, so, I would say that it
14 definitely would not be uncommon in more congested parts
15 of the country, like New England, where as it might be,
16 you know, much less likely, say, in areas where the
17 population density is much, much less.

18 CHAIRMAN BURACK: Thank you. The
19 questioner indicates that residents in the area were told
20 by a Mr. Gavin that noise levels were constantly measured
21 at facilities such as this, and now I believe they're
22 hearing this evening that is not the case, and the
23 question is what has changed?

24 MR. GAVIN: I don't recall ever telling

1 anybody that they're constantly measured.

2 CHAIRMAN BURACK: Thank you, Mr. Gavin.

3 Was that response captured?

4 MR. GREENWOOD: Probably not.

5 CHAIRMAN BURACK: Mr. Gavin, would you
6 please come to the microphone and respond to that.

7 MR. GAVIN: I don't recall ever making
8 that statement to anybody about the noise.

9 CHAIRMAN BURACK: Thank you, Mr. Gavin.
10 Is that microphone, in fact, on?

11 MR. GREENWOOD: Yes.

12 CHAIRMAN BURACK: You could record that?
13 Thank you. Another question, is there a blow-off valve?
14 And, if so, what is the decibel level of that sound and
15 how frequently would it occur?

16 MR. STOKDYK: There is the vent stack
17 that we had mentioned earlier with a vent silencer that
18 will be installed upon it. The frequency of that I would
19 say is very, very infrequent. Again, that's when you're
20 basically evacuating some gas from the station yard
21 itself. As to the sound of it, the level of decibels, I
22 don't know that it has been broken out separately. It's
23 my understanding that it was modeled along with the rest
24 of the facilities. And, again, I guess one thing I didn't

1 mention earlier is the modeling and such assumes that that
2 station is running at full out, every piece of equipment
3 running as hard as possible. And, it's my understanding
4 that those types of intermittent noises are also included
5 in there. But, admittedly, I am not a sound expert.

6 CHAIRMAN BURACK: Thank you. This next
7 question asserts that there are very frequent power
8 outages in this area. And, consequently, the question is,
9 what is the additional decibel level associated with
10 operation of the supplemental generator during such power
11 outages?

12 MR. STOKDYK: I do not know the
13 particular sound levels of that generator. It will be
14 housed within a building. I'm told that it's basically a
15 400 horsepower engine. So, you know, something comparable
16 to a very powerful car. But I don't know the individual
17 noise for that.

18 CHAIRMAN BURACK: Thank you. Next
19 question: If the preliminary sound survey shows
20 45 decibels of site noise currently, does this mean that
21 the new station will only add plus or minus 10 decibels?

22 MR. STOKDYK: That's correct.

23 CHAIRMAN BURACK: Thank you. Another
24 question relating to noise issues: Would it be possible

1 for the Company to bring a recording of a 55-decibel sound
2 to the next hearing, so the Committee can make an educated
3 decision about what that would mean in terms of noise
4 pollution?

5 MR. STOKDYK: As a matter of fact, we
6 discussed doing exactly that, because we thought that
7 would be a really good way to be able to give people an
8 indication of what it was. And, so, we talked it over
9 with our sound experts. And, they explained the
10 difficulty of generating something like that, given the
11 different acoustic of a particular room, given the
12 difficulties of just where people were within that room
13 listening to it, and so forth. And, basically, in
14 consultation with them is when we developed the plan
15 instead to take people to a similar facility, that we felt
16 that that would be more of a real-life simulation, and it
17 would give them a much better perception not only of
18 sound, but also of the visual impacts of a compressor
19 station.

20 CHAIRMAN BURACK: Thank you. And, we
21 understand that you did have a number of townspeople who
22 took advantage of your offer to provide that. If there
23 were interest from additional townspeople in seeing such a
24 facility, would the Company be willing to provide an

1 additional opportunity to make such a visit?

2 MR. STOKDYK: We would. If that is the
3 case, we probably should like to get a list of all
4 interested parties, see if we can coordinate timing. The
5 station, the Mendon one that we have mentioned, is roughly
6 an hour and a half away. Arranging for transportation,
7 which we had a bus the last time, is actually not as
8 simple as you might think, and it takes a little bit of
9 lead time. In addition, in order to run that particular
10 station at this time of year, especially the unit that's
11 comparable here, we actually have to make arrangements
12 with another gas company in order to take gas for a short
13 period, in order to crank up that engine, to best simulate
14 what will be done. And, that's what we did last year.

15 So, the short answer is "yes". I'm just
16 letting you know that there are logistics involved between
17 the resident schedules, the buses, and as well as the
18 cooperation of an outside company, in fact, a competitor,
19 if you will, in order to set up a simulation. So, we'd
20 like to be able to do that in as orderly a manner as
21 possible, and not to have to repeat it a third time and
22 that type of thing. We'd really like to approach it and
23 try to make sure that we take care of it in one shot, if
24 at all possible.

1 CHAIRMAN BURACK: Thank you for the
2 willingness to do that. And, I expect that there will
3 need to be further conversations about that in follow up
4 to tonight's program.

5 Another question related to noise: A
6 third party measures the sound. Who actually employs the
7 third party?

8 MR. STOKDYK: The consulting parties are
9 employed by Tennessee Gas.

10 CHAIRMAN BURACK: And, can you give us
11 an understanding of how those parties are -- those third
12 party testers, are they certified by someone as being
13 independent parties? Do they have some special
14 certification?

15 MR. STOKDYK: Unfortunately, we don't
16 have, again, the emissions person in our company, who also
17 works more of the sound area, was unable to come to
18 tonight. And, none of the parties here can describe
19 certification or not and so forth. So, that's something
20 we'll have to follow up with him.

21 CHAIRMAN BURACK: If you would please
22 submit further information on that in writing, that would
23 be helpful. Thank you. Several other questions here:
24 What prevents crushed rock from your run-off from entering

1 Beaver Brook?

2 MR. McCracken: Yes. As I explained
3 earlier, in the Alteration of Terrain Plan, there are two
4 impoundments that are designed in with that plan. Those
5 impoundments would not only slow and store and time
6 release the run-off, but they would also capture any
7 particulates or crushed rock in this case.

8 CHAIRMAN BURACK: Thank you. Another
9 question here: What are the Company's projections for
10 future demand for gas here in New Hampshire? Is it
11 possible that this site will be expanded in the future?
12 And, if so, how would that expansion occur?

13 MR. STOKDYK: I'm not aware that we have
14 any projections just for New Hampshire. In general, as
15 was alluded to earlier by somebody, the distribution
16 companies in the state usually come to us and let us know
17 that their projections of demand and so forth may
18 necessitate some additional capacity. I will say, in the
19 preliminary looks at those type of issues, when we were
20 coming up with the design of this one, the expectation is
21 that, let's say, however many years down the road that the
22 next amount of capacity that would be needed for this
23 state, the expectation of Tennessee Gas is that we will
24 need to expand by pipeline looping for that next amount of

1 capacity. And, it would only be for some subsequent phase
2 beyond that one that compression could -- could be used
3 for additional expansion. So, that would be, you know, a
4 couple of expansions down the road before it would be
5 considered. And, I don't know the balance of, you know,
6 would it be better than looping at that time? We haven't
7 looked at any stages down the road.

8 CHAIRMAN BURACK: Thank you for that
9 response. A number of other general questions here: How
10 many similar facilities does the Company operate? And,
11 what is the Company's safety record with respect to these
12 facilities?

13 MR. STOKDYK: The number of compressor
14 stations I think I mentioned earlier is 75. And, when we
15 say "similar", they are compressor stations, but, again,
16 in general, they often perform a different function, and
17 most of them are quite a bit larger than this particular
18 location. In general, it's my understanding that we have
19 an excellent safety record. And, the industry, in
20 general, the natural gas transmission industry, when you
21 get to looking at the transportation of energy or goods or
22 services and so forth, moving -- moving something by
23 pipeline is actually an extremely safe method of
24 transportation.

1 CHAIRMAN BURACK: Thank you. If there
2 are safety or other types of problems at these kinds of
3 facilities, what agencies and what people are notified of
4 those concerns or problems?

5 MR. STOKDYK: I'm advised that it's the
6 Department of Transportation or DOT.

7 CHAIRMAN BURACK: And, is there a
8 specific bureau or section within the -- and this is the
9 U.S. Department of Transportation we're speaking to?

10 MR. ROGERS: Yes.

11 CHAIRMAN BURACK: Is there a particular
12 section within the U.S. DOT that you need to report?

13 MR. ROGERS: Yes.

14 MR. STOKDYK: The Office of Pipeline
15 Safety.

16 CHAIRMAN BURACK: Thank you. In the
17 event of an earthquake, tornado, lightening strike,
18 sabotage, or other events of those kinds, what is the
19 increased risk to nearby businesses and residences from
20 this type of facility?

21 MR. STOKDYK: As far as the safety of
22 compressor stations, as I've said before, they have an
23 excellent record. In the event of some type of a fire or
24 something of that nature, in general, things are well

1 contained at the station. And, we talked about a lot of
2 the safety type devices and so forth that we employ. I am
3 not the safety expert in the Company, but I did ask some
4 of our folks if we had ever had, to their knowledge, any
5 abutters to any of our compressor stations that were
6 injured as a result of an incident. They told me that
7 their records go back to the mid 1970's, and that, as far
8 as their records showed, the Tennessee Gas Pipeline has
9 never had an incident of an abutter to one of our stations
10 being injured. So, I'd say that's a pretty good safety
11 record.

12 CHAIRMAN BURACK: Thank you. Can you
13 explain, help us to understand whose responsibility it is
14 to present evacuation plans for the area, in the event of
15 some kind of emergency involved with this facility? That
16 is, is it the responsibility of Tennessee Gas or of towns
17 or of other parties?

18 MR. STOKDYK: I'm told that that would
19 be the local towns.

20 CHAIRMAN BURACK: It would be the
21 responsibility of the towns to establish an evacuation
22 plan. Does Tennessee Gas have any experience in working
23 with and assisting communities in developing those kinds
24 of evacuation plans?

1 MR. STOKDYK: I'm told that most of the
2 towns typically do it themselves. As I alluded to before,
3 however, you know, while it never hurts to generate those
4 plans and have them in place, we don't anticipate that
5 anything of that nature would ever be required.

6 CHAIRMAN BURACK: Thank you. Is there
7 going to be a second access road constructed to this
8 industrial park?

9 MR. STOKDYK: I don't believe so.

10 CHAIRMAN BURACK: So, in other words,
11 Tennessee Gas does not plan to construct any roads, other
12 than those that are shown on the plans that have been
13 submitted?

14 MR. STOKDYK: Correct.

15 CHAIRMAN BURACK: Correct. While I'm
16 thinking about this section of the plan, it's come to my
17 attention that I believe there may be a more recent site
18 plan that's been developed by Tennessee Gas since the time
19 of the filing. In other words, there may be a more recent
20 site plan that we looked at today, when we were on the
21 site walk here, or that may be depicted in the Alteration
22 of Terrain Plan. And, I would just request that, if there
23 is a more recent plan, that that be submitted to the
24 Committee please.

1 There is an indication here in one of
2 these questions that, at a location in, I believe, it's
3 Nassau, New York, local residents objected to a,
4 presumably, a compressor facility, and, as a result, a
5 sound blanket was added, something called an "Audio Seal
6 Combination Blanket ABSC". And, the question is, will
7 this be done at this location, why or why not?

8 MR. STOKDYK: We're not -- We're not
9 familiar with that particular instance. It's our
10 assumption that it must not have met the 55 decibel level,
11 and that was one of the measures that was taken to address
12 that.

13 CHAIRMAN BURACK: Thank you. Two
14 questions here relating to potential contamination issues
15 relating to either soil or groundwater. One question
16 indicates that, between 1950's and the 1980's, gas
17 pipeline condensate was apparently some kind of
18 contamination issue. And, the question is, what measures
19 would be taken to ensure that these kinds of condensates
20 and the contaminants they may contain, including possible
21 human carcinogens, will not be a risk or threat to soil or
22 groundwater in this neighborhood? And, I assume
23 Mr. McCracken would be the best to address this.

24 MR. MCCRACKEN: Yes. Well, our

1 operations procedures include collecting any condensate
2 generated from the pipeline and properly containing it and
3 disposing of it in accordance with state and federal
4 regulations. And that said, just to make a general
5 statement, in the Northeast, the gas in the pipe is, and
6 Steve would agree with this, it's a very dry product.
7 Very few liquids are generated at all.

8 CHAIRMAN BURACK: You say very few
9 liquids will typically be generated?

10 MR. McCracken: Correct.

11 CHAIRMAN BURACK: If there were
12 condensate or other liquids generated at this facility,
13 where in the facility itself would they actually be
14 collected? What parts of the process would you actually
15 have valves or whatever that would allow you to draw them
16 off?

17 MR. CAROLL: Yes. The facility is
18 designed with a filter separator and it filters the gas as
19 it passes through the compressor. So, anything entering
20 the facility would be filtered and it would likely be
21 removed from that device.

22 CHAIRMAN BURACK: Do you have a further
23 response to that as well?

24 MR. STOKDYK: I just wanted to clarify

1 that condensate itself is, to my knowledge, is not a
2 carcinogen material. I believe what they're referring to
3 is PCBs that was used in compressor oils back in the '50s,
4 '60s, '70s, and so forth. And, the use of that has long
5 since been seized -- ceased. And, so, I believe that
6 that's what they're alluding to.

7 CHAIRMAN BURACK: In fact, I think you
8 have anticipated the question, because we do have another
9 question here indicating that, in March of 1987, the New
10 York Times reported well contamination in areas around
11 compressor stations. And, that there was also PCB
12 contamination in residential wells in Mississippi and
13 Kentucky presumably in the vicinity of compressor
14 stations. And, apparently, the New York Times reported
15 groundwater contamination at this time was, and this is a
16 quote, "a secret from the public for three to four years".
17 So, again, it would just be helpful if you would clarify
18 what is being done to prevent a recurrence of those kinds
19 of events or occurrences?

20 MR. STOKDYK: Basically, any known
21 carcinogens would not be introduced into the pipeline
22 system in the first place. And, then, again, as far as
23 any condensate, which, again, is a hydrocarbon in nature
24 and is not a carcinogen, those are being removed from, for

1 example, filter separators that are located in all of our
2 compressor stations up and down the system. And, what was
3 alluded to earlier is the fact that, by the time the gas
4 comes from the producing areas in the far south, and makes

5 its way all the way up here to New England, it has been
6 through many, many filter separators. And, the chances
7 for any type of condensate to come out of it and so forth
8 have generally already occurred. And, so, it's not really
9 an occurrence that we run into a lot of this far down in
10 the pipeline.

11 CHAIRMAN BURACK: Thank you. I believe
12 we have now been through all of the questions that came
13 from the public. And, so, what I would like to do now,
14 unless, Mr. Dustin, do you have any other cards at this
15 time? Okay. Thank you. What I'd like to do now is turn
16 to the public comment portion of the program. And, I will
17 ask those members of the public who would like to share
18 comments with the Committee to please come forward to the
19 microphone, introduce yourself, and make your comments.
20 Again, we're taking these as comments, not as questions to
21 the Committee or questions to the Applicant, but just
22 comments that you would like to share with the Committee.
23 And, I will ask you please to be succinct, and, again,
24 speak clear, clearly and loudly into the microphone. And,

1 I would like first to call upon Mr. Peter McNamara.

2 MR. McNAMARA: Thank you, Mr. Chairman.

3 I'm Peter McNamara, I'm also Chairman of the Pelham
4 Planning Board. I wanted to thank both the Committee and
5 the counsel for their diligence in reviewing this
6 Application. And, I would ask to consider, if you're
7 going to act favorably, to establish some sort of a
8 regular inspection, testing, not only of the noise levels,
9 but also of the emissions from the stack, on a yearly
10 basis or whatever the Committee would find reasonable.
11 And, I don't think that's a particularly onerous request.
12 And, I think it might, if you act favorably on the
13 Application, it might give residents and nearby businesses
14 some measure of security that those levels are, in fact,
15 what they were promised to be.

16 And, I would just ask very briefly if
17 you could give us an anticipated timeline of your review
18 of the Application, when would you expect to reach a final
19 decision on it? Thank you.

20 CHAIRMAN BURACK: Thank you. Again, I
21 said before, we wouldn't really treat these as questions,
22 but we'll do whatever we can to respond to certain issues
23 that have been raised. We've heard the comment. I think
24 it may be helpful, Mr. Scott, if you could just clarify

1 what the conditions are typically in the air permit that
2 would relate to compliance with the conditions of such a
3 permit.

4 DIR. SCOTT: Again, there's a draft
5 permit that's up for review, and, again, we will be taking
6 comment until August 11th on that. But the periodic
7 testing, excuse me, the periodic monitoring, there are a
8 set of requirements for -- the facility is actually
9 required to submit to us, depending on the records, but
10 basically the records have to be reported on an annual
11 basis and more frequently, and there's -- for the
12 emissions. And, at -- you have to forgive me, I'm just
13 scanning it as I look here. Basically, on demand, the
14 facility can be required to stack test. And, typically,
15 at the start of a facility, depending on the facility, we
16 would require a stack test, which is a test of what's
17 actually coming out of the stack as the facility is
18 running at full capacity. And, again, that's all outlined

19 in the draft permit, if someone would like to have a copy
20 of that.

21 CHAIRMAN BURACK: Thank you very much,
22 Mr. Scott. With respect to the time frame issue, there
23 are certain time frames specified in the statute for us to
24 conduct our review of these. But I'll ask Attorney

1 Iacopino to answer that in a little more detail.

2 MR. IACOPINO: There's a statutory time
3 limit that's placed on the Committee of a total of nine
4 months from the date of acceptance of the Application.
5 There are some intermediate deadlines for state agencies
6 to file draft conditions. Just so everybody knows, there
7 have been draft conditions filed on pretty much every
8 state permit that has been required, that would be
9 required with this type of facility already, they are part
10 of the file. There is a temporary draft air permit, there
11 is a recommended Alteration of Terrain conditions, there
12 are recommended conditions for the septic system, and
13 there is letters from the Division of Historical Resources
14 and I believe one other agency that have already been
15 filed. We had a prehearing conference, which was noticed
16 in the Concord Monitor, the Union Leader, and the Nashua
17 Telegraph on the 11th of July, I believe. At which the
18 Applicant's attorney and Mr. Roth were present. One of
19 the reasons for having a prehearing conference is to
20 discuss scheduling. And, the general consensus at that
21 meeting was that this, assuming the Committee's
22 availability, this consideration of this Application could
23 be completed by the end of this year.

24 CHAIRMAN BURACK: Thank you,

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1 Mr. Iacopino. Just want to point out that we do have
2 posted on the Site Evaluation Committee website a number
3 of the documents that have been referenced here this
4 evening. And, we will make an effort to make as much
5 information available to the public as possible.

6 I would like next to call upon Jeff
7 Gowan.

8 MR. GOWAN: Thank you. I'm Planning
9 Director here at Pelham, as well as a resident. And, I'd
10 like to echo Peter McNamara's comments in thanking the
11 Committee for holding this hearing locally. We, as I'm
12 sure you can all appreciate, the primary function of our
13 land use boards, or at least a very important function, is
14 to gather the public comment and input into the process.
15 I'm very encouraged by the kinds of questions that I've
16 heard asked here tonight. And, I think the community is
17 in good hands. The scrutiny that will be applied to this
18 plan is clearly at least, if not more, than would happen
19 at the local level. So, again, I just want to thank you.
20 The police chief had asked me to make a couple questions
21 about emergency planning, which I think were adequately
22 addressed here. And, I'm sure that those will be worked
23 out as this review continues. Thank you very much.

24 CHAIRMAN BURACK: Thank you very much,

1 Mr. Gowan. I would like now to call upon Kevin Hebert.

2 MR. HEBERT: Kevin Hebert, from 571
3 Mammoth Road. And, I just have a couple of comments.
4 And, the first one is our first station visit that my
5 brother and I were taken on, the union worker there told
6 us that the station is idling. And, we were told that it
7 was running at the sound we would be hearing. And, there
8 have been actually two bus rides, not just one. The
9 representative on the bus ride on the second tour told us
10 that they have a lot of different ways of containing the
11 noise, but they also have a budget and that they wouldn't
12 use more. They would only use what fit in their budget.
13 And, then, we also -- my brother and I share a driveway,
14 and there's about 14 acres behind his house, and we are
15 going to put a road in there, we're dealing with an
16 engineering -- excuse me, an engineer to subdivide again,
17 put a couple more houses for our brothers and sisters.
18 And, I'm just wondering if that 50 decibels is still going
19 to apply to that, because it's going to be a lot closer to
20 the houses. And, you know, our land is residential.
21 That's all I have. Thank you.

22 CHAIRMAN BURACK: Thank you very much,
23 Mr. Hebert. Mr. Hebert, thank you for those questions. I
24 think that a number of these issues are ones that will be

1 explored further during the adjudicatory phase of this
2 process. So, we have these questions on the record and we
3 are certainly aware of them. Thank you for that. Next, I
4 would like to call upon Mr. David Anderson. I understand
5 that he has also provided us with a written statement.

6 MR. ANDERSON: Thank you, Mr. Chairman,
7 Committee, attorneys. Before I make my statement, could
8 we get back to the footprint that shows Whispering Winds?

9 CHAIRMAN BURACK: We'd be -- Is it
10 possible to bring that footprint up again? Thank you very
11 much.

12 MR. ANDERSON: Just to, before I make my
13 statement, I'd like to put things in perspective. What
14 you see at the very top is a portion of Whispering Winds.
15 There are 80 units in Whispering Winds. Adjacent to
16 Whispering Winds is another Windham Meadows complex, and
17 these are all over 55 complexes, and there's another 60
18 units. So, there's 140 units. And, then, there's a third
19 phase going in currently under construction of 58
20 single-family units not age restricted. I say that only
21 to point out that what you see here does not, in my
22 opinion, adequately represent the population density close
23 to this proposed facility. So, there's more to it. Of
24 course, we're on the other side of the brook, and we're in

1 Windham, but that shouldn't make any difference.

2 My name is David Anderson. I'm the
3 President of the Board of Directors of the Whispering
4 Winds Adult Condominium Association, located on Pleasant
5 Street, in Windham, and an abutter to the proposed
6 Tennessee Gas Pipeline compressor project. Just prior to
7 the site visit this afternoon, I walked to our mail house
8 to get my mail, and could hear the birds chirping, looked
9 at the wooded area near the brook, and breathed the fresh
10 summer air. Shortly after I attended the site -- Shortly
11 after, I attended the site of the proposed project, but
12 was restricted from asking a number of questions, which I
13 was told were more appropriate for this meeting. I
14 realize that they were more appropriate.

15 On March 19th, I wrote a letter to the
16 Federal Energy Regulatory Commission setting forth the
17 concerns of the Condo Association, many of which were
18 included in the recent article in the Pelham/Windham
19 newspaper. The site visit did not give me any sense that
20 any of the Association's concerns would be changed from
21 those expressed in our letter of March 19th. We, the
22 abutting residents, are being asked to give our support to
23 a project which will cause noise pollution, air pollution,
24 and esthetic pollution, at least to some extent, with

1 absolutely no benefit to our present living environment.
2 Although the project design specifications may meet
3 federal, state, and local standards, I am sure that these
4 standards were not designed for elderly housing complexes
5 as abutters.

6 Given the above, and in light of my
7 authority as the president of the Whispering Winds
8 Condominium Association, I strongly object to the approval
9 of the proposed Tennessee Gas Pipeline compressor project.
10 And, I'd be happy to answer any questions that anyone may
11 have during this hearing.

12 CHAIRMAN BURACK: Well, thank you very
13 much, Mr. Anderson. And, we will enter your written
14 statement as an exhibit in the record.

15 MR. ANDERSON: Okay. Thank you.

16 MR. IACOPINO: Mr. Chairman, may I just
17 ask Mr. Anderson?

18 CHAIRMAN BURACK: Yes.

19 MR. IACOPINO: Mr. Anderson, you
20 mentioned a March 19th letter that you contained in your
21 statement. Just so that you're aware, you do have the
22 ability to forward a copy of that to our agency as well,
23 through Commissioner Burack's office. And, --

24 MR. ROTH: He's got a copy of it here.

1 CHAIRMAN BURACK: Okay. Very good.
2 Thank you. We will ensure that that's also made part of
3 the record. Thank you. And, in addition, I'm not sure if
4 the article that you referenced in the Pelham/Windham
5 newspaper, if that's included, but you certainly could
6 submit that to us as well for inclusion in the record.

7 MR. ANDERSON: There were actually some
8 excerpts from the letter that we wrote to the FERC in the
9 Pelham/Windham news article.

10 CHAIRMAN BURACK: Very good. Thank you.
11 Now, I would like to call upon Betsy and Jason Matthews.

12 MS. MATTHEWS: Betsy Matthews. I live
13 on Mammoth Road, in Windham, New Hampshire. I'm one of
14 the unfortunate abutters who wasn't notified until
15 June 18th, when I came home from work at 5:30 p.m., to
16 find that the bus trip had already left to go and see the
17 site. It's been noted today that it was sent to the

18 developer. I'm not sure why, the developer never owned
19 our land. We bought our land from the folks who built it
20 in 1960.

21 As far as this second bus trip, I would
22 anticipate that the Committee would recommend and that
23 folks here would notify directly the abutters whom made
24 the mistake, rather than having an elusive ad in the

1 newspaper, so that we have a direct opportunity to see
2 what will be directly affecting our area.

3 CHAIRMAN BURACK: Thank you.

4 MS. MATTHEWS: One more thing?

5 CHAIRMAN BURACK: Please.

6 MS. MATTHEWS: Sorry. And, one thing
7 that hasn't been commented on today is the devaluation of
8 our property, which is something that is an area of
9 concern that hasn't been addressed by this Committee, but
10 it is something that's an area of concern for the number
11 of people throughout the condo complexes, the neighborhood
12 at large, and it's something that hasn't been addressed,
13 and something that needs to be addressed as well.

14 CHAIRMAN BURACK: I'm not aware of any
15 other members of the public at this time who wished to
16 speak. Thank you, Mr. and Mrs. Matthews, for those
17 comments.

18 MS. MATTHEWS: May I say one more?

19 CHAIRMAN BURACK: You certainly can.

20 MS. MATTHEWS: One more thing is I
21 brought with me today nine pages of pipeline accidents.
22 And, I would be happy to submit those as well to you. But
23 I think that it's reasonable for residents in this area to
24 anticipate an evacuation plan as part of the policy, if we

1 decide to go forward with this project.

2 CHAIRMAN BURACK: Thank you very much.

3 And, you're certainly welcome to submit that as part of
4 your comments and include that in the record as well.

5 (Ms. Matthews handing document to Atty.
6 Roth.)

7 MR. ROTH: Thank you.

8 CHAIRMAN BURACK: Is there anything
9 further from the Committee at this time?

10 MR. IACOPINO: The one thing that I
11 would just point out for the public is, as you know, a
12 transcript of this proceeding, as well as the proceeding
13 that we had in Concord this morning, will be eventually
14 transcribed and available to the public. You will be able
15 to -- you'll be able to review the transcript at the
16 Department of Environmental Services, where Mr. Burack
17 works. We will also make a copy of the transcript
18 available to the Pelham Town Hall or whoever the
19 appropriate official to make it available. Anybody who
20 wishes to purchase a transcript of the proceedings for
21 their own use should see Mr. Dustin, and he will explain
22 to you how to go about doing that. I think there's a
23 question.

24 MR. ANDERSON: On that, would that also

1 go to the Town of Windham?

2 CHAIRMAN BURACK: The question is, will
3 the transcript also be provided to the Town of Windham?
4 Mr. Iacopino?

5 MR. IACOPINO: Yes, we can do that.

6 MR. ANDERSON: Thank you.

7 MR. IACOPINO: Do you know who would be
8 the appropriate person in the town?

9 MR. ANDERSON: Probably Al Turner, the
10 person in charge of the Planning Department.

11 MR. IACOPINO: The Planning Department,
12 okay. And, maybe the town officials can help us with that
13 as well. Thank you.

14 CHAIRMAN BURACK: Okay. If there is
15 nothing further to come before us this evening, we will
16 stand adjourned. And, I thank everybody for being here
17 this evening.

18 (Whereupon the hearing was adjourned at
19 9:36 p.m.)

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