

From: Patricia Martin [<mailto:pmartin2894@yahoo.com>]
Sent: Friday, January 08, 2016 11:15 AM
To: Monroe, Pamela
Subject: Comment on SEC Intervention with FERC on CP16-21

Dear Attorney Monroe,

I'm attaching a motion to intervene by the Massachusetts Energy Facilities Siting Board that may be helpful to the Commission. I think it would be wise of the NH SEC to intervene without expressing either opposition or support, but merely to protect the interests of New Hampshire in the proceedings. Since there are no other obligations for action beyond filing the motion, it seems a prudent step by the SEC.

Thank you,

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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Tennessee Gas Pipeline Company, L.L.C.)	Docket No. CP16-21-000
Northeast Energy Direct)	
)	
)	

MASSACHUSETTS ENERGY FACILITIES SITING BOARD
MOTION TO INTERVENE

Pursuant to 15 U.S.C. § 717N, and Rule 214 of the Federal Energy Regulatory Commission's ("FERC") Rules and Regulations, 18 C.F.R. 385.214, and the Notice of Application issued in the above-referenced docket on December 7, 2015, the Commonwealth of Massachusetts Energy Facilities Siting Board ("Massachusetts Siting Board"), files this Motion to Intervene in the above-captioned proceeding ("Motion"). In support of its Motion, the Massachusetts Siting Board asserts as follows:

1. Communications and correspondence with respect to this Motion should be addressed to:

Stephen H. August, Esq.
Massachusetts Energy Facilities Siting Board
One South Station
Boston, Massachusetts 02110
(617) 305-3622
Stephen.August@state.ma.us

2. The Massachusetts Siting Board is an independent board of the Commonwealth of Massachusetts located within the Massachusetts Department of Public Utilities ("MDPU"). The statutory directive of the Massachusetts Siting Board is to ensure "a reliable energy supply for the commonwealth with a minimum impact on the environment at the lowest possible cost." M.G.L. c. 164, § 69H. The Massachusetts Siting Board is chaired by the

Secretary of Energy and Environmental Affairs and the Board members include the Secretary of Housing and Economic Development, the Commissioner of the Department of Environmental Protection, the Commissioner of the Division of Energy Resources, two commissioners from the MDPU and three public members. The governmental officials on the Board may designate someone else under their supervision to act as their proxy on the Board.

3. On November 20, 2015, Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”), acting pursuant to section 7(c) of the Natural Gas Act, 15 U.S.C. § 717f(c), filed with FERC an Application for a Certificate of Public Convenience and Necessity to Construct, Install, Operate, and Maintain Certain Pipeline and Compression Facilities and to Abandon Other Facilities, known as the Northeast Energy Direct Project (“NED” or the “Project”). This Application was assigned Docket No. CP16-21-000.
4. Pursuant to the Siting Board’s statutory mandate, the Board must approve, prior to construction, any jurisdictional facilities proposed by Massachusetts gas companies. In the instance of an application by an interstate natural gas pipeline company, which is regulated by FERC pursuant to the Natural Gas Act, to construct new or modify existing facilities within the Commonwealth, the Massachusetts Siting Board is required by its own regulations "to preserve the rights of interested citizens of the Commonwealth by intervening in the FERC proceedings on said application." 980 Code of Massachusetts Regulations (“CMR”) § 7.07(9)(b).
6. The responsibility of the Massachusetts Siting Board to preserve the rights of the citizens of the Commonwealth exists whenever an interstate natural gas company plans to construct facilities in Massachusetts. The Massachusetts portion of the Project includes approximately 64 miles of 30-inch line, together with five new lateral pipelines with a total length of approximately 51 miles in Massachusetts. Tennessee also proposes three new compressor stations in Massachusetts.
7. Consistent with its statutory mandate, the Massachusetts Siting Board is interested in the potential impacts, environmental and otherwise, of the facilities and activities proposed for construction in Massachusetts as part of the Project. The Massachusetts Siting Board is

also interested in having the Commission take into consideration these impacts in determining whether to issue a Certificate of Public Convenience and Necessity.

8. Based on the foregoing, the Massachusetts Siting Board respectfully requests the Commission to allow it to intervene in this Certificate Proceeding with full rights attendant to that status, with respect to Tennessee's application filed on November 20, 2015. The Massachusetts Siting Board asserts that its participation in this proceeding is in the public interest as required by FERC Rule 214, as codified at 18 C.F.R. 385.214(b)(iii).

The Massachusetts Siting Board further asserts that the interests it represents are unique and cannot be represented adequately by any other party.

Respectfully submitted,

MASSACHUSETTS ENERGY FACILITIES
SITING BOARD

By: /s/ Stephen H. August, Esq.
Stephen H. August, Esq.

January 7, 2016

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing document upon the participants, to date, in this proceeding in accordance with the requirements of Rule 2010 of the Commission's Rules of Practice and Procedure.

Dated this 7th day of January 2016.

/s/ Stephen H. August, Esq. _____
Stephen H. August, Esq.
Attorney for
Massachusetts Energy Facilities Siting Board

Document Content(s)

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