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PIPE LINE AWARENESS NETWORK
FOR THE **NORTH EAST, INC.**
www.plan-ne.org

June 15, 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”)
Opposition to NTP Request; Sole Project Shipper status**

Dear Secretary Bose:

The Pipe Line Awareness Network for the Northeast (“PLAN”) hereby submits its Opposition to the request for a Notice to Proceed with construction (the “NTP Request”), filed by Tennessee Gas Pipeline Company, LLC (“Tennessee”) in the above-referenced docket on June 10, 2020.

First, Tennessee’s new NTP Request marks an unjustified departure from the company’s previous stated position—that it would, at a minimum, wait to file such a request until after the outstanding Conditions of the 401 Water Quality Certification had been satisfied. The NTP Request confirms that Condition Nos. 31 and 32 have not been satisfied.

Additionally, Tennessee has failed to obtain the required MESA Conservation and Management Permit for the ‘Take’ of state-listed species, the Eastern Box Turtle and Eastern Worm Snake. Tennessee stated in its July 2019 Final Environmental Impact Report that “no work will be undertaken within priority habitat until the Division has made a final determination on the Conservation & Management Permit”.¹ At that time, Tennessee anticipated five months between the submission of its MESA plan and a final MESA determination.² The NTP Request filing indicates that the MESA plan was submitted on June 10, 2020—the same day as the NTP Request.

¹ Id., Table 9-1. Response to Comments from Massachusetts Division of Fisheries and Wildlife (February 25, 2019), Page 9-4.

² <https://elibrary.ferc.gov/IDMWS/common/opennat.asp?fileID=15306101>, Table 6-1. Permits, Approvals, and Consultations Required for the 261 Upgrade Projects. Page 6-3.

Moreover, the sale of the Projects' sole shipper, Columbia Gas of Massachusetts ("Columbia Gas"), to Eversource Energy is still to be consummated, even as the Massachusetts Attorney General is calling for the Massachusetts Department of Public Utilities ("DPU") to open up an investigation of the role of natural gas in the Commonwealth's energy future.³

Eversource states:

[T]he potential natural gas ban does not impact our purchase of Columbia Gas, rather it presents more of an opportunity for us to help the state achieve its clean energy goals.

As a catalyst for clean energy, we were the first gas company in Massachusetts to put together a proposal that included renewable natural gas, geothermal projects and demand-side management, all of which will help reduce carbon emissions. The acquisition of Columbia Gas's assets allows us to expand those clean energy programs. We fully embrace working with the commonwealth to meet its 2050 climate goals and strongly believe those goals align with ours to be carbon neutral by 2030.⁴

Apart from any investigation regarding the overall future of natural gas in the Commonwealth, Eversource's acquisition of Columbia Gas cannot proceed without approval by the DPU, in a separate proceeding that has not yet commenced but will require a showing of net benefits under Massachusetts law. The abandonment of proposed local gas system expansions in Agawam and the Greater Springfield Area will be a central environmental benefit on the table in that merger proceeding.

The variances sought by Tennessee in its NTP Request filing would result in greater environmental damage than the originally approved Projects, even as the purpose for the Projects is obsolete.

All the while, the City of Agawam remains in the epicenter of Covid 19 cases in western Massachusetts.⁵

³ "Massachusetts AG Calls for Investigation to Potentially Phase Out Natural Gas Use," June 9, 2020, (available at <https://www.naturalgasintel.com/articles/122249-massachusetts-ag-calls-for-investigation-to-potentially-phase-out-natural-gas-use>).

⁴ Id.

⁵ See <https://www.mass.gov/doc/weekly-covid-19-public-health-report-june-10-2020/download>.

WHEREFORE, for the foregoing reasons, PLAN respectfully requests that the Commission *deny* Tennessee's NTP Request and deny all attendant requests for variance approvals and for approval of horizontal directional drill fluids and additives.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Eiseman', with a horizontal line extending to the right.

Kathryn R. Eiseman, President & CEO
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