

1 STATE OF NEW HAMPSHIRE  
2 SITE EVALUATION COMMITTEE

3 July 17, 2008 - 11:33 a.m.  
4 N.H. Public Utilities Commission  
5 21 South Fruit Street, Suite 10  
6 Concord, 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)

13 SITE EVALUATION COMMITTEE:  
14 Public meeting of the Site Evaluation  
15 Committee to consider correspondence  
16 submitted on behalf of Granite Ridge  
17 Energy, LLC.

18 PRESENT: SITE EVALUATION COMMITTEE:  
19 Thomas S. Burack, Cmsr. Dept. of Environmental Services  
20 (Chairman of SEC - Presiding Officer)  
21 Thomas B. Getz, Chrmn. Public Utilities Commission  
22 (Vice Chairman of SEC)  
23 Graham J. Morrison, Cmsr. Public Utilities Commission  
24 Harry T. Stewart, Dir. DES - Water Division  
25 Amy L. Ignatius, Dir. Office of Energy & Planning  
26 Philip Bryce, Dir. Div. of Forests & Lands (DRED)  
27 Robert Scott, Dir. DES - Air Resources Division  
28 Brook Dupee Dept. of Health & Human Services  
29 Randall Knepper Public Utilities Commission

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

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ALSO PRESENT:

Michael Iacopino, Esq.  
Counsel for the Committee

Cedric Dustin  
Administrator for the Committee

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

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

Reptg. Granite Ridge Energy, LLC:  
Douglas L. Patch, Esq. (Orr & Reno)

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

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

12 At this point, I would like to have the  
13 members of the Committee introduce themselves. And, I  
14 will ask Mr. Stewart, on my far right, to start.

15 DIR. STEWART: Harry Stewart, Department  
16 of Environmental Services, Water Division Director.

17 DIR. BRYCE: Phil Bryce, Department of  
18 Resources and Economic Development, Division of Forests &  
19 Lands Director.

20 DIR. SCOTT: Bob Scott, Department of  
21 Environmental Services, Director of the Air Resources  
22 Division.

23 VICE CHAIRMAN GETZ: Tom Getz, Chairman  
24 of the Public Utilities Commission, and Vice Chair of this

{SEC Docket No. 2008-002} (07-17-08)

1 Committee.

2 MR. DUPEE: Brook Dupee, here on behalf  
3 of the Department of Health & Human Services.

4 MR. KNEPPER: Randy Knepper, on behalf  
5 of the New Hampshire Public Utilities Commission.

6 DIR. IGNATIUS: Amy Ignatius, from the  
7 Office of Energy & Planning.

8 CHAIRMAN BURACK: I should also point  
9 out that, although he has had to step out of the room for  
10 a moment, Graham Morrison, also a member of the Public  
11 Utilities Commission, is sitting on this matter as well.  
12 And, I will ask the gentlemen to my right to introduce  
13 himself also.

14 MR. IACOPINO: My name is Michael  
15 Iacopino. I am Counsel to the Committee.

16 CHAIRMAN BURACK: Thank you. We have  
17 also a member of our staff here, Cedric Dustin,  
18 Administrator, assisting us. We have two items on our  
19 agenda for this morning's meeting. First, we will hold a  
20 public information hearing in Docket Number 2008-002, the  
21 Application of Tennessee Gas Pipeline Company for a  
22 Certificate of Site and Facility for the Concord Lateral  
23 Project. Our second agenda item will be consideration of  
24 correspondence received from Attorney Douglas Patch, on

{SEC Docket No. 2008-002} (07-17-08)

1       behalf of Granite Ridge Energy, LLC, concerning the  
2       proposed construction of a storage facility at the site of  
3       GRE's plant in Londonderry, New Hampshire.

4                       And, let's now turn to our first agenda  
5       item, a public informational hearing in Docket Number  
6       2008-002, the Application of Tennessee Gas Pipeline  
7       Company for a Certificate of Site and Facility for the  
8       Concord Lateral Expansion Project. And, I'm first going  
9       to provide a little bit of background regarding this  
10      project. On April 22, 2008, Tennessee Gas Pipeline  
11      Company, also known as "Applicant", filed an Application  
12      for a Certificate of Site and Facility for the Concord  
13      Lateral Expansion Project, also known as the  
14      "Application". The Application seeks a Certificate of  
15      Site and Facility, of which we refer to as a  
16      "Certificate", for the construction and operation of an  
17      energy facility in Pelham, Hillsborough County, New  
18      Hampshire, consisting of a new 6,130 horsepower compressor  
19      station on the Applicant's Line 200 system known as the  
20      "Concord Lateral System", also known as the "Lateral", in  
21      Pelham, New Hampshire. The construction and operation of  
22      the compressor will allow the Applicant to provide an  
23      incremental 30,000 decatherms per day of capacity to  
24      EnergyNorth. The Application for a Certificate of Site

{SEC Docket No. 2008-002} (07-17-08)

1 and Facility also seeks approval of upgrades at the  
2 Applicant's existing Laconia Meter Station, which is  
3 located in Concord, New Hampshire, we reserve to that as  
4 the "Meter Station", including piping modifications to  
5 accommodate the additional capacity.

6 The facilities are proposed to be  
7 located on private property located in Pelham,  
8 Hillsborough County, New Hampshire, and in Concord,  
9 Merrimack County, New Hampshire. The new compressor  
10 station will be located on a parcel of land identified by  
11 the Town of Pelham Tax Map as Lot 1-5-111, that's the map,  
12 parcel, and lot number. The Pelham location consists of  
13 11.6 acres, of which 4.2 acres will be fenced, to contain  
14 the compressor building and required auxillary buildings.  
15 The upgrades at the Meter Station in Concord, New  
16 Hampshire will occur at 17 Broken Bridge Road, Concord,  
17 New Hampshire. The Meter Station is an existing structure  
18 located within a fenced area in Concord and occupies  
19 approximately one half acre.

20 The compressor station in Pelham is  
21 proposed to consist of a 6,130 horsepower turbine-driven  
22 centrifugal compressor unit fueled by natural gas that  
23 will be installed inside a new compressor building.  
24 Associated facilities that will also be constructed and

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1 operated by the Applicant include a filter separator,  
2 discharge gas cooler, and blow down silencer, control  
3 building, and an auxiliary building.

4 In order to accommodate the increased  
5 capacity created by the proposed compressor unit in  
6 Pelham, the Applicant also seeks approval of plans to  
7 modify station piping at its existing Meter Station  
8 located in Concord, Merrimack County, New Hampshire. The  
9 existing Meter Station is comprised of two measuring  
10 facilities; the Concord measuring facility and the Laconia  
11 measuring facility. The Applicant proposes to replace a  
12 total of approximately 60 feet of existing 4-inch and  
13 6-inch pipe from Line 273C-100 to the Laconia metering --  
14 excuse me, the Laconia measuring facility with 12-inch  
15 pipe. Additionally, existing 6-inch piping within the  
16 meter station will be reconfigured and reconnected between  
17 Lines 273C-100 and 270B-100 to serve as a tie-over line to  
18 insure continuous service in the event of outages on the  
19 primary line.

20 I am now going to turn to an  
21 introduction of the Public Counsel. When an Application  
22 for a Certificate of Site and Facility is filed, RSA 162-H  
23 provides that the Attorney General shall appoint an  
24 attorney to serve as Counsel to the Public. Counsel to

{SEC Docket No. 2008-002} (07-17-08)



1 the Public represents the public in seeking to protect the  
2 quality of the environmental and in seeking to assure an  
3 adequate supply of energy. Counsel to the Public is  
4 accorded all the rights and privileges and  
5 responsibilities of an attorney representing a party in a  
6 formal action. In this case, the Attorney General has  
7 appointed Senior Assistant Attorney General Peter Roth to  
8 serve as Counsel to the Public. Mr. Roth is present here  
9 today. Mr. Roth, if you would please just stand so people  
10 can recognize you. Thank you.

11 Notice of today's hearing was published  
12 in the Manchester Union Leader on June 30, 2008, in the  
13 Concord Monitor on June 30, 2008, and in the Nashua  
14 Telegraph on June 28, 2008.

15 I'd like now to provide a brief  
16 description of the process that will be followed during  
17 this hearing. The purpose of our hearing today is to  
18 provide information to the public regarding the  
19 Application of Tennessee Gas, and also to take public  
20 questions and comments regarding the Application or the  
21 proposed facilities. In addition, there will be time for,  
22 and actually we will start with members of the Committee,  
23 and the Committee's counsel, as well as Counsel to the  
24 Public, asking any questions they wish to ask.

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1                   I would also note that the Committee and  
2 Public Counsel held a site visit this morning at the  
3 location of the proposed work on Broken Bridge Road, in  
4 Concord. Representatives of Tennessee Gas were present,  
5 and showed where the work will be conducted. Some  
6 questions were asked at that time, and we will endeavor to  
7 ask those questions again, either this morning or in this  
8 afternoon's or this evening's hearing and get comments or  
9 responses on the record.

10                   We will start the hearing by allowing  
11 the Applicant, through its representatives, to make a  
12 public presentation about the project. Thereafter, we  
13 will entertain questions from the Committee and Public  
14 Counsel. When there are no more questions from the  
15 Committee or Public Counsel, we will then turn to  
16 questions raised by the public. Although I'm not sure  
17 that I see any members of the public here at this time, I  
18 will point out that, if members of the public which to ask  
19 a question concerning the Application, they are requested  
20 to write their questions on a card and identify themselves  
21 on the card, and provide the card to our Administrator,  
22 Cedric Dustin. The Chair will then read the questions and  
23 seek responses from the Applicant. Finally, we will  
24 entertain public comments on the project. So, if members

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1 of the public here wish to speak or comment on the  
2 proposed project, they should alert Mr. Dustin, and he  
3 will see that they have access to the microphone. And, we  
4 will ask individuals to identify themselves before making  
5 comments.

6 Also, please remember that everything  
7 being said here today is being recorded by our court  
8 reporter, Mr. Steven Patnaude. And, therefore, it is  
9 important that you identify yourself and speak both  
10 clearly and loudly.

11 With that, I will turn the floor over to  
12 Mr. Pfundstein to introduce the project and members of the  
13 project team to make the Applicant's presentation.  
14 Mr. Pfundstein.

15 MR. PFUNDSTEIN: Thank you, Mr.  
16 Chairman. For the record, my name is Don Pfundstein. I  
17 am a member of Gallagher, Callahan & Gartrell, in Concord.  
18 And, we are local legal counsel to Tennessee Gas Pipeline  
19 Company, the Applicant in the proceeding before you this  
20 morning. With me are a number of individuals,  
21 representatives from Tennessee Gas Pipeline. I would like  
22 to introduce those people to you at this time. And, then,  
23 I essentially will turn the presentation over to one of  
24 those individuals to actually present the informational

1 background on the project, as it relates to the Concord  
2 portion of the work. As we understand, this hearing this  
3 morning to be the Merrimack County or Concord information  
4 session. And, we all look forward to describing the  
5 Pelham part of the facility this evening, at 7:00 p.m.,  
6 when the informational session for that county will take  
7 place. Obviously, the Company representatives are willing  
8 and, in fact, invite questions on either part of the  
9 facility at any time the Committee or Public Counsel would  
10 like to ask that question.

11 I'm going to go right to my boss, at my  
12 far left is the Senior Legal Counsel from Tennessee Gas on  
13 the project, Jay Allen. And, to his right, is Tom Phillip,  
14 who is the Principal Engineer on the project for the  
15 Company. To Tom's right, my immediate left, is Mr. Mike  
16 Stokdyk. He is the Manager of Business Development for  
17 Tennessee Gas Pipeline company, and, in fact, will lead  
18 the Applicant's presentation today. Behind me is Chris  
19 Wilber, who is a Right-of-Way/Property Rights Manager for  
20 Tennessee Gas Pipeline Company. And, to Chris's immediate  
21 left is Howdy McCracken, who is the Principal  
22 Environmental Engineer on the project.

23 And, with the Chairman's permission, I  
24 would now ask Mr. Stokdyk if he would briefly summarize

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1 the Concord portion of the facility subject to the  
2 Application. And, then, we'd be happy to answer any  
3 questions that the Committee or Public Counsel might have.  
4 Mr. Stokdyk.

5 MR. STOKDYK: Thank you, Mr. Pfundstein.  
6 As Mr. Chairman clearly laid out, the facilities that  
7 we're here to discuss today in Concord is relatively small  
8 in nature and relatively simple. As part of an overall  
9 project to supply an extra 30,000 decatherms per day to  
10 the local utility, EnergyNorth, which is a subsidiary of  
11 National Grid, we're installing facilities not only here  
12 in Concord, but also down in Pelham. The Pelham location  
13 will have the bulk of the facilities, the new natural gas  
14 compressor station.

15 The facilities that we're here to talk  
16 about today in Concord, however, consists of replacing  
17 roughly 60 feet of 12-inch pipe within an existing meter  
18 station, on property owned by Tennessee Gas Pipeline, with  
19 larger 12-inch piping of a similar nature. Both the  
20 construction, as well as the facilities after the  
21 construction, will all remain within Tennessee's existing  
22 owned fenced property here in Concord.

23 CHAIRMAN BURACK: Thank you.

24 MR. PFUNDSTEIN: Could you briefly

1 describe for the Committee how long it will take  
2 construction? When it would start, a little bit about  
3 what people would expect to see during that time frame?

4 MR. STOKDYK: Sure. The project itself  
5 is targeted for in-service for the Winter of 2009/2010.  
6 So, we're targeting October/November time frame to put the  
7 facilities in service. Which basically means that the  
8 facilities will be constructed in the prior summer. We  
9 have not engaged a contractor, and we have not pinned down  
10 an exact time for the construction. But it will take  
11 place in the Summer of 2009 or early fall of that same  
12 year. The length of the construction we expect to be  
13 something under a month for total, from when we first  
14 mobilize into the area, to when everything has basically  
15 been cleaned up and the contractor has moved off-site.  
16 The true construction itself, we really anticipate that  
17 there would be an out-of-service time for those facilities  
18 of only a couple of days, as we expect to have a lot of  
19 the piping and such prefabricated and be able to drop it  
20 in and place it in service relatively quickly.

21 One other thing I did want to mention, I  
22 neglected to a moment ago. While the bulk of the  
23 construction -- well, while the construction itself and  
24 the new facilities will all be contained within the owned

1 fenced area there, roughly a half acre, there will be some  
2 temporary work space that was previously disturbed in  
3 other projects that we'll be utilizing for vehicles, for  
4 lay down of equipment and so forth, just to the south of  
5 that fenced facility, that have also been identified as  
6 part of our filing.

7 MR. PFUNDSTEIN: Thank you, Mr. Stokdyk.  
8 We would invite any questions that the Committee and  
9 Public Counsel might have at this time, Mr. Chairman.

10 CHAIRMAN BURACK: Very good. Thank you  
11 very much, Mr. Pfundstein. Do members of the Committee  
12 have questions? Mr. Dupee.

13 MR. DUPEE: Thank you, Mr. Chairman.  
14 This is a question for Mr. Stokdyk. I think you mentioned  
15 "12-inch pipe is replacing 12-inch pipe". Did you mean to  
16 say "12-inch pipe replacing 6-inch and 4-inch pipe"?

17 MR. STOKDYK: Yes, I did. I'm sorry.

18 CHAIRMAN BURACK: Other questions? Go  
19 ahead, Mr. Knepper.

20 MR. KNEPPER: Yes. That description you  
21 gave about the, I guess, the construction schedule, was  
22 that for just the Concord portion or is that for the  
23 overall? And, are you doing work simultaneously in  
24 Concord and Pelham? Or, is that Concord crew going to

1 then go down to Pelham? How is that going to --

2 MR. STOKDYK: As I said, we have not  
3 engaged a contractor or contractors for work of the total  
4 project. And, what I was referencing, thank you for that  
5 clarification, was just the work in Concord. The  
6 construction work at the Pelham location will be much  
7 longer in duration, something of the magnitude of, say, a  
8 six-month construction. Whether we will use the same  
9 contractor for both jobs, I couldn't say at this point in  
10 time. They will both -- They will both occur, though, as  
11 I said, in the same time frame. And, that again would be  
12 the spring/summer/early fall time frame of 2009.

13 CHAIRMAN BURACK: Other questions?  
14 Mr. Knepper.

15 MR. KNEPPER: It could be in this  
16 Application that we have, but I don't, maybe the existing  
17 Concord facility is in here with a map. But one of the  
18 questions you probably know off the top of your head is,  
19 is there an existing water main on Broken Bridge Road,  
20 just in case there was a fire or something, or is there no  
21 water available and those are wells, I guess?

22 MR. STOKDYK: I don't know the answer to  
23 that. Mr. Wilber, would you have that knowledge?

24 MR. WILBER: I'm Chris Wilber. I'm



1       sorry, I don't have that information. I know that there's  
2       public water up on Manchester Street, but I don't know if  
3       it extends down to Broken Bridge or not.

4                       MR. KNEPPER: I forgot today, during the  
5       site evaluation, to notice if there was any hydrants along  
6       the way. I just didn't know if it was on one of your  
7       prints that you might have already had.

8                       CHAIRMAN BURACK: Mr. Pfundstein, I  
9       think, with respect to any of these matters that we're  
10      asking questions about, if you're not able to provide the  
11      answers now, if you would provide written responses at a  
12      later time, that would be helpful.

13                      MR. PFUNDSTEIN: Absolutely, Mr.  
14      Chairman.

15                      CHAIRMAN BURACK: Thank you.  
16      Ms. Ignatius.

17                      DIR. IGNATIUS: Thank you. Building off  
18      of Mr. Knepper's question, can you describe the steps that  
19      you take in notifying City officials before the  
20      construction work in Concord, any things you have to do or  
21      that you routinely do before the work is undertaken?

22                      MR. STOKDYK: I can, to some degree.  
23      With regards to a lot of routine maintenance and so forth,  
24      I don't believe that there would be any type of

1 notification. For construction-type matters, we do notify  
2 the local officials well in advance. We have had  
3 discussions, I believe it was in January of this year,  
4 with some of the Concord town officials, just to give them  
5 a heads-up of the upcoming filing and the work to be done,  
6 and that was at the very early stages of our outreach  
7 program.

8 As we go forward, and as we near  
9 construction, then more of the service -- services type  
10 groups of the town are usually involved. There will be  
11 discussions with the emergency services, with fire,  
12 medical. There will be discussions with the public works.  
13 Although, in this case, usually that centers around  
14 traffic and so forth. And, again, in this case, a very,  
15 very minor project, and we don't anticipate that to be  
16 much of an issue.

17 And, then, in instances like the new  
18 compressor station in Pelham, there would be additional  
19 training done with the departments, such as the fire.  
20 And, in the case of a simple replacement at an existing  
21 facility, such as is occurring here in Concord, I wouldn't  
22 anticipate that it would be anything but the more standard  
23 ongoing communications with those entities.

24 CHAIRMAN BURACK: Other questions from

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1 members of the Committee?

2 (No verbal response)

3 CHAIRMAN BURACK: I have a few questions  
4 I'd like to ask, again just primarily following up on the  
5 site visit this morning. First, I'm wondering if you  
6 could speak to any fire suppression capabilities that  
7 exist on site now or other safety measures that are in  
8 place at the facility at this time?

9 MR. STOKDYK: And, once again, I can  
10 only to a certain degree. Some of our operational people  
11 that will be available, for example, at the meetings later  
12 this evening, weren't able to attend this morning, could  
13 probably talk in greater detail. To my knowledge, there  
14 are no fire suppression facilities there that you might  
15 think about, say, water, foam, those type of things. And,  
16 the industry standard is that the first thing that's done  
17 is to basically isolate any type of an incident like that.  
18 And, so, the main thing is to be able to close, close off  
19 the flow of additional natural gas to an area such as  
20 that. You would close off the valves, obviously, as close  
21 to that incident as you possibly could.

22 At this particular location, the main  
23 line valves, upstream of there, if you were unable to get  
24 to the valves right at that location, are roughly 10 miles

1 upstream I'm told. We also have further up the pipeline  
2 system, approximately 20 miles upstream of this, we have  
3 some valves that sense rapid pressure loss as you might  
4 find in some type of a release of gas, and that would  
5 close automatically upon a rapid pressure drop. And, so,  
6 the main thing is is to isolate the fire as soon as  
7 possible.

8 CHAIRMAN BURACK: Okay. Thank you. I  
9 think you may have touched on this in part in the response  
10 you just provided. But I wonder if you can provide any  
11 additional information regarding leak detection and  
12 prevention capabilities at the facility here in Concord?

13 MR. STOKDYK: The main -- I'm not aware  
14 that it has any automated facilities. The main indicators  
15 of any type of a leak would both be from sight, from  
16 sound. The gas itself is odorized, and so it would also  
17 emit a smell. The thing to be aware of with natural gas  
18 is that it's not a carcinogen. It vents rapidly into the  
19 air. It is lighter than air, and so it actually rises up  
20 very quickly in the atmosphere, rather than spreading out  
21 along the ground as some heavier hydrocarbons might do.  
22 And, so, as I said before, basically, a lot of the  
23 detection is the automatic shutdown valve that's  
24 approximately 20 miles upstream, and then these type of

1 sentry-type mechanisms, in order that we be alerted to it  
2 and be able to go out and respond to it.

3 CHAIRMAN BURACK: Thank you. Would you  
4 please address what you would anticipate to be any affects  
5 of the construction on the neighborhood, for example, with  
6 respect to noise or odor or traffic or any other aspects  
7 that you think may have some impact on the neighborhood  
8 during the construction?

9 MR. STOKDYK: Sure. With regards to,  
10 let's start with traffic, for instance, we don't expect  
11 that there's going to be a large workforce for that small  
12 of an undertaking. And, so, we don't expect traffic to  
13 really become an issue. Part of the temporary work space  
14 that I identified earlier was for parking of vehicles and  
15 equipment for the workers and so forth, so that it doesn't  
16 in any manner encumber any of the facilities in that  
17 location. As far as overall noise, don't really expect  
18 any heavier machinery than a backhoe to be able to dig up  
19 the existing line, and, obviously, create the ditch for  
20 the new line to be replaced in. And, so, we don't  
21 anticipate that there's going to be a real excessive  
22 amount of noise coming off of this. It's not like we're,  
23 you know, using jackhammers and a lot of construction and  
24 so forth. It's really relatively straightforward.

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1                   CHAIRMAN BURACK: Thank you. Who holds  
2 the keys to the facility itself? There's a chain-link  
3 fence that we observed around the exterior. There are  
4 various buildings within the chain-link fence. Can you  
5 speak to who holds the keys to the outer fence, as well as  
6 to the buildings inside?

7                   MR. STOKDYK: Sure. In general, those  
8 are -- those are held by our operating personnel. With  
9 regards to this particular region, the local personnel,  
10 there's a couple of meter technicians that are in and out  
11 of that site on a regular basis. They live down in the  
12 Pelham/Salem area, and then, basically, travel up and down  
13 the line. And, so, they would hold the keys. Our  
14 operating personnel, like down in the Hopkinton office in  
15 Massachusetts, also have access to those facilities.

16                   CHAIRMAN BURACK: We did note, while we  
17 were on the site visit today, that within the chain-link  
18 fenced area there are buildings that apparently are owned  
19 variously by either your company, Tennessee Gas, as well  
20 as by the successor to EnergyNorth. Does EnergyNorth or  
21 its successor also hold keys to that chain-link fence, do  
22 you know?

23                   MR. STOKDYK: My suspicion would be yes,  
24 but I couldn't absolutely state that.

1                   CHAIRMAN BURACK: And, then, with  
2                   respect to the meter facility itself, is your company the  
3                   only one that would hold keys to that building?

4                   MR. STOKDYK: In all likelihood, yes.

5                   CHAIRMAN BURACK: Thank you. We did,  
6                   during the site visit, see a site plan, and it appeared,  
7                   for example, that there was one building that's located on  
8                   your property, but does not belong to you. And, I would  
9                   just ask, Mr. Pfundstein, if you would just clarify that  
10                  for us in writing, unless you have something here now,  
11                  just to clarify ownership of the different buildings?

12                  MR. PFUNDSTEIN: We'll make a filing to  
13                  clarify it.

14                  CHAIRMAN BURACK: Thank you. That would  
15                  be helpful. Would you also please explain what a pig  
16                  receiver is and how that works? That was something that  
17                  we saw there on the site. I think it would be helpful for  
18                  the record to have that described.

19                  MR. STOKDYK: Sure. And, again, just  
20                  for clarification for that description, we are not  
21                  proposing any modification of the pig receivers at that  
22                  location. But they were quite visible at the site. There  
23                  were two of them, one for the 6-inch line and one for the  
24                  12-inch line that are coming into that meter station

1 property. The pig receivers are basically some vessels  
2 that look like slightly larger pipe. And, their function  
3 is to receive what we call in the industry a "pig" when it  
4 is traveled down the line. The pigs are used for  
5 sweeping, cleaning the line of any moisture, debris, and  
6 so forth. As well as, on a regular basis, intelligent  
7 pigs are also sent down the pipelines to monitor for  
8 anomalies in the pipe, anomalies being the potential for  
9 any type of corrosive pitting or some type of gouging that  
10 might have been caused by somebody digging on the line  
11 without authorization or oversight. And, the intelligent  
12 pig basically goes down along the line and checks for any  
13 of those type of anomalies, and records them, so that any  
14 of those anomalies can then be physically dug up out in  
15 the field and inspected, to see whether the pipe needs  
16 replacement or not.

17 CHAIRMAN BURACK: Thank you. And, Mr.  
18 Pfundstein, I recognize that you and your client may not  
19 have this information now, but I think it would be helpful  
20 if you would submit to us information on when one of these  
21 cleaning pigs, if that's even the right term, was last put  
22 through this line, and when you anticipate that will occur  
23 next, as well as, if and when, in the past, an intelligent  
24 pig, as you've described it, has been put through this



1 line and when you anticipate that next. And, again, if  
2 there were any issues that arose as result of the latest  
3 uses of pigs in this line? If you have any information on  
4 that now, it certainly would be helpful to have that. But  
5 I recognize this may be a level of detail you don't know  
6 off the top of your head.

7 MR. STOKDYK: As it so happens, actually  
8 I do know that one. The lines were last pigged in Fall of  
9 2007, with cleaning pigs. The intelligent pigging was  
10 last done in 2001. The next schedule for both cleaning,  
11 as well as intelligent pigging, is scheduled for 2010,  
12 shortly after these new facilities are placed in service.

13 CHAIRMAN BURACK: Thank you. That's  
14 very helpful to understand. Could you also please just  
15 clarify for us whether, during the construction process  
16 here in Concord, I believe you said that there would be  
17 approximately two days or less when this would be out of  
18 service. What do you mean by "out of service"? Does this  
19 mean any disruption in service actually to the customers  
20 that are receiving natural gas from this line or either of  
21 these lines?

22 MR. STOKDYK: What we typically do, in  
23 all of these type of situations, and what we'll be doing  
24 here is making provisions, whether that -- whether that

1       necessitates the use of some LNG for a short duration or  
2       whether or not basically the customer has enough line  
3       pack, enough gas in its system for such a short duration  
4       of outage, in order to be able to basically be able to  
5       operate without it. And, so, and I did say that it would  
6       have a short outage, when we take that existing pipe out  
7       of place, and are replacing it, which, again, we expect to  
8       have that prefabricated and be able to drop it in and  
9       reconnect it very quickly. We would not be able to  
10      provide gas in the traditional manner through those  
11      particular meters. And, so, it would fall back to, again,  
12      either LNG propane, existing pressure, line pack within  
13      the customer system, in order to be able to serve the  
14      customers. So, there would be no loss of service  
15      anticipated by any of the customers. I guess that's about  
16      it.

17                   CHAIRMAN BURACK: I must apologize,  
18      because I'm frankly not sure if I saw this in the  
19      Application itself. Does the Application describe what  
20      your plan is for providing that service during this outage  
21      period or not?

22                   MR. STOKDYK: Not to my knowledge.

23                   CHAIRMAN BURACK: Okay. If it does not,  
24      I think it would be helpful if you would provide that

1 information to us. Are there other questions from members  
2 of the Committee at this time? Okay. Mr. Knepper.

3 MR. KNEPPER: Do you have to  
4 hydrostatically test the portion, I guess, Concord's  
5 portion of the underground work you have to do?

6 MR. FILLIP: Yes.

7 MR. STOKDYK: Yes.

8 MR. KNEPPER: Okay. So, you're going to  
9 be -- you introduce the water in to do that. The other  
10 question I have is, I think it's on Section 6 here of the  
11 Application 6.2.4, it says that you're going to have a  
12 "Maximum Allowable Operating Pressure of a 1,000". Does  
13 that apply to the -- is says "station yards", so I'm not  
14 sure if that's applying to the Concord or does that apply  
15 to Pelham or does it apply to both? Because I believe,  
16 during the field visit, we were talking about something  
17 about 25 percent less. So, --

18 MR. STOKDYK: Yes, it's my recollection  
19 that this line, and I haven't look at the information  
20 recently, it is a 750-pound system, and that it would be  
21 rated for that. And, I'm not sure quite what document  
22 you're looking at. Some of the potential may be what is  
23 -- what the facilities are actually designed for  
24 physically, in terms of wall thickness, piping, material

1 grade may exceed that 750 pounds. But we will try to  
2 provide clarification to the Committee as to the -- not  
3 only some of the design numbers, but also the Maximum  
4 Allowable Operating Pressure, should it be any different  
5 from that 750 pounds that I understood it to be.

6 MR. KNEPPER: Yes, I'm just reading on  
7 Page 13 of what you filed. That's where I looked at that.  
8 Can I -- Are we allowed to ask some questions about the  
9 overall project or do you want to just focus, Tom, on  
10 Concord or --

11 CHAIRMAN BURACK: Certainly, we can take  
12 questions about the overall project now. I think what we  
13 would probably do is encourage people to, and we've asked  
14 our counsel to keep track of what the overall general  
15 questions are that we're asking, because I think it will  
16 be helpful if we were to try to ask those same questions  
17 again tonight, so that those who are at the public hearing  
18 tonight can also hear the questions and the responses from  
19 the Company. So, certainly, we can ask general questions,  
20 but we will ask them to be repeated this evening. So, --

21 MR. KNEPPER: That was a "yes"?

22 CHAIRMAN BURACK: That's a "yes".

23 MR. KNEPPER: One of my questions is is  
24 that this compressor that's going to be, I guess, put into

1 New Hampshire, I see within this Application a lot of it's  
2 the environmental permitting and things, and I believe the  
3 environmental permitting, if I'm not mistaken, those  
4 things based on potential hours that it could operate,  
5 which is all year, 8,760. But my question is, is how many  
6 hours a year is it expected to actually operate? You  
7 know, is it 20, 40, 60? Is it once? Very rarely? Is it,  
8 I mean, because your Application says you have, you know,  
9 thousands of these across the country, and you have a lot  
10 of experience. So, maybe you could tell me.

11 MR. STOKDYK: Sure. I'd like to, love  
12 to have the opportunity to tell you what I can.  
13 Basically, as you say, "well, we have a lot of these  
14 across the country", there are different functions for  
15 those compressor stations, depending upon where on the  
16 system that they are located. Further south, toward the  
17 production area, where you're moving very large volumes of  
18 gas, and you have extremely large compressor stations, and  
19 they pretty much are operating year-round. Versus this  
20 particular new compressor is, as you know, toward the  
21 extremities of our system, where we're making some of the  
22 final deliveries, northern most deliveries of gas to our  
23 customers in this region. And, so, the operation of this  
24 particular compressor station will be driven by the gas

1 needs of the State of New Hampshire, and most of that is  
2 dictated by the weather patterns. We would anticipate  
3 that the peak loads that would be experienced in this area  
4 would continue to be in the wintertime. And, so, we would  
5 expect this to be dispatched mostly in the winter months.  
6 But, as you say, it is, if needed, it can run at any time  
7 during the year. I guess that's about all. Is there any  
8 follow-up to that? Does that answer your question?

9 MR. KNEPPER: Well, I'm still trying to  
10 look for how many hours, but --

11 MR. STOKDYK: Oh, I guess I can add a  
12 little bit more, to give you a little bit better idea.  
13 And, unfortunately, I can't give you hours, because it is,  
14 again, it's very weather-dependent and  
15 operations-dependent, where I honestly couldn't tell you.  
16 I can tell you that the existing facilities, though, can  
17 roughly move somewhere on the order of 200 million cubic  
18 feet a day, that's what our current facilities move into  
19 the State of New Hampshire. This particular expansion is  
20 slated to increase that system capacity, as you know, by  
21 roughly 30,000 a day. And, so, you can look at it and  
22 kind of tell that the majority of the time this system,  
23 you know, for the roughly 200 million a day initial  
24 flowing into New Hampshire, isn't going to have to run.

1 And, so, it would only be when you hit those kind of  
2 peaking times that you would -- that it would be necessary  
3 to turn on the compressor station. Still doesn't tell me  
4 exact hours, unfortunately, but it gives you a sense of  
5 how often, what kind of conditions it would be needed  
6 under.

7 MR. IACOPINO: You consider it a peak  
8 load facility, basically?

9 MR. STOKDYK: That's correct.

10 CHAIRMAN BURACK: Might I also ask you  
11 just to provide us with a little understanding of  
12 terminology here. You've used two different terms now in  
13 different contexts. You've spoken about the capacity of  
14 the current line or at least that the amount that you're  
15 shipping into the State of New Hampshire is 200 million  
16 cubic feet per day. You've also spoken about this  
17 addition as providing 30,000 decatherms. Is a decatherm  
18 equal to a cubic foot or is that not the correct equation  
19 here?

20 MR. STOKDYK: Yes. Roughly, a thousand  
21 decatherms are equal to a million cubic feet a day. So,  
22 if I say "30,000 decatherms", that would be the equivalent  
23 of roughly 30 million cubic feet a day. There's a small  
24 conversion there, but, just for talking round numbers, you

1 can look at them as being the same.

2 MR. KNEPPER: So, if I'm understanding  
3 you right, you're normally pushing seven times what this  
4 was, right, 200 divided by 30 is -- that's what we're  
5 talking about, to put it in relative size?

6 CHAIRMAN BURACK: I'm sorry, could you  
7 restate what you're suggesting here?

8 MR. KNEPPER: Is that correct?

9 MR. STOKDYK: Yes, that's correct. That  
10 we're moving roughly --

11 MR. KNEPPER: The units is, I guess I  
12 would state it, is that typically their upstream  
13 compressor, which I'm not sure exactly where it is, it  
14 might be in Massachusetts somewhere, --

15 MR. STOKDYK: Correct.

16 MR. KNEPPER: -- is pushing 200 into New  
17 Hampshire, this will increase it by -- make it 230?

18 CHAIRMAN BURACK: Thank you.

19 MR. STOKDYK: Correct. And, that is  
20 under, again, under peak conditions, not every day.  
21 During the summer, it could be substantially less than  
22 those loads. But that's what we have designed for.

23 MR. KNEPPER: And, I'm sure you can't  
24 project it, but I'm sure, is that 30 good for the next --



1       what does that mean to people? Is that good for the next  
2       ten years? Five years? Two years? No one knows? Or is  
3       it just -- does this compressor station have the ability  
4       to be added to or do you have to build yet another one for  
5       that or is it --

6                       MR. STOKDYK: That would really be more  
7       dependent, obviously, on the growth of this region, and  
8       probably a better question to ask of EnergyNorth, to be  
9       honest with you.

10                      MR. KNEPPER: Okay. So, EnergyNorth  
11       would come to you and say "This is what we need. We need  
12       additional supply. This is how much, based on our  
13       projections"?

14                      MR. STOKDYK: Correct.

15                      MR. KNEPPER: And, you were trying to  
16       fulfill their needs?

17                      MR. STOKDYK: Correct.

18                      MR. KNEPPER: And, they haven't really  
19       said for how long this duration would be, this 30? Or,  
20       does it matter to you?

21                      MR. STOKDYK: They have signed a 20-year  
22       agreement for this particular service from us. But, other  
23       than that, they haven't said how long this will support  
24       them.

1 MR. KNEPPER: Okay.

2 CHAIRMAN BURACK: I want to point out to  
3 the Committee that, and for all present, that we will also  
4 have a hearing on the merits on this matter, and a number  
5 of these issues that have been raised here today may be  
6 more appropriately and more thoroughly considered as part  
7 of the hearing on the merits following the conduct of both  
8 the public information meetings.

9 So, are there any other questions from  
10 the Committee before we invite Counsel for the Public to  
11 ask questions? Yes.

12 MR. DUPEE: Thank you, Mr. Chairman.  
13 Just one more question to follow up on our site visit.  
14 Which is, in terms of construction on the site, what steps  
15 are taken to segregate the gas from the actual  
16 construction work?

17 MR. STOKDYK: Typically, the gas would  
18 just be isolated at a nearby valve. And, then, as was  
19 mentioned this morning, oftentimes it's also basically  
20 what they call "blind flanged" off, where you physically  
21 put basically solid steel on the side of the valve to  
22 block any type of contact with natural gas.

23 MR. DUPEE: Thank you.

24 CHAIRMAN BURACK: Thank you. Okay.

1       What I'd like to do now is invite Peter Roth, Counsel to  
2       the Public, to ask any questions that he may have. And,  
3       certainly, if Committee members have follow-up questions,  
4       we can do that as well. Mr. Roth.

5                       MR. ROTH: Good morning, or I suppose  
6       we're at "good afternoon" now. When we visited the site  
7       this morning, I noticed what looked like an equipment shed  
8       of some kind that had a satellite dish on the roof of it,  
9       and there were power drops from the power lines on the  
10      road. Can you tell us what that dish and those lines are  
11      for?

12                      MR. STOKDYK: The dish itself is a  
13      satellite dish for communication with that particular  
14      station. It basically transmits back and forth the  
15      operating status of that station, predominantly what the  
16      flows and pressures and so forth are. The power lines  
17      running into there, in general, are for running that type  
18      of electronic equipment, the communications, the flow  
19      measurement, those types of things.

20                      MR. ROTH: And, is all of the electronic  
21      equipment at the site dependent upon power from the grid?

22                      MR. STOKDYK: We have battery backup  
23      there, but there is no -- there is not a generator, for  
24      example, at that location.

1                   MR. ROTH:  Would you be able to provide  
2                   us some more detail about the battery backup system?

3                   MR. STOKDYK:  At a later date, I  
4                   personally cannot at this time.

5                   MR. ROTH:  Yes, that's fine.  Thank you.  
6                   I noticed, while we were at the facility this morning, an  
7                   audible hissing sound.  Is that coming from your facility  
8                   or is that coming from EnergyNorth?

9                   MR. STOKDYK:  As I didn't notice it, I  
10                  couldn't tell you.

11                  MR. ROTH:  Oh.  Do these facilities  
12                  commonly make a hissing sound, like a sound of gas or air  
13                  escaping from somewhere?

14                  MR. STOKDYK:  Actually, what you more  
15                  commonly hear is the gas actually moving through the line.  
16                  It's kind of a flowing type of sound.  The hissing, if you  
17                  have a leak at these type of pressures, actually, it's a  
18                  much louder noise than a hiss.  And, so, I suspect what  
19                  you heard was just the normal passage of gas internally  
20                  through those pipes.

21                  MR. ROTH:  After the modification is  
22                  made to the facility, do you expect that that noise will  
23                  increase?  And, if so, by how much?

24                  MR. STOKDYK:  No.  If anything, the

1 noise of the gas moving through the pipes would be  
2 decreased by going to a larger line size. With a smaller  
3 diameter pipe, such as the one that we're replacing, the  
4 gas actually has to travel at higher velocities through  
5 that, and it makes more noise than when it's traveling  
6 through a larger pipeline.

7 MR. ROTH: Is there any clunking or  
8 hammering or low frequency noises associated with this  
9 kind of facility?

10 MR. STOKDYK: No, there's not really any  
11 moving, you know, equipment and such at a meter station.

12 MR. ROTH: You mentioned that the  
13 operating people attended to the facility on a regular  
14 basis. Can you give us some idea of what that -- how  
15 regular that is? Do they come every day? Do they come  
16 once a month?

17 MR. STOKDYK: I could not. We'll have  
18 to supply that answer to you as a follow-up.

19 MR. ROTH: Okay. And, that would be,  
20 because you mentioned that the sentry-type of mechanisms  
21 involve sight and sound and odor detection. So, that  
22 would be important, I think, to know how often people are  
23 up there looking for sights and sounds and odors.

24 MR. STOKDYK: Yes. I'll go, again,

1 anybody in the vicinity might notice that type of an  
2 occurrence.

3 MR. ROTH: Okay. With respect to the  
4 pigging, when the pig reaches the pig receptor, and, as  
5 you described it at the facility, it's pushing ahead of it  
6 debris or moisture. What is done with that stuff when it  
7 comes out of the pig receptor?

8 MR. FILLIP: I haven't been to one, but  
9 I know it's --

10 MR. McCracken: Am I on?  
11 Environmentally, the -- Howdy McCracken here,  
12 environmental with the Company department. And, what I  
13 was going to explain is, any type of debris or liquid that  
14 comes out of the pipe would be collected at that site and  
15 would be properly handled for disposal off site, --

16 MR. ROTH: Okay.

17 MR. McCracken: -- according to the  
18 regulations.

19 MR. ROTH: Thank you. What's the  
20 facility's proximity to the nearest residence, the Concord  
21 facility?

22 MR. STOKDYK: I don't have that number  
23 handy. We'll have to supply it to you.

24 MR. ROTH: Okay.

1                   MR. STOKDYK: I believe you could  
2 probably see some of those in the background when we were  
3 at the facility. But I don't have a distance.

4                   MR. ROTH: Okay. I saw a house that  
5 seemed relatively close. I just wanted to know how close,  
6 in terms of feet. Is there ever any sort of pressure  
7 release or blow-off from the terminal in Concord?

8                   MR. STOKDYK: From a meter station?

9                   MR. ROTH: Right.

10                  MR. STOKDYK: We wouldn't anticipate  
11 that there would be any, other than when you basically  
12 release some gas, for example, from that existing pipe  
13 when we go to replace it. It's not on a normal, ongoing  
14 operational basis, however.

15                  MR. ROTH: Okay. There was -- The  
16 Chairman asked you about keys to the facility, in terms of  
17 the operational people. Do you know whether the Concord  
18 Fire Department or the Town of Pembroke Fire Department  
19 also have keys to the facility's gates and buildings?

20                  MR. WILBER: This is Chris Wilber. I  
21 don't know personally. I would say that, typically,  
22 that's -- the keys to these facilities are not given out  
23 to the local fire departments, local responders. And,  
24 primarily, the reason is because there's a lot of

1 equipment in these facilities, and certain valves, you  
2 know, you have to understand the entire system in order to  
3 understand which valves to turn and so forth and how to  
4 operate them, in the event of an emergency. So, in the  
5 case of an incident, we would want our own people to be  
6 the ones who are accessing the facilities and operating  
7 the equipment in them.

8 MR. ROTH: As a follow-up to that, do  
9 you know whether Concord or Pembroke Fire Departments have  
10 any training or expertise in dealing with a natural gas  
11 terminal fire?

12 MR. WILBER: I do not. I understand  
13 that, you know, as part of our normal operating  
14 procedures, we offer, you know, training, local responder  
15 training and so forth to all of the communities that we  
16 follow along. I don't have the information with me as far  
17 as when the last time either Pembroke or Concord had that  
18 type of training. But that information we should have  
19 available this evening, so we can respond to that.

20 MR. ROTH: Okay.

21 MR. WILBER: Or at a later date.

22 MR. ROTH: Okay. All right. And, my  
23 last question is, in terms of the outage and the  
24 replacement of the gas, if you were to use LNG or propane,



1 first question is, how would that be delivered to the  
2 meter?

3 MR. STOKDYK: And, again, I don't know  
4 the details in this particular instance, as to whether it  
5 will be required or not. But the typical is is that many  
6 of these facilities already have -- many of these local  
7 distribution companies have LNG and/or propane facilities  
8 already in place, in which case you can truck to them. In  
9 some instances, some temporary vaporization facilities are  
10 set up in order to bring LNG into a system, if they don't  
11 have sufficient facilities already in place.

12 MR. ROTH: And, I take it you don't know  
13 now whether EnergyNorth has a facility that it can utilize  
14 to put the gas into its system somewhere else?

15 MR. STOKDYK: I do not at this time.

16 MR. ROTH: Nor whether you would need to  
17 put in a temporary vaporization system? I take it you  
18 would do that here at the Concord terminus?

19 MR. STOKDYK: Not necessarily. It's  
20 possible, but not necessarily always the case.

21 MR. ROTH: Okay. And, the sort of a  
22 subquestion of that one, if you use propane, does that  
23 affect customers' appliances in any way?

24 MR. STOKDYK: My understanding is, and

1       again not being part of the local distribution companies  
2       that use propane, they have that expertise basically on  
3       their side, and we don't ourselves, we deal only in  
4       natural gas as a pipeline. But it's my understanding that  
5       if you had too high of a content of propane versus having  
6       it blended in with natural gas and so forth, that, yes,  
7       that might affect the performance of those facilities.

8                       MR. ROTH: That's all I have. Thank  
9       you.

10                      CHAIRMAN BURACK: Mr. Roth, thank you  
11       very much. Are there any members of the public,  
12       Mr. Dustin, who have asked any questions?

13                      MR. DUSTIN: No.

14                      CHAIRMAN BURACK: Okay. Thank you very  
15       much. I assume, therefore, that there are also no members  
16       of the public wishing to make comments at this time?

17                      (No verbal response)

18                      CHAIRMAN BURACK: Are there any members  
19       of the Committee who have any further questions at this  
20       time?

21                      (No verbal response)

22                      CHAIRMAN BURACK: Okay. If not, thank  
23       you. We will close this hearing on this matter. And, we  
24       will hold, again, a follow-up, a further public meeting,

1 informational hearing on this matter in Pelham this  
2 evening, following a site visit at the proposed location  
3 in Pelham. So, we will close that portion of today's  
4 meeting, and proceed to our second agenda item. Thank you  
5 very much, Mr. Pfundstein, and to the folks from Tennessee  
6 Gas.

7 MR. PFUNDSTEIN: Thank you, Mr.  
8 Chairman.

9 CHAIRMAN BURACK: Our second agenda item  
10 relates to correspondence received from Granite Ridge  
11 Energy, LLC. The Committee has received a letter dated  
12 July 8, 2008, from Attorney Douglas Patch of Orr & Reno,  
13 and behalf of Granite Ridge Energy, LLC, also know as  
14 "GRE". GRE proposes to construct an addition to the  
15 existing power plant in Londonderry, New Hampshire, for  
16 cold storage. The proposed addition is approximately  
17 52 feet by 55 feet, and would have total floor space of  
18 2,750 square feet. GRE requests that the Committee  
19 determine that the proposed addition is not a sizable  
20 addition requiring a new certificate of site and facility  
21 under RSA 162-H:5, I.

22 And, I will explain to the Committee  
23 that I have discussed this matter with Attorney Iacopino,  
24 as well as he has spoken with Attorney Patch, and we have

{SEC Docket No. 2008-002} (07-17-08)

1 suggested that we believe the appropriate way for the  
2 Committee to consider this letter is as a request for  
3 declaratory ruling, pursuant to our new rules,  
4 specifically section Site 203.01. In order for us to do  
5 so, because it does not meet necessarily the exact  
6 requirements for submission of a declaratory ruling under  
7 that particular rule, there would need to be an oral  
8 request for a waiver of that rule's specifics pursuant to  
9 Site 302.04(d). And, I believe that's probably the most  
10 appropriate way for us to handle this. But, having said  
11 that, what I'd like to do is to turn things over to  
12 Attorney Patch to make a presentation.

13 MR. PATCH: Good afternoon. Thank you,  
14 Mr. Chairman, members of the Committee. My name is Doug  
15 Patch. I'm with the law firm of Orr & Reno. And, I'm  
16 appearing here today on behalf of Granite Ridge Energy,  
17 LLC. And, with me is James Carlton, from Granite Ridge  
18 Energy. We do have extra copies of the July 8th letter,  
19 with the plans that were provided with it. If anybody  
20 doesn't have a copy, I would be happy to provide one to  
21 anybody that needs one.

22 MR. IACOPINO: They should be in the  
23 folders that were provided to each of you this morning.

24 MS. PATCH: Okay.

1                   CHAIRMAN BURACK:  If I may, Attorney  
2 Patch, I also just want to note for the record that we did  
3 post a notice of late agenda item for our consideration of  
4 this matter today on the Site Evaluation Committee's  
5 website, and I believe that posting occurred yesterday.

6                   MR. IACOPINO:  As well as at the  
7 Department of Environmental Services and here at the  
8 Public Utilities Commission on the bulletin boards.

9                   MS. PATCH:  And, Jane Murray did provide  
10 me with a copy of that.  So, we appreciate that.

11                  CHAIRMAN BURACK:  Very good.  Thank you.  
12 Please proceed.

13                  MS. PATCH:  Okay.  And, I appreciate  
14 very much the Committee taking this up as a late agenda  
15 item today.  This is very helpful to Granite Ridge Energy.  
16 And, I would make an oral request pursuant to Site 202.15  
17 for a waiver of the rule, which you cited, Mr. Chairman,  
18 the declaratory ruling rule, which does require an  
19 original written request and 15 copies be filed with the  
20 Committee.  We did not envision that it would be filed as  
21 a declaratory ruling.  But, in retrospect, obviously, if  
22 that's the way the Committee would like to treat it, then  
23 we would request a waiver.

24                  We believe that, pursuant to the rules,

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1       that the purpose of the rule will be satisfied by an  
2       alternative method proposed, and that would be by  
3       providing sufficient copies to the Committee, I believe  
4       the Committee members actually already have those copies.  
5       So, we would request a waiver pursuant to 202.15.

6                       And, then, just to proceed further, I  
7       think the letter is pretty self-explanatory about exactly  
8       what Granite Ridge Energy is seeking.

9                       CHAIRMAN BURACK: Mr. Patch, may I just  
10      interrupt you for a moment?

11                      MS. PATCH: Yes.

12                      VICE CHAIRMAN GETZ: As a procedural  
13      matter, I would make a motion now that we grant the waiver  
14      for a request of the rule and treat the filing from July 8  
15      as a motion for a declaratory ruling, properly filed under  
16      our rules, Section 203.01.

17                      CHAIRMAN BURACK: Thank you. So, we  
18      have a motion. Is there a second to that motion?

19                      DIR. SCOTT: Second.

20                      CHAIRMAN BURACK: Second by Mr. Scott.  
21      Is there any discussion of the motion?

22                      (No verbal response)

23                      CHAIRMAN BURACK: I would also just  
24      point out here that, in my initial statement, that I was

1 mistaken about the applicable section of the rules, in  
2 terms of waiver. There is a provision in Site 202.15,  
3 waiver of rules, that pertains to the practice and  
4 procedure rules. I was citing to the waiver provision in  
5 Chapter Site 300, and that was my error. So, it is  
6 202.15.

7 Is there any further discussion?

8 (No verbal response)

9 CHAIRMAN BURACK: If not, all in favor?

10 (Multiple members indicating "aye".)

11 CHAIRMAN BURACK: Opposed?

12 (No verbal response)

13 CHAIRMAN BURACK: Thank you. The motion  
14 carries.

15 MR. PATCH: Thank you.

16 CHAIRMAN BURACK: Please proceed.

17 MR. PATCH: The letter, as I've  
18 indicated, I think is pretty self-explanatory, in terms of  
19 what the Granite Ridge Energy is seeking from this  
20 Committee. RSA 162-H:5, I, provides basically that, if a  
21 company that has been certificated by this Committee is  
22 proposing a "sizable addition", it does require the  
23 Committee's approval. "Sizable addition" is not spelled  
24 out in the law and it isn't fully defined in the rules.

1 And, so, I guess I would say, in an abundance of caution,  
2 Granite Ridge Energy is here today seeking a determination  
3 from this Committee that what it's proposing to do at the  
4 site in Londonderry does not constitute a sizable  
5 addition. As the letter indicates, and I think, actually,  
6 I'm the one who got the math wrong, but the size of the  
7 addition, 52 by 55, actually comes to, I think, 2,860  
8 square foot. But it's clearly a pretty small addition  
9 that Granite Ridge Energy is seeking to the existing  
10 facility.

11 If you look at the plans that were  
12 enclosed with the letter, there is a page that is rather  
13 dense, in terms of the, you know, showing basically a  
14 plan, the existing footprint for the facility. And, on  
15 the bottom of the page, toward the left-hand side, there's  
16 a red box there with a letter "A" in it. And, that's the  
17 proposed addition.

18 I would also like to present to the  
19 Committee today a couple of pictures that we have taken of  
20 the proposed addition, that gives you, I think, a better  
21 sense as well of what's being proposed. So, if the Chair  
22 would allow, I'd like to approach the Bench and just hand  
23 out copies these pictures.

24 CHAIRMAN BURACK: Please. Please do. I



1 just want to confirm, do all the members of the Committee  
2 see where on the plan this small "A" is? It's on what's  
3 called the "Site Plan Cogeneration Facility", toward the  
4 lower left of the plan, a little bit below and to the  
5 right of the area where I believe the cooling towers are  
6 located.

7 MR. IACOPINO: It's got an "A" in the  
8 middle of it.

9 CHAIRMAN BURACK: Yes.

10 MR. PATCH: There are two different  
11 pictures. They look kind of the same, but I think you'll  
12 see the difference. And, I think these pictures give you  
13 a pretty good sense of where Granite Ridge Energy is  
14 proposing to put up this cold storage facility. As the  
15 letter indicated, it's basically a warehouse for spare  
16 parts. And, Mr. Carlton could speak in more detail, I  
17 think, if the Committee members had any questions. But  
18 it's our belief, as we indicate in the letter, and this is  
19 based in part on some precedent of this Committee, there  
20 have been a couple of other situations where I think the  
21 Committee has been presented with letters in the past that  
22 relate to Seabrook and Schiller Station, where they were  
23 asked whether or not a particular modification that was  
24 being made at both of those facilities constituted a

1 "sizable addition". And, in both circumstances, the  
2 Committee made the determination that they were not  
3 sizable additions. And, so, having reviewed those letters  
4 and the responses from the Committee, having, you know,  
5 considered the proposed addition here, Granite Ridge  
6 Energy submits that we believe that this does not  
7 constitute a "sizable addition" as the Legislature  
8 intended it when they put that particular phrase in the  
9 law.

10 I'm not sure I've got an awful lot more  
11 argument to make other than that at this point in time.  
12 But we'd certainly be happy to answer any questions that  
13 members of the Committee might have.

14 CHAIRMAN BURACK: Mr. Getz.

15 VICE CHAIRMAN GETZ: Mr. Patch, looking  
16 at the site plan and looking at the photos you  
17 distributed, it looks like this warehouse would be a very  
18 small size relative to the size of the other buildings and  
19 the site. But do you have a number, in terms of what the  
20 relationship of the 2,860 square feet would be to the  
21 existing square footage of the other buildings? I think  
22 it's a fair inference, from the photo and the site plan,  
23 that it's a very small number, but --

24 MR. PATCH: I guess the only thing we

1       could say, and maybe, Mr. Carlton, if you could just  
2       describe what that building is that it's being attached  
3       to, you know, so the Committee has a better sense of  
4       what's in that building.

5                       MR. CARLTON:  Okay.  Good afternoon,  
6       Chairman and Commissioners.  My name is James Carlton.  I  
7       am the President and Chief Operating Officer of Granite  
8       Ridge Energy.  Thank you for hearing us today.  To  
9       estimate the size, as it compares to the existing  
10      building, it appears, just from my observation, that it's  
11      about one-fourth to one-fifth of the square footage of the  
12      existing building.  The existing building houses certain  
13      water treatment equipment that is used in the treatment of  
14      water that's used in the processes for the power plant.  
15      There are no offices or other occupying personnel in the  
16      building.

17                      CHAIRMAN BURACK:  Do you have a  
18      follow-up?

19                      VICE CHAIRMAN GETZ:  The adjoining  
20      tanks, are those water tanks then?

21                      MR. CARLTON:  Yes, sir.  That is a --  
22      what's known as a "wastewater tank".  Once the -- Some of  
23      the water treatment operations causes water to be used  
24      that will be considered waste, and that water is stored in

1       there temporarily, and then eventually discharged to the  
2       proper sewer system.

3                       MR. KNEPPER:  Is that the one in this  
4       photo here?

5                       MR. CARLTON:  That's correct.

6                       CHAIRMAN BURACK:  Mr. Bryce, and then  
7       Mr. Dupee.

8                       DIR. BRYCE:  Yes.  Thank you, Mr.  
9       Chairman.  Does the building addition meet all the local  
10      zoning requirements?  Have you had any conversations with  
11      the local building enforcement officer yet about it or --

12                      MR. CARLTON:  We have not had any  
13      discussions with the local agencies.  However, we would  
14      install the building in accordance with all state and  
15      local requirements.

16                      MR. PATCH:  And, I think it's fair to  
17      say that Granite Ridge would clearly go to the Town and  
18      make the Town aware of what was being done, provide plans  
19      to the Town, whatever was necessary.  But I think, maybe  
20      just to address this question, I think consistent with the  
21      original order that the Committee issued back in 1999,  
22      where there was actually an Attachment G that had a number  
23      of conditions that related to various Town matters, that  
24      it's Granite Ridge's position that it will keep the Town

1 informed, it will meet the Town requirements, but it  
2 doesn't have to seek a permit from the Town. Because I  
3 think that would be sort of inconsistent with the  
4 relationship that this Committee has and was recognized in  
5 that attachment when the order was originally issued. So,  
6 again, we would certainly meet the Town requirements, but  
7 --

8 CHAIRMAN BURACK: Mr. Bryce.

9 DIR. BRYCE: Follow-up? So, you don't  
10 anticipate that -- you would follow their setback  
11 requirements for boundary lines or wetlands or whatever  
12 that might be, but you wouldn't actually go for a building  
13 permit?

14 MR. PATCH: That's right. Because,  
15 originally, the facility was, of course, certificated by  
16 this Committee. Didn't involve any building permits, and  
17 hasn't over the lifetime of the facility. And, so, I  
18 think that's consistent with the statutory structure.  
19 And, I think, if you look at the one Supreme Court  
20 decision relating to Seabrook, where the court essentially  
21 recognized the statutory structure as being one that --  
22 where you had sort of one-stop shopping, you know, and it  
23 was basically a state process. And, in a sense, it  
24 preempts the local process. So, I think, to be consistent

1 with that, you know, that's how Granite Ridge intends to  
2 handle it. But it's a good citizen and wants to work with  
3 the Town officials, certainly, and let them know what's  
4 going on.

5 DIR. BRYCE: Thank you.

6 CHAIRMAN BURACK: Thank you. Mr. Dupee.

7 MR. DUPEE: Thank you, Mr. Chairman.

8 Just a question of environmental impact. What is it going  
9 to be storing in the cold storage area?

10 MR. CARLTON: The plant was originally  
11 designed with a combination warehouse and repair shop.  
12 And, as the plant has aged in time, we have continued to  
13 accumulate additional spare parts in order to support the  
14 continued operation of the facility. Those spare parts  
15 are now crowded into the existing warehouse. And, we also  
16 have other parts stored throughout the plant. Our  
17 intention is to bring all of those parts into one location  
18 and store them in this cold storage building. And, the  
19 term "cold storage" is nothing more than there will be no  
20 HVAC system in the building, because there's no need to  
21 condition the building, because they're just storing boxes  
22 of parts.

23 MR. DUPEE: So, you're really storing in  
24 an unheated area, essentially, is what you're doing.

1       There's nothing that's being stored there that requires  
2       cold storage?

3                       MR. CARLTON:   That's correct.

4                       MR. DUPEE:    Thank you.

5                       CHAIRMAN BURACK:  Mr. Iacopino.

6                       MR. IACOPINO:  Mr. Patch, could you tell  
7       us what conditions contained within Attachment G to the  
8       1999 permit or 1999 certificate address the issue of the  
9       -- something like this, where you're going to add onto the  
10      building?

11                      MR. PATCH:   Well, I guess I would point  
12      out, I have Attachment G here, and there are numerous  
13      conditions in there.  But, as an example, 1, and then it's  
14      the second "A" under there:  "AES shall design and  
15      construct fire protection systems in accordance with local  
16      and state requirements."  And, then, there's an "a" after  
17      that:  "AES shall comply with the codes adopted by  
18      reference in the state Fire Code."  Then, there's a list  
19      of nine different NFPA or BOCA national building code  
20      sections.

21                      I think the point I was trying to make,  
22      and, then, if you look actually at the very end of  
23      Attachment G, it refers there to -- there's a -- I guess  
24      it would be XIII, and it's the last "A" under that, and

1 then there's a "4" under there. And, it talks about sort  
2 of the enforcement mechanism, how the Town may petition  
3 the Site Committee for relief, seeking enforcement of any  
4 of these permit conditions. Which, to me, indicates,  
5 again, an appreciation on this Committee's behalf, the  
6 relationship between the town, and the statutory structure  
7 that's created, you know, when this Committee issues a  
8 Certificate of Site and Facility. XIV, in Attachment G,  
9 also talks about "Nothing in these proposed conditions  
10 with the Town shall be construed to alter in any way  
11 whatsoever the authority conferred by law on any state,  
12 federal, or local agencies, including the authority and  
13 responsibility conferred by RSA 162-H." Again, I think  
14 they're all reflective of a sensitivity to that  
15 relationship that I think is dictated by the statute, you  
16 know, of, you know, an energy facility, a bulk power  
17 facility that's going to be placed in a town. And,  
18 clearly, the Committee has to take into account the views  
19 of local governing bodies, but the permitting is really  
20 all done under one umbrella by this Committee.

21 MR. IACOPINO: May I follow up?

22 CHAIRMAN BURACK: Please.

23 MR. IACOPINO: Those conditions, though,  
24 they apply to the facility that was sought to be permitted



1 at the time?

2 MR. PATCH: That's correct.

3 MR. IACOPINO: Okay. And, what you're  
4 seeking to do now is to add onto that facility.

5 MR. PATCH: Yes.

6 MR. IACOPINO: Obviously, not by a lot  
7 square footage-wise.

8 MR. PATCH: Right.

9 MR. IACOPINO: And, the Town was a party  
10 at the time of that certificate.

11 MR. PATCH: Yes.

12 MR. IACOPINO: But they're not aware of  
13 what your plans are to add this cold storage facility?

14 MS. PATCH: No. I mean, we have not  
15 talked with them yet about it. We certainly plan to do  
16 that. Again, it seems like a rather small addition  
17 overall, but it's certainly not our intent to go ahead and  
18 do this without talking with the Town, informing them of  
19 what's going on.

20 CHAIRMAN BURACK: Ms. Ignatius, and then  
21 Mr. Getz.

22 DIR. IGNATIUS: Thank you. Mr. Patch,  
23 what's the time frame for construction?

24 MR. CARLTON: Well, the expectation for

1 the building is, my process, if you will, is to seek out  
2 contractors to provide proposed costs. And, then, we've  
3 evaluated the administration requirements associated with  
4 that installation. And, this meeting and further  
5 subsequent discussions will further determine the details  
6 around the installation of the equipment -- of the  
7 building. And, once I have all of that information, then  
8 I'll approach my board of directors to determine if they  
9 will fund that project, and I'll be able to answer any and  
10 all questions they may have at that time. Upon approval,  
11 we don't expect the building to take more than 60 days to  
12 install.

13 MS. IGNATIUS: Thank you.

14 CHAIRMAN BURACK: Mr. Stewart, please.

15 DIR. STEWART: It would seem to me that,  
16 relative to local, while there may not be technically a  
17 local approval, but it would seem like there would be a  
18 submittal to the local building department or planning  
19 board, or whatever exactly the mechanism is, equivalent to  
20 what the local requirement would be, so that, you know,  
21 that there would be appropriate opportunity to comment in  
22 the context of the local standards. You know, we're not  
23 building inspectors. And, it would seem like we would  
24 want to have that kind of a review done, and receive

1       comments from the Town before we ultimately approve that,  
2       or add some formal condition to that effect. It's just  
3       more than a comment than a question.

4                       CHAIRMAN BURACK: Mr. Getz.

5                       VICE CHAIRMAN GETZ: Let me just follow  
6       up on Ms. Ignatius's question, and then -- about timing.  
7       And, then, pointing to the rule on declaratory rulings, we  
8       have 90 days to act. I would say that 90 days begins  
9       today, considering that this is when we treat the letter  
10      as a motion for declaratory ruling. Was there any  
11      argument that we need to expedite this in some way? I  
12      took it from what you're saying, that there would be no  
13      harm if we took the full 90 days?

14                      MR. CARLTON: No, sir, the 90 days are  
15      fine.

16                      VICE CHAIRMAN GETZ: Because I think,  
17      Mr. Chairman, that there may be an argument in isolation  
18      under the statute with regard to the sizability issue.  
19      But I think there's some contextual issues along the lines  
20      raised by Mr. Stewart. And, I would feel more comfortable  
21      having looked at the conditions in the existing  
22      certificate, to not take -- so, I guess my leaning would  
23      be not to rule on the motion today, but to gather some  
24      more information. And, perhaps we can piggyback again on

1 a hearing in the Tennessee case to address the motion for  
2 declaratory ruling.

3 CHAIRMAN BURACK: Further discussion or  
4 comment from members of the Committee on that? Ms.  
5 Ignatius, then Mr. Patch.

6 DIR. IGNATIUS: I just -- I think that  
7 makes perfect sense. And that, either in discussion  
8 between Mr. Patch and Mr. Iacopino or laying out by the  
9 Committee right now, some understanding of further steps  
10 that the Applicant would make with the Town, to notify  
11 them, share with them plans, and understanding of how the  
12 Town could best respond to any concerns they have or lack  
13 of concerns back to the Committee. Just so that we know,  
14 when we're next together, that they have been given a full  
15 picture, and they understand what we're looking for them,  
16 as either sign-off, if they're not troubled by it,  
17 conditions they would like imposed, or more fundamental  
18 concerns about the proposal. Which, you know, given what  
19 you've shown, seems unlikely, but, because all we know is  
20 just these pieces of paper. It would be nice just to have  
21 people who know that area, know that ground well, to know  
22 if there's any other issues we should be considering.

23 MR. PATCH: Could I have just one quick  
24 minute to confer with my client?

1 CHAIRMAN BURACK: Certainly.

2 (Atty. Patch conferring with Mr.  
3 Carlton.)

4 CHAIRMAN BURACK: Mr. Patch.

5 MR. PATCH: Yes. Thank you, Mr.  
6 Chairman. I would think that, consistent with what  
7 Mr. Stewart suggested and Ms. Ignatius, and the 90-day  
8 time frame that Mr. Getz has discussed, it would seem to  
9 me that it would make sense for us to confer with the  
10 Town, provide them all the information, see if we can get  
11 back to you, obviously, as soon as possible within that 90  
12 days, but so that you then have some reaction from the  
13 Town to the plans that we're proposing. And, then, you  
14 would be in a position, presumably, to be able to make a  
15 more informed determination, you know, and whether or not  
16 you thought there was any need to impose any conditions as  
17 a result of that interaction.

18 CHAIRMAN BURACK: Thank you, Mr. Patch.  
19 I think that's a constructive suggestion. Mr. Getz, did  
20 you have something further?

21 VICE CHAIRMAN GETZ: Well, I guess, to  
22 the extent a formal motion is required from the Committee,  
23 I would move that we defer consideration of the motion for  
24 declaratory ruling pending the submittal of additional

1 materials by the Petitioner.

2 MS. IGNATIUS: Second.

3 CHAIRMAN BURACK: There's a motion and a  
4 second.

5 DIR. STEWART: Second.

6 CHAIRMAN BURACK: Is there any  
7 discussion on the motion? We have a second from Ms.  
8 Ignatius. So, thank you. Any discussion of the motion?

9 (No verbal response)

10 CHAIRMAN BURACK: All in favor?

11 (Multiple members indicating "aye".)

12 CHAIRMAN BURACK: Opposed?

13 (No verbal response)

14 CHAIRMAN BURACK: Abstentions?

15 (No verbal response)

16 CHAIRMAN BURACK: Okay. Thank you. The  
17 motion carries. Mr. Patch, anything further?

18 MS. PATCH: Yes. Thank you,

19 Mr. Chairman. Mr. Carlton would just like to address you  
20 with regard to the sale process that I think you've been  
21 informed about previously. So, if you have a minute, can  
22 he just inform you of the status of that?

23 CHAIRMAN BURACK: Thank you. Mr. Getz  
24 will have to excuse himself, but certainly I believe the

1 rest of us can stay to hear from Mr. Carlton. We  
2 appreciate the opportunity to have this report.

3 MR. CARLTON: Well, thank you. And, as  
4 Mr. Patch had indicated, Granite Ridge provided the  
5 members of the Council with a press release and some  
6 information about a potential sale process that we would  
7 be executing in the near term. I just wanted to update  
8 the Council on that process and where we are, and make  
9 sure that you're continuing to be informed as we go  
10 forward.

11 We did move into a solicitation with  
12 various companies for an expression of interest in the  
13 sale of the facility. And, we have had responses on that,  
14 and we're moving forward through that process. We started  
15 that on June the 13th, with a press release, and then  
16 eventually receiving responses from various companies.  
17 Now, our timeline associated with this is, we will receive  
18 certain indications over the next 60 days or so. And, at  
19 which time, we may decide to just kind of fold our cards  
20 and call it off, or it may ultimately lead to a  
21 transaction. If that were to occur, that would be  
22 sometime in the late September/early October time frame.  
23 And, I just wanted the opportunity to inform you of that.  
24 That, if there were a transaction to occur, it would be in

1 that time frame.

2 But, irrespective of whether we do go  
3 forward with the transaction or we decide to halt the  
4 process, I will continue to keep the Siting Council  
5 informed as we go forward.

6 CHAIRMAN BURACK: Thank you very much,  
7 Mr. Carlton. Any questions for Mr. Carlton on this at  
8 this time?

9 (No verbal response)

10 CHAIRMAN BURACK: Okay. If not, --

11 MR. IACOPINO: One --

12 CHAIRMAN BURACK: Mr. Iacopino, yes.

13 MR. IACOPINO: Mr. Chairman, I would ask  
14 that you administratively designate the correspondence  
15 from Mr. Patch as being with the docket number 2008-003,  
16 so that we keep track of it in a little better format.

17 CHAIRMAN BURACK: Very good. Thank you.  
18 We will make that administrative designation of this now  
19 request for declaratory ruling as Docket Number 2008-003.  
20 Is there anything further to come before the Committee at  
21 this time?

22 (No verbal response)

23 CHAIRMAN BURACK: If not, we will close  
24 this public meeting and hearing. And, thank you all for

{SEC Docket No. 2008-002} (07-17-08)



1       being in attendance.

2                               (Whereupon the meeting was adjourned at  
3                               12:58 p.m.)

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