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PIPE LINE AWARENESS NETWORK
FOR THE **NORTH EAST, INC.**
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February 7, 2020

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

**Re: Docket No. CP19-7-000, TGP 261 Upgrade Projects (the “Projects”)
Reply to Applicant’s Response and Ongoing Objection to Waiver Request**

Dear Secretary Bose:

The Pipe Line Awareness Network for the Northeast (“PLAN”) hereby asserts our ongoing objection to the waiver request (the “Waiver Request”) filed by Tennessee Gas Pipeline Company, LLC (“Tennessee”) in the above-referenced docket on January 21, 2020. In reply to Tennessee’s February 5, 2020 response (the “Response”) to our January 22, 2020 objection (the “Objection”), PLAN states as follows:

Despite Tennessee’s claim of a collateral attack on the Commission’s December 19th certificate order (the “Certificate”), PLAN not challenging the Certificate order with our Objection; we are challenging TGP’s attempt to avoid complying with a central condition of the Certificate as issued.

In Tennessee’s Response, the company obfuscates the fact these Projects call for 72,400 Dth/d (not 45,400), so the loss of 5,000 Dth/d means that they are now barely half subscribed. Furthermore, the Massachusetts Attorney General is actively questioning, at the Massachusetts Department of Public Utilities, the fate of 9,400 Dth/d of capacity associated with Tennessee’s contract with Bay State Gas (dba Columbia Gas of Massachusetts, hereinafter “Columbia”), given the cancelation of the “Alternate Backfeed” pipeline for which it was designed.¹

¹ Information Request AG 2-4 in DPU 19-135 states in full: “Refer to D.P.U. 17-166, the Company’s F&SP, at p. 109 and D.P.U. 17-172, the Company’s Petition for Approval of Firm Transportation, at 49-50. Given that the Company is no longer pursuing the lifting of the Northampton moratorium, please explain what the Company’s plans are for the 9,4000 [sic] Dth of capacity that it had planned to move from the Agawam gate station to the Northampton gate station.” (Available at <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/11713133>).

Insomuch this capacity is unusable at the Northampton citygate without the Alternate Backfeed, logic dictates that the 40,400 Dth/d in capacity for which Columbia's ratepayers would be on the hook should ultimately be reduced to a maximum of 31,000 Dth/d — leaving the Projects less than half subscribed.

Rather than assenting to PLAN's "speculation" or TGP's bullheaded "nothing-to-see-here" posturing, it would be prudent for the Commission to wait to see whether the CMA precedent agreement is amended in line with the cancelation of the Holyoke Gas & Electric ("HG&E") contract and related pipeline.

We further note that, to avoid penalties, HG&E was required to terminate its agreement with Tennessee by January 14, 2020. Tennessee did not report on the cancelation of the agreement until January 21st; rehearing requests were due January 17, 2020, so no party was able to point to the loss of this Project shipper to challenge the issuance of the Certificate.

WHEREFORE, for the foregoing reasons and as further set forth in our Objection, PLAN respectfully requests that the Commission *deny* Tennessee's Waiver Request and withhold any further approvals pertaining to these Projects until the Commonwealth of Massachusetts has conducted its review of the updated forecast and supply plan put forth by the Projects' sole remaining shipper, Columbia Gas.

Respectfully submitted,



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