

COMMONWEALTH OF MASSACHUSETTS
APPEALS COURT

BERKSHIRE, ss.
C.A. No. 1676CV00083

APPEALS COURT NO. _____

Tennessee Gas Pipeline Company, L.L.C.,
Plaintiff

v.

COMMONWEALTH OF MASSACHUSETTS and others,
Defendants

PLAINTIFF TENNESSEE GAS PIPELINE COMPANY, L.L.C.'S
PETITION TO THE SINGLE JUSTICE PURSUANT TO
G.L. c. 231, § 118 (FIRST PARAGRAPH)

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Corporate Disclosure Statement

In accordance with Rule 1:21 of the Massachusetts Supreme Judicial Court, Tennessee Gas Pipeline Company, L.L.C. ("Tennessee") makes the following disclosure of its parent corporations and any publicly held corporation that owns at least 10% of its stock.

Tennessee's immediate parent entity is Kinder Morgan Operating, L.P. "A," whose partnership units are owned by Kinder Morgan Energy Partners, L.P. ("KMP"). The general partner of KMP is Kinder Morgan G.P., Inc., a Delaware corporation.

Effective, December 31, 2015, Kinder Morgan (Delaware), L.L.C. merged into Kinder Morgan, Inc., a Delaware corporation whose common stock is traded on the New York Stock Exchange under the ticker symbol "KMI," and which owns 100% of the common stock of Kinder Morgan G.P., Inc. (other parties own preferred stock in Kinder Morgan G.P., Inc.). Thus, Kinder Morgan, Inc. indirectly owns all of the common stock of Kinder Morgan G.P., Inc.

PETITION TO THE SINGLE JUSTICE

Pursuant to G.L. c. 231, § 118, paragraph 1, the plaintiff, Tennessee Gas Pipeline Company, L.L.C. ("Tennessee") hereby submits this Petition:

I. Request for Interlocutory Review

On May 9, 2016, the Berkshire Superior Court (Agostini, J.) issued a Decision and Order granting Tennessee's Motion to Confirm Authority to Condemn Easements and Motion for Preliminary and Permanent Injunction Authorizing Immediate Entry as to the rights of way authorized and certificated by the Federal Energy Regulatory Commission ("FERC") (hereinafter, the "Decision and Order"), but stayed the Decision and Order until July 29, 2016 - the last day of the legislative session for the Massachusetts Legislature (hereinafter, the "Stay"). Tennessee requests interlocutory review of the Stay. A copy of the Decision and Order is included in the Record Appendix at p. 6.

II. Issues of Law Raised By the Petition

1. Whether the Stay violates the Natural Gas Act?
2. Assuming *arguendo* the Stay does not violate the NGA, whether the Stay fails to satisfy the

standards set forth in case law interpreting
Mass. R. App. P. 6?

III. Motion for Reconsideration in the Trial Court

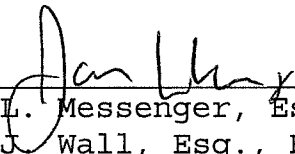
Tennessee has not served or filed a motion for reconsideration of the Order in the trial court and does not intend to serve or file a motion for reconsideration.

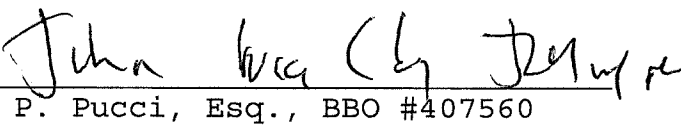
IV. Statement of Specific Relief Requested

Tennessee respectfully requests that this
Honorable Court:

- (1) Modify the Decision and Order to lift the Stay;
- (2) Enter an order granting Plaintiff's Motion to Confirm Authority to Condemn Easements and Motion for Injunctive Relief Authorizing Immediate Entry with the Stay; and
- (3) Grant such other and further relief as equity and justice require.

Respectfully submitted,
Tennessee Gas Pipeline Company, L.L.C.,
By its attorneys,


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Date: June 8, 2016.