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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

- - - - -x
In the Matter of: : Docket: PF05-2-000
Midwestern Gas Transmission Company :
- - - - -x

TRANSCRIPT OF PROCEEDINGS

DATED FEBRUARY 24, 2005

A P P E A R A N C E S

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Representative

Mr. David M. Gallo

Federal Energy Regulatory Commission

888 First Street N. E.

Room 61-44

Washington, DC 20426

P R O C E E D I N G S

(7:02 P.M.)

MR. GALLO: At this time I would like to introduce Mr. Gary Farrell, who'd like to say a few words.

(A Word of Prayer was given by Chaplain Farrell.)

MR. GALLO: Good evening.

My name is Dave Gallo and I'm an Environmental Project Manager, in the office of Energy Projects for the Federal Energy Regulatory Commission or FERC.

I'd like to welcome all of you here this evening. The commission is responsible for the authorization and operation of interstate natural gas pipeline facilities. It issues certificates upon the convenience and necessity for these facilities to be constructed under Section 7, of the Natural Gas Act.

Because the Midwestern's project requires federal approval from the commission and other federal agencies, an environmental review of the project is required under the National Environmental Policy Act of NEPA, for short.

To comply with NEPA the Commission will be preparing an environmental analysis document for this proposal. As such; the purpose of tonight's meeting is to get your comments on what issues need to be considered in our NEPA document for Midwestern Planned Eastern Extension Project.

1 The NEPA document will address all issues identified with
2 this coming process.

3 Here with me tonight also from the Commission is
4 Mr. Mike Boyle and he's probably still out at the signing
5 table. Mike is working for Gap Graft Branch 1, and Mike is
6 my immediate supervisor.

7 To my left here, -- Excuse me. To my right is
8 Mr. Phil Zoller. Phil is the Grants Chief from the Pipeline
9 Certificates Division.

10 We also have Mr. Mike Khayata, from the
11 Department of Transportation's Office of Pipeline Safety
12 which establishes and enforces the safety standards for the
13 design, construction, operation and maintenance of pipeline
14 facilities stability, and also conducts safety and
15 operational instructions. Representing Midwestern is Mark
16 Mickelberg, Project Manager of Project Engineering.

17 At this point I would like to turn it over to
18 Phil who will speak to you about the Commission's Policy
19 Statement.

20 MR. ZOLLER: I'd like to thank you for the
21 opportunity to be here, and more especially I'd like to
22 thank all of you folks for coming out here. I know it's a
23 long way for some of you to come, and I understand. So, we
24 take that as your commitment here, and it's really good to
25 see you out here.

1 As Dave said, "the main purpose is to hear what
2 you want to say about this project". But, before we get
3 into the speakers, I thought I try and say a little about
4 what FERC is. It's usually a big mystery to everybody.
5 I've been here 26 years and it's still somewhat of a mystery
6 to me.

7 So, I'll just try to put a little bit in layman's
8 terms of what the commission is, what our process is in
9 looking at these projects. And kind of framework that our
10 commissioners use in looking at these projects and making
11 decisions on them.

12 Basically all these projects as Dave said, they
13 have to get certificates which is the Government word, for
14 permits from us. Basically, all the projects of interstate
15 pipelines have to come to the FERC for permits or
16 certificates. And that goes back to the 1930's under the
17 Natural Gas Act.

18 Basically the whole interstate network which is
19 really the wholesale part of the whole gas utility network
20 is subject to the FERC's jurisdiction.

21 Basically all these projects that come in, they
22 file an application with us. And what's going on here is a
23 very preliminary stages of looking into the project, what we
24 call pre-file aspect of the project. It's before the
25 company even files a formal proposal with the commission.

1 Basically, there are two avenues that we look at
2 in the analysis. There's the environmental analysis of the
3 project, and then there's the non-environmental analysis.

4 Dave works with the environmental process and
5 what's going on here this evening principally is to get
6 involved with the preliminaries of the environmental
7 process.

8 The non-environmental process is basically where
9 some of the commission staff, my group included, may look at
10 the kind of business side of the project. The economics,
11 the markets, the financing, the rates and what it's going to
12 cost, the engineering. All those aspects of the project.

13 Basically our function Dave's and ours, is to put
14 together a record so that the commissioners when they look
15 at these projects can make an informed decision on what to
16 do about a project.

17 Most of you know we usually have five
18 commissioners. Well, we only have four right now. And
19 we're the staff that works for them and produce the analysis
20 that the commissioners look at in making their decision.

21 And I guess the big question is okay, what are
22 the commissioners thinking, or what do they look at when
23 they get down to making a decision on a project.

24 Essentially after we go through the preliminary
25 pre-file, part the environmental process, essentially if the

1 Company wants to go forward with the proposal, they'll make
2 a formal application with the commission. And maybe an
3 Environmental process will continue and possibly we will
4 receive an environmental assessment of the environmental
5 impact statement.

6 And then there's the non-environmental analysis
7 that looks at the whole economics of the project. And then
8 all that is eventually presented to the commissioners who
9 take a look at it.

10 Okay. What kind of forms after they make their
11 decision. For about the last five years, they've had what
12 we call the policy statement which is really just some
13 guidelines that they use when they begin making a decision.

14 And what that is, is basically a balancing
15 process. They take a look at the record and they want to
16 balance the adverse impact with the project against the
17 benefits or potential benefits of the project. It's always
18 a balancing function that they take a look at.

19 And so they'll look at all the input that's come
20 to them from us and from you, to the public, and eventually
21 make a decision. One of the things that they look at, is
22 what are the adverse impacts and what are some of the
23 benefits.

24 Benefits might be more gas service, the ability
25 to move more gas throughout the nation's grids. There may

1 be lower rates possibly for rate payers as a result, you
2 know, of more customers to spread the cost over.

3 One thing that they're always looking for is to
4 make sure that these new projects existing customers aren't
5 subsidized on those projects.

6 Okay. What are the adverse impacts they look at?
7 They look at what the adverse impacts on the pipeline's
8 customers. In other words the projects sponsor's customers,
9 is it going to raise their rates for example.

10 They look at any impacts on other pipelines being
11 competitive pipelines and their customers. In other words,
12 is the new project maybe going to take market away from some
13 other pipeline, and increase those customer's cost.

14 Then finally, they look at landowner impacts, and
15 that's where a lot of you all come in. And they look at all
16 the record that comes in on all those things, and then they
17 make a decision on whether to go forward with a certificate
18 for the project.

19 And that's basically sort of the way they
20 approached things for many many years, but they codified it
21 in this Policy Statement of 1999.

22 And it's good that they did that because there's
23 a formal, you know, piece of paper that shows you what
24 they're thinking about as they look at a project.

25 Now, just to give you before we move on, I know

1 we want to give as much time to you all, to provide your
2 comments. But, essentially what the commission is going to
3 look for is the national interest.

4 They have to look at the public convenience as a
5 necessity another fancy term, you know, for basically the
6 public interest involved in a project.

7 And that's a nebulous thing, and it's strictly
8 case by case basis. But, it is important to point out that
9 the commission does have a larger framework, and that the
10 President, has charged the commission in this administration
11 with looking at trying to make sure we have enough pipeline
12 infrastructure to move gas supplies.

13 You've probably been reading that we have quite a
14 bit of increase in gas demand nationwide. And at the same
15 time, we're starting to see declines in productions from
16 some of our traditional production areas.

17 So it has been, and have continue to be a lot of
18 new proposals for new infrastructure designed to bring in
19 new gas supplies and maybe new production areas or increased
20 production from existing production areas. So, the grid is
21 a tiny infinite thing. That's the larger, the bigger
22 picture which they look. But, they have to balance that
23 against all the individual concerns in each individual
24 project. And that's why we're here tonight to listen to you
25 about.

1 And thank you again for coming out, and this is
2 your opportunity to participate and we encourage you to
3 participate throughout the process. This is just a very
4 preliminary stage. Eventually if the company decides to go
5 ahead with this project, they'll file a formal application
6 and you'll have an opportunity to participate in the formal
7 application process. Thank you.

8 MR. GALLO: Thanks, Phil. Phil, Mike and I would
9 be glad to answer any questions -- Excuse me. Any questions
10 you have after the comment proceedings, just see one of us
11 after the meeting has concluded.

12 At this time, I would like to introduce Mike
13 Khayata, who will tell you more about his agency involvement
14 in the project.

15 MR. KHAYATA: Thank you very much. My name is
16 Mike Khayata with the office Pipeline Safety. Can you all
17 hear me. I am standing, by the way.

18 It's been a long time since I had to sit on the
19 floor to get up. Once again, I'm Mike Khayata with Office
20 of Pipeline Safety. Our responsibilities are to take
21 control, not control but to regulate these pipelines after
22 they are constructed.

23 And we look at the operation and maintenance
24 aspects of the pipeline. I just want to tell you that we
25 have a lot of dedicated people to do this. We have

1 something over 60 to 75 inspectors across the country, and
2 that's on the federal side.

3 And we also have our state partners. We have a
4 really good program here in Tennessee that have several
5 state inspectors who look at these pipelines, annually.

6 What we do have is several different regulations.
7 We have some old regulations that have been in place since
8 the '70s, and addresses a lot of different issues with the
9 pipelines, you know, making sure that they're safe.

10 And we just adopted some new regulations in just
11 the last couple of years where it really is a proactive
12 approach on how we look at pipelines. It really requires a
13 pipeline operator to really look at their pipeline to
14 determine how safe it is.

15 There's a lot of issues and there's a lot of
16 technical issues. And I think what you've heard already
17 this evening was, is that you've really got to understand
18 that our pipeline infrastructure is aged.

19 You know, most of these pipelines that have been
20 put in the ground have been put in the ground before the
21 70s. Actually most of them back in the 50s and the 40s
22 after World War II.

23 So, we are very well challenged in making sure
24 that these pipelines are safe. And we're also very
25 challenged in making sure that the supply meets the demand.

1 And that is another issue that I know that FERC
2 is well aware of. And I know that they're very dedicated
3 people. I've worked with them in the past. This is maybe a
4 dozen meetings that I have been to. And it's just been a
5 pleasure to see this kind of participation and this kind of
6 atmosphere because it's very important that you people get
7 involved. But, it's also very important to understand, you
8 know, that this is an important issue for this country. And
9 when it comes to pipeline safety, like I said, we're very
10 dedicated. We have some really good people on board. We're
11 looking at these pipelines more than you could imagine. And
12 we're trying our best to make sure that they are safe.

13 And if there's any questions that you guys have
14 for me, please come. I'll stay here until the end of the
15 evening. I'd like to answer any questions you might have
16 about our program, and what it entails when it comes to
17 pipeline safety. Thank you very much.

18 MR. GALLO: Thank's, Mike. You may have noticed
19 that we have a court reporter recording the meeting this
20 evening. The record is being made so that everything that
21 is said here tonight during the official scope of the
22 meeting.

23 The transcript will eventually be placed on the
24 FERC website in our e-library system. If you would like to

1 purchase a copy of the transcript, please see the court
2 reporter after the meeting.

3 We will now turn our attention to the project
4 itself, the FERC process and your comments. Let me now
5 turn this over to Midwestern to let them describe their
6 project to you. We have Mark Mickelberg representing
7 Midwestern.

8 MR. MICKELBERG: Thank you, David. My name is
9 Mark Mickelberg, and I'm the project manager for the MGT
10 Eastern Extension Project. And I would like to just take a
11 few minutes of your time tonight and give you a brief
12 overview of the proposed project.

13 And if you can follow along on the slides up
14 here, I'll be going through those.

15 MR. GALLO: Mark, would you mind standing back up
16 there.

17 MR. MICKELBERG: Midwestern is proposing to
18 install and operate approximately 30 miles of pipeline. The
19 pipe size will be 16 inch diameter with a wall thickness of
20 1/4 inch. The pipeline will have a design capacity of 120
21 million cubic feet per day.

22 And a customer which is Piedmont Natural Gas is
23 requesting this service and capacity. Two interconnects are
24 planned. One with Columbia Gulf transmission. The second
25 with East Tennessee Natural Gas. No, new compressor

1 stations will be required for this project.

2 THE PROPOSED PROJECT TIME LINE

3 We began acquisition survey permissions in
4 October and that's currently ongoing. We have conducted
5 three agency and open house meetings in mid-November. They
6 were held in Portland, Hartsville, and Gallatin.

7 Of the several surveys and environmental surveys
8 and there parts are currently being worked on. Acquisition
9 of easements is also currently underway.

10 We plan to finalize the environmental reports and
11 documentation in April 2005, and submit the 7-C application
12 to the FERC in May of 2005.

13 We hope to have a FERC Certificate in November,
14 and we will plan to begin construction, in July 2006. And
15 we're looking for a project service date of November of
16 2006.

17 PROJECT NEED AND BENEFIT

18 Nashville Gas needs additional natural gas supplies to serve
19 a growing demand on its system. Access to natural gas from
20 MGT, will provide supply diversity, reliability and pricing
21 options for natural gas serving Sumner and Trousdale
22 Counties.

23 The estimated tax assessment to MGT is 380,000
24 dollars a year from Sumner, and 100,000 dollars a year in
25 Trousdale County.

1 RIGHT-OF-WAY - Midwestern plans to acquire a
2 permanent 50 foot wide pipeline easement. We will also need
3 temporary work space during construction, 25 foot wide. And
4 additional workspace may be required at roads, railroads and
5 street crossings.

6 After construction, agricultural activities may
7 resume on the pipeline easement following completion of the
8 restoration activities. Within the pipeline easement area,
9 the landowner may not construct improvements, change the
10 grade, or impound water without prior written permission
11 from MGT. MGT will work with landowners in the placement of
12 future roads, utilities and septic systems.

13 COMPENSATION - Landowners are compensated for the permanent
14 easement at fair market value. Additional compensation is
15 paid for temporary work spaces. Compensation will also be
16 paid for damage caused by construction of the pipeline.

17 And examples of those are loss of crop, loss of
18 pasture, and timber value. Today MGT has acquired
19 approximately 20 percent of the easements necessary for the
20 project.

21 The next slide here is going to show a typical
22 right-of-way cross section. And you can see that the total
23 construction work that we're showing here is 75 foot wide,
24 and it's basically split into three different sections. On
25 the left is the spoil side, and in the middle is the working

1 lane, and then what we call a traveling lane.

2 Construction will begin with basically clearing
3 and grading and top soiling the ditch in the spoil side area
4 that's shown there on the left hand side. The pipe will be
5 strung along the proposed ditch line.

6 And after the pipe is completely strung, we will
7 then weld it up and each weld designate will be x-rayed 100
8 percent to check to measure that there's good solid welds.

9 After that the pipe will be lowered into the
10 ditch and be backfilled. And after the backfilling
11 operation, we will fill the lines with water and
12 hydrostatically test the line to prove it's integrity. That
13 test will be up about 90 percent to 100 percent of yield of
14 the pipe. After that is complete the right-of-way will be
15 cleaned up and restoration will be complete.

16 OPERATIONS AND SAFETY: Design and installation
17 will fully comply with all applicable DOT safety
18 regulations. The pipeline will be externally coated and
19 pathologically protected to minimize corrosion. MGT does
20 have a skilled operating work force and has been operating
21 since 1959.

22 We also have comprehensive operating procedures
23 and safety plans in place. The pipeline system is routinely
24 patrolled by air and ground personnel. And there will be an
25 ongoing and regular contact with the landowners, tenants,

1 contractors, and local officials throughout the operating
2 life of the facilities. And that's to promote public
3 education and damage prevention programs.

4 Along with that I'd like to add that this system
5 will be monitored 24 hours a day by gas patrol. They'll be
6 monitoring pressures, and flows in the pipe, and will have
7 access to operate the pipeline.

8 The last slide which may be difficult for some of
9 you to see shows alternative routes currently under review.
10 I think what I'll do is maybe work from left to right on
11 this.

12 But, the one route that we're looking at is
13 called the Ridgetop alternative. This was a route that was
14 mentioned at a group of landowner meetings. And it
15 basically follows an existing pipeline easement down to
16 Ridgetop and then we have to get back over to Hartsville
17 where the proposed interconnect is.

18 The alternative Labeled A, should be purple on
19 that screen there, is a power line route that originates up
20 near Portland, and comes down into Gallatin. And then we
21 would have to get on East Tennessee and go east back over to
22 the southwest of Hartsville for our tie-in.

23 There are three alternatives in blue, in black
24 labeled B and C, and the preferred route. Those are on the
25 corridor that go from Portland southeast down to Hartsville.

1 And the last route is the yellow one, and that is
2 a Highway 52 alternative along with Highway 141 which goes
3 north, and ultimately south back into Hartsville. That's
4 it. Thank you.

5 MR. GALLO: Thank's, Mark. Midwestern has
6 several representatives here this evening. They have
7 brought maps and are ready to speak with you after the
8 meeting, if you have any questions for them.

9 As Mark stated Midwestern has held three open
10 houses in the project area. And on October 22nd 2004 the
11 fork staff began the pre-filing process to facilitate
12 earlier involvement of the affected estate holders which
13 include all of you who are present tonight.

14 Many of you will have received a Notice of Intent
15 which is why you are here. This project is still in the
16 design state. Specific details have not yet been finalized.
17 Formal application has not yet been filed with the FERC.

18 The goal of this pre-filing process is to help
19 facilitate the interactions of Federal, State, and local
20 agencies, and affected property owners and other interested
21 estate holders by preparing a more complete application for
22 the filing of Midwestern's application.

23 We would like to know now what the issues are so
24 we can address them now rather than after the application is

1 filed. I also want to say that FERC is the advocate of this
2 pre-filing process, and not an advocate of the project.

3 We are still very early in the process and there
4 will be several opportunities to comment on the project is
5 when information is made available. More information will
6 be made available on the FERC website, as Midwestern further
7 develops this project and updates this project information.

8 The documents that are filed on the project will
9 be posted on the website including any written comments that
10 are filed by you. Instructions on how to access the FERC
11 website are addressed in the "Notice of Intent", that most
12 of you have received. The notice also contains instructions
13 on filing written comments if you prefer to comment that
14 way. There are a few extra copies of the notice at the
15 sign-in table.

16 We have provided another handout that is a
17 flowchart that's out on the sign-in table. If any of you
18 have not received one, you can pick up one of these at the
19 sign-in table.

20 I'd like for you to take a look at it, and let me
21 walk you through where we are currently at in the process.
22 On the left side in the yellow block. On October 18th, FERC
23 received MGT's request to conduct this review and begin the
24 pre-filing process.

25 On October, 22nd we approved the pre-filing

1 process and issued a PF Docket PF05-2-000, and began the
2 project review. We also -- FERC also participated in MGT's
3 open houses that were held in November. We issued the
4 Notice of Intent, and we are now in the scoping process
5 which is where we are right now.

6 As you can see following down the chart, we're
7 still very early in the process. There will be more
8 opportunities for you to comment.

9 Now, let me discuss the Midwestern process when
10 it files its applications, which in part is to assist this
11 Central Commission meeting in its responsibilities.

12 When Midwestern files its application, we will
13 file several environmental resource reports based on its
14 environmental and engineering survey results. These
15 resource reports cover geology, soils, vegetation and
16 wildlife, including federally listed species, land use,
17 recreation, cultural resources, environmental and safety,
18 air and noise quality and alternatives.

19 To meet the application filing requirements,
20 Midwestern will also study several routes and variations and
21 alternatives as Mark has already stated. Those alternatives
22 and others developed during this pre-filing process will be
23 evaluated, and we will consider all reasonable alternatives
24 in our analysis.

25 Identified alternatives will be waived against

1 the correspond segment statement of the proposed route of
2 certain environmental factors such as the overall route
3 length; the percentage of the alternatives that parallel
4 systems including the corridors and the amount of streams
5 and levees's crossed.

6 When Midwestern files its application, the first
7 objective is to complete the new document and send it out
8 for public review and comment. The document will disclose
9 our independent analysis based on what is filed in the
10 environmental proceedings for this proposal.

11 This document will also include mitigation or
12 recommendations needed to reduce impacts as appropriate.
13 The public will have at least 30 days for filing written
14 comments. Comments received for the period from the period
15 will be addressed in any commission action which would put
16 this commission for a vote of whether to approve or deny the
17 project.

18 We are now ready to hear from you. When you come
19 up to the microphone, please say your name slowly and spell
20 your last name for the court reporter.

21 There are about 70 speakers so we want to limit
22 it to about two minute. The elected officials will go first
23 because they represent a number of you.

24 First let's hear from Caroline Diaz-Barriga,
25 representing Congressman Mark Gordon, 6th Congressional

1 District.

2 MS. DIAZ-BARRIGA: Thank you very much. It's
3 Caroline D-I-A-Q. -- B-A-R-R-I-G-A. And the congressman
4 could not be here, so he sent a statement. Congressman
5 Gordon does not support this project. The company proposing
6 the pipeline has left residents in the dark about the exact
7 route of the pipeline, why it is needed and how it affects
8 the environment.

9 Because Midwestern Gas Transmission Company, has
10 done a poor job of responding to the concerns of the
11 property owners, local officials, and other concerned
12 residents, the Congressman is asking Federal Energy
13 Regulatory Commission to reject this proposal.

14 (APPLAUSE)

15 MR. GALLO: Thank you. Second we have State
16 Representative Mike McDonald, of the 44th District and State
17 Senator Dianne Black, of the 18th Senatorial District, and
18 State Senator Mae Beavers, the 17th Senatorial District.

19 MR. MCDONALD: Thank you. My name is Mike
20 McDonald M-C-D-O-N-A-L-D, State Representative, of 44th
21 District of Tennessee. I have with me my colleagues from
22 the Tennessee General Assembly, State Senator Dianne Black
23 of the 18th Senatorial District and State Senator Mae
24 Beavers from the 17th Senatorial District, and State
25 Representative Stratton Boane who represents Trousdale

1 County.

2 We have a statement and I'll share this statement
3 with you, and then I have a packet of materials to leave
4 with the Federal Energy Regulatory Commission.

5 To Whom It May Concern: The Conservation and
6 Environment Committee of the Tennessee House of
7 Representatives, and the Calendar Rules Committee of the
8 House have approved House Joined Resolution 0007, that urges
9 the Federal Energy Regulatory Commission to deny Midwestern
10 Gas Transmission Company's application for a Certificate of
11 Public Convenience and Necessity for its Eastern Extension
12 Project because the project is not convenient nor is it
13 necessary to serve the public's best interest.

14 I fully expect House of Resolution 0007, to be
15 approved by the full House of Representatives and the State
16 Senate. This resolution will be presented to the full House
17 of Representatives on Monday evening, February the 28th
18 2005.

19 In addition to the State Resolution, I have
20 enclosed Resolutions approved by Sumner County, Trousdale
21 County, and the City of Portland. In addition the Tennessee
22 Farm Bureau Federation officially opposes this project. A
23 letter from the Tennessee Farm Bureau Federation president
24 is enclosed.

25 Also The News Examiner, Sumner County's local

1 newspaper, recently published an editorial opposing the
2 Midwestern Gas Transmission Company Eastern Extension
3 Project.

4 Clearly for people of Sumner and Trousdale
5 Counties oppose MGT's Eastern Extension Project proposal, I
6 urge the Federal Energy Regulatory Commission to deny
7 Midwestern Gas Transmission Company's application for a
8 Certificate of Public Convenience and Necessity for its
9 Eastern Extension Project. Sincerely, Mike McDonald.

10 Thank you very much. And I'll present this to
11 FERC.

12 (APPLAUSE)

13 MR. GALLO: All right. Thank you. Next Sumner
14 County Commissioners Bobby Thompson.

15 MR. THOMPSON: I'm Leon Thompson, County
16 Commissioner of District 1. I'm not very good at
17 arithmetic, but I did consult with a good mathematician
18 today. Thirty miles of pipeline right-of-way, 50 foot wide
19 makes the sum total of 185 acres.

20 I'm fortunate also that I serve on the Sumner
21 County Planning Commission. Anytime that you take this
22 amount of land away from the people from being developed, I
23 think it's a tragedy. And I was very much opposed to this,
24 and will continue to be so, and do so. And thank you.

25 (APPLAUSE)

1 MR. GALLO: Next we have Ray Spears.

2 MR. SPEARS: My name is Ray Spears, S-P-E-A-R-S.
3 I live at 124 Stonehollow Way, in Hendersonville. And I'm
4 here as a concerned citizen from Sumner County. I would
5 like to know and ask Midwest if other avenues of
6 transportation have been explored to transport this gas from
7 Portland to Hartsville. And I'm talking particularly about
8 using East Tennessee's pipeline and Tennessee Gases pipeline
9 to transport this gas.

10 If that's possible, the gas could be put into
11 East Tennessee's system at Ridgetop, and sent to Hartsville
12 through East Tennessee's pipeline. The gas could also be
13 put into Tennessee Gases pipeline in Portland and reroute
14 down to Ridgetop into East Tennessee's line.

15 If East Tennessee doesn't have the capacity for
16 that, I would like to know why 15 miles of pipeline could
17 not be built from Portland to Ridgetop? If Tennessee Gas --
18 if nothing could be worked out with Tennessee Gas.

19 It says eight percent. I saw something in the
20 paper earlier this week. Eight percent of the proposed 120
21 million has been slated for natural gas. Where and how is
22 this going to happen. Can you not swap out the gas with
23 Tennessee Gas pipeline, and allow Tennessee to supply the
24 gas at the various sales stations around the Nashville area.
25 Then Midwestern at the end of the term can then pay

1 Tennessee Gas back in Portland and avoid building any
2 pipeline.

3 If this line is built, how much of it if any will
4 be in Class III? And I think that would be addressed with
5 the Office of Pipeline Safety Board because of the
6 population density.

7 And how many mainline valves will there be. Will
8 they be automatic valves? Are there going to be any sales
9 stations in this proposed 30 miles of pipeline?

10 If the gas is going to be put into East
11 Tennessee's line or Texas Eastern at Hartsville? And then
12 as I've learned tonight, it's also going to be put into
13 Columbia Gulf.

14 Stated earlier 20 percent of the easements have
15 already been obtained. Which routes has this 20 percent of
16 easement been obtained on? It sounds to me like that
17 there's already been a route proposed and apparently been
18 approved by FERC. At least Midwestern has something to --
19 has some reason to obtain 20 percent of the easements. And
20 yet, there's alternatives still on the board. I don't
21 understand that.

22 And to sum it up, I would like FERC to -- urge
23 FERC to explore every avenue to transport this gas. You
24 know, with four major pipeline companies in the Mid-State
25 areas, that being Columbia Gulf, East Tennessee, Tennessee

1 Gas and Texas Eastern, surely there's a better way to get
2 the gas to the market than to build a 30 mile pipeline.
3 Thank you.

4 (APPLAUSE)

5 MR. GALLO: Next we have Wayne Georgiades.

6 MR. GEORGIADES: Good evening. My name is Wayne
7 Georgiades and yes, I can spell it. It's G-E-O-R-G-I-A-D-E-
8 S.

9 I'm the chairperson for the Human Environmental Agency.
10 I've also been the former president of the Vietnam Veterans
11 of America in Sumner County for three years. I was also the
12 president of the Vietnam Veterans of America in Chattanooga,
13 Tennessee. I was the State Counsel for two years, the vice
14 president of the Vietnam Veterans of America. I served my
15 tour in Vietnam in 1968 and '69 with the United States
16 Marine Corp., in Kason Valley.

17 Gentlemen, I hate to tell you that what's being
18 proposed is an infringement on my peace and tranquility and
19 the safety of my family. I moved here in 1976 with my
20 children and I raised them on the farm in Portland,
21 Tennessee, a quiet little town. The first time, I ever seen
22 snow removal equipment that looked like a 6 x 6 strung from
23 the underbelly of a dump truck. That's how they cleared
24 roads back then. They didn't know anything about plows at
25 the time.

1 Since that time Portland has grown. And I
2 understand this, but still Portland is a controlled growth
3 area. There's a lot of things that we don't like as far as
4 changes go.

5 One of the things that I want to bring in front
6 of this committee is this. I'm a disabled vet now. I've
7 finally been able to buy a little piece of property out in
8 the community. It's still in Portland, but just away from
9 the main city. Where I can find some tranquility and a
10 little bit of quietness, you may say.

11 And I can look out from my back porch and I can
12 see a line of trees that string down all the way down my
13 driveway out to the back of my house and horseshoes around
14 near Paul Anderson's house.

15 And daily I take a trip down a small lane that
16 goes through these woods and rolls up and down just like the
17 hills of Tennessee do constantly throughout the region. It
18 opens up into a pretty little meadow. I can walk the length
19 and the breadth of this meadow. Trees lining one side and a
20 beautiful little creek running down the other side.

21 This is the only thing that allows me to sleep my
22 four hours at night. Cause that little creek runs to the
23 base of a small cliff that's about 15 foot high. And
24 underneath this cliff there's a little cavern where bass and
25 fish dart in and out of a natural spring that runs from

1 underneath there.

2 As I stand looking at that, at the bottom of my
3 feet there are springs that are popping up, and boiling at
4 my feet, and continue to run down a little river that
5 passes from neighbor to neighbor down to Portland,
6 Tennessee. Feeds it into water and then turns around and
7 feeds Franklin, Kentucky their water.

8 I'm disturbed because for years now I've been
9 taking medications to help me sleep at night. The war
10 continues to visit me quite frequently. At one time, the
11 doctor told me that the medicine that I was taking should be
12 able to put a mule to sleep. And I've heard some people say
13 that if you went to sleep you might have been a mule. So, I
14 don't know. It's quite a bit that I take.

15 This whole issue has caused great concern. It
16 keeps me awake at night. I go to sleep about anywhere from
17 2:00 to 4:00 o'clock in the morning and I'm back up at 7:00.

18 My thoughts of a catastrophic event that would
19 cause an area of that we call the circle of death that my
20 grandchildren would inadvertently witness because of all
21 these aging gas lines.

22 And still need new gas lines that are exploding
23 and in the last month, the month of January five episodes
24 occurred throughout the United States have occurred where
25 there was more than 50,000 dollars of reportable damage and

1 loss of life.

2 This keeps me awake. I have a chance to go back
3 by that creek. There's a little beach there where I can sit
4 a chair down and watch the fish, watch the Blue Herons and
5 Egrets flying in and out; nesting. I can watch deer and
6 wild turkey run across my property. This is my sanctuary.
7 This is where I find peace and quiet.

8 Now, I know at this time that this gas line does
9 not run on my property. But, I'm here for my neighbors
10 because it runs within 50 feet of my property. It would
11 disturb creeks and springs. It would disturb my way of
12 life. It would disturb my neighbor's way of life. And for
13 an entire year of destruction through complete construction
14 and the ruination of property, drainage lines and creeks and
15 springs that would be destroyed by their equipment and
16 earthmoving abilities that they would use.

17 In closing I would insist that you gentlemen from
18 Washington would take into consideration that we here in
19 Portland, Tennessee will not be walked on. We will not be
20 pushed down. That I'm here to stand up for my neighbors
21 just like I stood up for my country back in 1968 and '69.

22 And I won't let this issue rest, and I will be
23 there for them when they meet. Because nor do I, want it on
24 my property, but I certainly do not want it on my neighbor's
25 property. Because our grandchildren will be the ones that

1 will inherit Tennessee. Thank you.

2 (APPLAUSE)

3 MR. GALLO: Next we have Ronald Dunn.

4 MR. DUNN: Hello, thank you. My name is Ronald
5 Dunn. Last name D-U-N-N. My wife Brenda and myself are
6 here with our neighbors. We appreciate the opportunity for
7 viewing our -- or I should say vending our frustrations.

8 We represent one half mile of right-of-way along
9 the proposed gas line. We have the privilege of being in
10 one of the oldest and earliest settled areas of Tennessee.
11 Our families worked very hard to own 155 acres.

12 On our farm we have about 85 horses, several
13 dogs. Somewhere there's a little white-tailed deer with an
14 orange collar on, we call her Fancy. A lot of people in
15 here know her. I consider her an endangered species.

16 We have two ponds, three wet weather springs, a
17 brook and an everlasting spring. In fact, the springs have
18 been around so long that it has a number. Early in the 20th
19 Century the United States Geological Survey prepared a
20 report on folded map paper, 1932 Plate Fort, Spring Number
21 129 which quote, -- "produced 12600 gallons of fresh water
22 per day" and that's in the dry season".

23 Guarantee me that the laying of this pipeline
24 will not endanger that spring. I'm going to read a name in
25 the record, Tracy Charles Brown. Mr. Brown has a degree, a

1 Masters in Archeology, Anthropology at University of
2 Tennessee Knoxville. He also has a BA in Anthropology from
3 the University of Tennessee Knoxville, with highest honors.

4 He has been preparing -- This is not something
5 that's been put together over the last two or three days.
6 An 80 percent completed draft of the report that's on our
7 property. This in detail states that there are a lot of
8 Indian grounds, Indian artifacts, burial sites on our
9 property.

10 There are several sections that I would like to
11 mention briefly. I won't take a long time to do this. The
12 original site that he's started discussing about six or
13 seven years ago was a property where our house now sits.

14 He called it a junk yard. That was a place where
15 the Counsels would meet, Indian Counsels. There's been
16 several pieces of pottery. A femur was dug up while we were
17 digging the septic system. We put it right back where it
18 belonged. But, there's been a lot of work, preliminary work
19 done on the property.

20 It ends up very, very detailed. This man is
21 extremely good at what he does. But, I would like to read
22 this one section if I may. It's very brief, but it sums up
23 kind of what we would like to say. So, we really don't want
24 the pipeline. We think there's a -- surely there's a better
25 way to get gas from Hartsville to Portland, and vice versa

1 with existing pipelines rather than destroying and going
2 through all these people's property. Not to mention their
3 lives with just having to put up with right now. But I
4 quote now.

5 "Based on the results of the reconnaissance
6 survey, the job site is potentially eligible for listing on
7 the National Register of Historic Places. If the site is
8 ever threatened by proposed action that is federally funded,
9 licensed or permitted, Phase II Archeological testing is
10 recommended and to require information pertinent to evaluate
11 whether the certificate and assessing integrity."

12 I would demand that Midwestern provide an
13 Environmental Impact Statement, regarding our farm and
14 adjacent farms in the area. But I live at 1161 Old Hopewell
15 Road in Castalian Springs.

16 The best way I can sum up with my two minutes is,
17 Gentlemen, please for the sake of this community, this
18 State, this County and all my neighbors do not request -- do
19 not permit this request by Midwestern Gas.
20 Thank you.

21 (APPLAUSE)

22 MR. GALLO: Luke West.

23 MR. WEST: Good evening. My name is Luke West,
24 W-E-S-T, and I work for the Tennessee Cattlemen's
25 Association. First of all let me extend my appreciation for

1 you holding this hearing.

2 The Tennessee Cattlemen's Association, opposes
3 the proposed construction of the gas transmission line
4 through Sumner and Trousdale County by Midwestern
5 Transmission Group.

6 Our members and other landowners have clearly
7 expressed their opposition to this project. The Tennessee
8 Cattlemen's Association supports the rights of local
9 landowners to make decisions about their own property.

10 I do not understand how one private entity,
11 Midwestern Transmission Group, can be allowed to override
12 the property rights of over 100 other private entities,
13 landowners.

14 The area of the proposed project was one of the
15 first areas of this country to be settled west of the
16 Appalachian Mountains. Both counties are dotted with dozens
17 of historical sites. The area of the proposed project has
18 significant historical importance.

19 Sumner and Trousdale Counties, have many
20 ecological features. Several years ago the Nature
21 Conservancy purchased a tract of land known as Taylor Hall
22 in Sumner County. The Nature Conservancy acquired this
23 piece of land because it represents one of the last large
24 tracts of mixed mesophytic forest. Taylor Hall, was
25 purchased from a willing landowner.

1 Landowners in Sumner and Trousdale Counties have
2 made significant investments in terms of time and money to
3 improve or maintain water quality in area streams.

4 Disturbing the soil and sub-soil will have a
5 negative impact on the water quality these people have
6 worked to protect. The farmers of Sumner and Trousdale
7 Counties are forward thinking individuals who desire to
8 improve the communities around them.

9 However, this proposed project only involves
10 costs and not benefits for local landowners and their
11 communities. Thank you.

12 (APPLAUSE)

13 MR. GALLO: Jean Palmer.

14 MS. PALMER: It's nice to have you here. My name
15 is Jean Palmer, P-A-L-M-E-R. And I only represent myself.
16 Do you understand that a lot of us have the same things in
17 mind, our land and open space. But mine is a personal thing
18 that comes from the heart.

19 By a fraudulent document faxed to my son in
20 Oklahoma, Midwestern personally attacked me. At 75 -- 78
21 years of age I don't make instant decisions, and I did not
22 sign the papers when they came through.

23 I pay my own bills and I pay my taxes. I don't
24 choose to pay the taxes for Midwestern Gas. I oversee the
25 farm and until they came along, I thought I had been a good

1 steward of the land. It's been in my family since before
2 the Civil War.

3 I was taught to leave things better than I found
4 them. My community respects me, and I don't consider myself
5 a selfish person. I did not appreciate Midwestern employees
6 meddling in my personal business, and they have made
7 mistakes with the things that have been documented from my
8 farm.

9 There is a right and a wrong way to do business,
10 and I don't think I have been treated fairly. And I feel
11 like it was the wrong way. Thank you for your time.

12 (APPLAUSE)

13 MR. GALLO: Next we have Robert McFadden.

14 MR. MCFADDEN: My name is Robert McFadden, M-C-F-
15 A-D-D-E-N. I'm here tonight to represent myself, my wife
16 and most of all my son. The Jack Dunware belongs to my son.
17 He can not be here tonight to represent himself because he
18 is serving his country in Iraq.

19 The property we're talking about is the property
20 that he was making plans to build his house on when he was
21 called to serve with the 278. My property is bordered by
22 Bledsoe Creek. I have three springs on it and a well on it.

23 The proposed line from the best I can tell being
24 the gas company hasn't bothered giving us a exact route
25 across it, will probably destroy all the springs and my

1 well.

2 As I said, the east side of the property is
3 boundaried by Bledsoe Creek. As you can see here, Bledsoe
4 doesn't look much like a creek. It's a pretty good size
5 creek.

6 This area right here, the best I can tell, is
7 where the gas line would be coming across this property. If
8 you look on the other side of the bank, it's a pretty high
9 bank on that side which is built up with old rock walls
10 holding plants in place.

11 Once they remove those walls, there's going to be
12 an erosion problem continuously along this creek. If you
13 look on down the creek a little bit, this is a little bit
14 closer, and this is a little bit closer yet.

15 The reason they have chosen this spot to come
16 across my property, if you look at their proposed route, it
17 comes up and makes a sharp turn. Right there is that sharp
18 turn. The reason being is this here. The rest of the way
19 down there, there is large hills and rock bluffs. This is a
20 rock bluff anywhere from 20 to 30 feet high. Bledsoe Creek
21 right here is solid bedrock for the most part. Which means,
22 they're going to have to blast the fire out of it to put it
23 in the ground.

24 Now, we have been told that if it's rock, it's
25 going two feet in the ground. If it's dirt, four feet.

1 Now, personally I don't want a pipeline coming through a
2 creek that's only two feet in the ground. When it can
3 flood, and wash the gravel away.

4 This is a sandbar that comes and goes constantly
5 right where they're going to put the pipeline, which means
6 it doesn't matter what they put in there. It maybe gone
7 within a couple of weeks. Which means these trees that can
8 fall off the bluffs or wherever into there, can hit the
9 pipeline.

10 We all know what can happen then. The second
11 thing, if they blast in this, these bluffs are on the same
12 bedrock as what the creek is. When they start blasting
13 this, how much land am I going to lose when these bluffs
14 start caving in, blocking the creek, changing the route of
15 the creek, taking my neighbors across from me and their
16 property.

17 If you looked at this route highlighted here, it
18 comes down and Dry Fork Creek intersects with it.
19 Supposedly if it goes on across here, it's going to hit Dry
20 Ford Creek. Dry Ford Creek will have the same problem. It's
21 bedrock also.

22 So you have two major creeks that are going to be
23 blasted. Where does that go, on down this yellow line.
24 This area down here is Bledsoe Creek State Park.

25 The Environmental Impact of one of our State

1 Parks is in danger. How much in danger? I don't know, I'm
2 not an environmentalist. But, I know when you do that much
3 disrupting to a water supply, a major water supply, to a
4 State Park, you're going to lose wildlife in that park.
5 There is no doubt about it. Nobody can tell me different.

6 We don't own a lot of property. We have 41
7 acres. We haven't had it for generations like a lot of
8 people out here. We bought it in 1987. My father-in-law
9 bought it, and then the next year we all went together and
10 paid it off for him because he couldn't afford it.

11 And the following year he put a house trailer on
12 it. My son was nine years old that year. He spent the
13 summer over there helping him build a tractor shed. My
14 father-in-law taught him how to skinny-dip, and he'll kill
15 me for saying this, right here.

16 That same nine year old boy is now 25 years old,
17 sacrificing his life for his country while these people are
18 trying to steal his dreams away from him. He wants to come
19 home and build a house upon the hill up here overlooking
20 exactly where the pipeline is going to go.

21 From my understanding, where the pipeline would
22 be is where he wants to put his house, is the kill zone.
23 Which means that pipeline goes through here, this nine year
24 old boy that has dreamed of living on his property all his
25 life, that his Grandpa bought for him is gone, because he'll

1 never be able to put his house where he has wanted to for
2 years.

3 One other thing. I also represent a lot of Boy
4 Scouts in Sumner and Robertson County. I do a lot of
5 activities with Boy Scouts. Every two to three years we
6 have a camporee for the Orieo District out at this place up
7 here on top of these bluffs. You're looking at putting
8 anywhere from 150 to 250 Boy Scouts in danger.

9 Personally if this pipeline goes through here, I
10 probably would not let the Boy Scouts camp on this property
11 any more. Boy Scouts are going to that property this
12 weekend; out of my troop.

13 I beg of you, don't let them take a nine year old
14 boy's dream, and 43 boys that are in my troops now, take
15 their dream of where they can go camp.

16 Thank you.

17 (APPLAUSE)

18 MR. GALLO: Next we have Jackie Ward.

19 MS. WARD: I'm Jackie Ward, last name spelled W-
20 A-R-D. And I'm here tonight as a citizen of Sumner County,
21 representing my family's interest in two pieces of property
22 that the pipeline is supposed to cross.

23 One piece of property is on Gill Hodges Road, and
24 the other is on Buttermilk Hollow Road. Originally this
25 property on Gill Hodges was not to be crossed, or at least

1 that's what the Midwestern representative told my stepfather
2 when they came and talked to him.

3 It was only going to cross just a corner of the
4 Buttermilk Hollow Road property. That was two weeks before
5 he died. Two weeks after he died, my mother went to one of
6 the neighborhood meetings, and that was when she found out
7 that it was going across both pieces of property diagonally.

8 On both of these properties are streams and
9 creeks that we use to water the cows. If this pipeline is
10 granted as proposed, it will go through both the creek and
11 the right-of-way's will include the mouth's of the spring.

12 This is the only water supply that we have for
13 the cows that's on this property up there. Damage to these
14 springs would require us to find another means of watering
15 the cows, possibly hauling the water.

16 Now, I don't know if you've ever had to haul
17 water, but it's not something that I'm looking forward to
18 doing. It'll set us back 50 years.

19 And not to mention the fact that we live in
20 Cascading Springs which is 20 to 25 minutes from the
21 property. My stepfather's intention for this property on
22 Gill Hodges Road was to be sold. The proceeds was to go to
23 his son and his stepchildren.

24 Ray had the land surveyed. He had it soil
25 tested. He spent 50,000 dollars to build the road to

1 increase the value of his property, to give it road
2 frontage. Midwestern is going to cross that road.

3 If they're granted this permit, and run this
4 proposed pipeline, they'll be cutting diagonally through all
5 four acre tracts on this Gill Hodges property.

6 It's going to be impossible to build a home or to
7 develop any of the tracts on our land. As a matter of fact,
8 the proposed pipeline will go through the septic systems
9 that have already been staked out. Not with just one septic
10 system, there going through all three of them.

11 There's also a well on one of the tracts of this
12 land, and it's also going to be included in the right-of-
13 way. So, they've gotten everything I've got up there on the
14 land.

15 We live in the part of the country where
16 limestone is prevalent. This is a soft rock. The blasting
17 and the shifting of the rock would damage the rock
18 formations causing a sinking of these streams and creek, and
19 will cause sinkholes for miles.

20 A friend of ours has property that a gas line ran
21 across 50 years ago. They told him that it wouldn't damage
22 the property. During the construction of the pipeline, the
23 well was gone, the spring was gone, and the creek was
24 destroyed. To this day 50 years later over 50 years later,
25 the damage that was done to that land is still there. It's

1 never been able to be repaired.

2 This doesn't take into account that the damage
3 that will occur with these big trucks, the drills, the
4 backhoes, and this other equipment will produce. There will
5 be erosion for years to come with these pipelines around.

6 The land, we fertilize it yearly. I don't even
7 drive the truck on it to feed the cattle if it's real muddy
8 down there because I don't want the ruts in my field.
9 That's nothing to what these large pieces of equipment is
10 going to do with this land. We try to take care of it.

11 Farmers like my stepfather and my mother have
12 invested money. They've invested sweat, time and even tears
13 in this land to make it what it is today. I was always
14 brought up to believe that I lived in a country that when I
15 owned a piece of land, as long as I paid the taxes on it, it
16 was mine. And there wasn't a big business, that could come
17 in and take it away from me.

18 (APPLAUSE)

19 Personally, I don't get a lot of comfort out of
20 Ms. Jennings statement that the land would be put back to as
21 near as possible. How is Midwestern going to rebuild these
22 springs, the creeks, and stop the erosion problem?

23 If someone walked into a museum destroyed a piece
24 of art, they'd put them in jail. Or just damaged it. We
25 don't have any more Picasso's and God is not making any more

1 land. We have more people and less and less farmers, and we
2 love this land.

3 We've worked hard to take care of it, and it's
4 not a 9 to 5 job. Sometimes you get up at 5:00 in the
5 morning and you're still not done at midnight. I don't know
6 that this is an environmental issue or not, but if not the
7 farmers today should be taught of as a natural resource, and
8 a valuable one.

9 Farming in Tennessee, and the United States has
10 got a long and valued tradition. Tennessee is known for two
11 things. One especially in Tennessee, it is rich farm land.
12 The others is fighting for what you believe in. And that's
13 how we got our name, the Volunteer State.

14 Now, I will admit that this pipeline has caused
15 stress for all of us, all the landowners, all of their
16 neighbors, the whole county, both counties that's involved.

17 But it's unduly stressful for my mother who
18 wished to mourn her husband in peace and to not worry that
19 his last wishes are in danger of not being capable of being
20 carried out. He was sick for a long time. We devoted a lot
21 of time, a lot of love, and a lot of attention to seeing
22 that he had as many good days as possible. Help us to
23 continue to do that.

24 I ask that you deny the permit for Midwestern
25 Gas, and at the very least I request that you require an

1 Environmental Impact Statement to be done to see that the
2 damage, what damage is going to be done today, immediately
3 when they run this pipeline and if they run the pipeline.
4 And then in the future what we're going to have to live with
5 on into the future.

6 By the way, Welcome to the Volunteer State.

7 (APPLAUSE)

8 MR. GALLO: Thank you. Next up we have Patrick
9 Kelley.

10 MR. KELLEY: My name is Patrick Kelley, K-E-L-L-
11 E-Y. I've been a horticulturist and nutriment on this farm
12 for almost 30 years. And I planned to build a Botanical
13 Garden on this property, and this pipeline is going to go
14 right through the middle of it. And I think this land would
15 be better served for the public by letting me continue what
16 I want to do with this property rather than Midwestern Gas.
17 Thank you.

18 (APPLAUSE)

19 MR. GALLO: Lorrie Marcum.

20 MS. MARCUM: Can everyone hear me? My name is
21 Lorrie Marcum. My first name is L-O-R-R-I-E. Last name
22 M-A-R-C-U-M. I'm representing a group of the landowners in
23 the opposition that have unique and somewhat unusual aspects
24 to our property.

25 One thing I'd like to say up front is that I'd

1 like to be present during any activity whether it is survey
2 or any other cultural, archeological, any type of activity
3 on my land. I have stated this from the beginning and have
4 not been guaranteed that right. I feel like I need to be
5 treated with a little more respect since I still own this
6 land.

7 To be specific about where the pipeline is
8 proposed to cross my land right now, we have a line. We
9 have caves throughout that area which have not been mapped.
10 The extent of the caves is not known.

11 We have documented tremors in that area. I don't
12 have a seismologist, so I can't tell you the significance of
13 that. Though while picnicing there are tremors. And we
14 have rocks set up at various areas right near where the
15 pipeline is going because our property was used to host
16 Renaissance Fair's for several ears.

17 These rocks come down regularly. We go back and
18 stack them up. It's kind of a little Renaissance type deal.
19 It's cosmetic, but we kept noticing them coming down. I
20 think that a very detailed analysis with seismographs or
21 whatever of equipment you bring in, needs to done in that
22 area. That is closest to the pipeline right now.

23 We have native American and a camping area on
24 our property. We have a striated rock formation which I can
25 explain further by saying it looks like a huge massive area

1 of rock that's been fragmented sort of like a vertebra. You
2 don't notice things like that but that needs a study and a
3 draft.

4 We operate under a State of Tennessee Forest
5 Management Plan. Long before Midwestern Gas came to town,
6 we had dedicated our property for preservation and wildlife,
7 Plan No. 1458.

8 We worked for nine months with Forest Rangers on
9 our 30 acres to insure the health of our hardwood forest,
10 and make sure that we could maintain all the wildlife
11 habitat in a healthy fashion.

12 A creek, a waterfall, and a lagoon come out of
13 Encamp Marian. One of the things we wanted to do with our
14 property was bring in children for field trips either to the
15 native American theme or as the Renaissance theme. So, they
16 could get out of the classroom for a day. We have such a
17 beautiful piece of property that needs to be shared in some
18 way. I don't know how many parents are going to let little
19 Johnny or Susie come and play on a pipeline for the day.

20 There are certain things that you can do on your
21 property as a post retirement type activity that require
22 that you have an event insurance. Hosting school children,
23 having a Renaissance Fair, weddings, special occasion
24 parties may not be possible if a pipeline is crossing that
25 venue.

1 Loss of privacy is important. During some of the
2 public meetings, I asked if the potential would be for heavy
3 equipment to be moving on that line without notice.

4 I might have a group of school children out there
5 running around, dressed like Indians and this heavy
6 equipment comes lumbering down the road. And they said that
7 was totally possible. That's pretty much going to ruin the
8 theme of education for the day.

9 You mentioned that the air surveys would be done.
10 We've already had several flyovers since September, October
11 time frame that are very distracting, and very disturbing,
12 both small plane and helicopter, especially helicopter's.

13 One of the things that I'd like to mention is
14 that I don't want my inability to verbalize the beauty of
15 the environment and the importance of my land to allow
16 decisions to be made by people who have never seen it.

17 I'm requesting that people who make the
18 decisions, and I'm inviting the people who make the
19 decisions to come to my property and walk it. This booklet
20 shows a before and an after I have a hardwood forest.
21 Hundreds of trees will be permanently destroyed.

22 (Speaker sharing picture's)

23 My before picture is easy. Your after picture is
24 a clear cut corridor of vibration that provides no benefit
25 to the humans or the animals you've misplaced. It provides

1 no compensation for the food source and shelter that all the
2 wildlife has lost.

3 I find it interesting that this scoping meeting
4 in my original understanding was to bring forth all the
5 issues that we had. The documents that we were presented to
6 prepare for this indicated that we could only speak about
7 environmental or alternate routes. As you can tell there
8 are many, many issues that need to be brought to this table.

9 I'm very nervous, so I appreciate you letting me
10 get through this. We talked earlier about the dread of
11 pipeline that's already in the ground for this country. In
12 my mind if I can see through the topsoil of this nation, I
13 envision a massive crisscross of gridlines. I don't know
14 how many more we need.

15 I don't know that plowing through and adding to
16 this network is in this countries or this world's best
17 interest. I think we need to fully utilize the network
18 that's already in place.

19 Members of the STOP Coalition which is Sub-tunnel
20 Opposing Pipeline have worked diligently to inform this
21 community about the facts surrounding this pipeline. The
22 area that the pipeline is going through is very rural. Not
23 many members of the community openly share and not many
24 members of the community know it is a sparsely populated
25 area, compared to the rest of Sumner County.

1 We have done our very best to provide facts. We
2 had a very full life before Midwestern came to town. We've
3 gone on the internet. We've researched other pipeline
4 situations, other area. We've held meetings every week.
5 We've put out publications. The community is still inviting
6 us to come and speak to them to explain the issues.

7 As I said we worked diligently to bring facts to
8 this community. Yet in our local newspapers, MGT, has
9 published information stating that we are misleading the
10 community, that we have serious mis-communication. And in
11 some outright respects
12 we've actually been called liars.

13 This is not the way we need to be treated. We're
14 working very, very hard to make sure that everything we
15 research and say is fact. We want to know the facts. We're
16 not spreading any lies or rumors.

17 We're suppose to be one of the freest nations on
18 this earth. I don't feel very free right now. I'm hoping
19 that the government's position on this will be to urge
20 Midwestern to use every alternate avenue versus taking land
21 from landowners who have worked hard to pay for it.

22 The reason we bought this property was because it
23 was pure untouched beauty. I guarantee you I would never
24 have touched this property even though I was out looking at
25 it, had I known there was a gas line on it.

1 The tremendous burden that this proposal has
2 placed on our families, on our communities and our local
3 officials is unnecessary. As I said, "I think it's unusual
4 that the community, a group of approximately 140 landowners
5 would have been tasked with the burden of bringing to the
6 table alternate routes for Midwestern Gas".

7 What's the likelihood that 140 mostly farmers
8 would come to the table with a better plan. It's almost as
9 if we were set-up to fail. This burden, this monumental
10 task has brought out skills in many of us that we never knew
11 we had. We've received a tremendous amount of help from the
12 community.

13 I'm requesting that you take into consideration
14 all the efforts you've heard tonight. The Environmental
15 Impact Study, the details, and I'm also requesting one last
16 thing that initially I was told it's not possible.

17 Along with being present during all the surveys
18 and intensive studies that are going to be done on our
19 property, should this permit be granted, I have asked if I
20 could have a copy of those plans. I was told that copies
21 for individual properties were not done. I find that very
22 strange. If that's true, we need to change that process.

23 I would think that the company would want to know
24 what maps 69 versus 2201 has on it specifically. And I
25 wonder if I can get that information, also in writing.

1 Thank you for giving me your time.

2 (APPLAUSE)

3 MR. GALLO: Charles Carr.

4 MR. CARR: Yes sir, Good evening, folks. My name
5 is Charles Carr, C-A-R-R. I represent the Carr Brothers,
6 860 Rock Creek Road, Bethpage. They're hitting us up on two
7 or three places. We're pretty upset about it. I'm kind of
8 like Little Johnny. We go to a rural church and we're very
9 proud of it. In fact, a few years ago we were having a
10 revival and they went on there several nights. And then
11 after a pretty good attendance and all, well they decided to
12 have kind of a testimony. And they went through and asked
13 everybody in the crowd just what the revival had meant to
14 them and all.

15 And they came to this one lady and she said, Oh,
16 I'll just tell you, she said, I'm just -- the spirit has
17 just touched me so, said I'm just so upset, I just can't
18 hardly talk.

19 The next one over was little Johnny. Come to
20 little Johnny, ask him said, Johnny, said how is this
21 affected you? He said, I'll tell you exactly, "I've about
22 had my belly full of it". And that's about the way the Carr
23 Brothers feel about Midwestern Gas.

24 (APPLAUSE)

25 We have never drawn a paycheck in our life.

1 Although that was our own choosing. We tried our best to be
2 honorable in the community. We operated, sold Registered
3 Ham's of Breeding Stock all over this great land for a long
4 number of years.

5 And then the corporate organizations took that
6 away from us. They took the family farms away from us, and
7 got shut out of that. Then we started trying to raise
8 feeder cattle. We started with lush pastures, good springs
9 and good support of water and all. Idea for feeder cattle
10 production. And then an outfit like this comes along and
11 going to try to shut us out of that. I say, "Wake up
12 America".

13 (APPLAUSE)

14 I still believe there is a future in farming,
15 regardless. I believe that to live and work on a farm is
16 pleasant as well as challenging. And I hold an inborn
17 fondness for these associations. Even in hours of
18 discouragement like this, and I cannot deny it. I'll always
19 hold this.

20 You know, you get from life only what you put
21 into it. Life is a lot more valuable than just dollars and
22 cents. We've made our choice. This has been our life. This
23 has been our livelihood.

24 Now, we're trying to produce a high quality
25 feeder calf, drug free, antibiotic free. Something that

1 will fit wherever, go in a feedlot and produce a quality
2 product and will produce a high quality protein for the
3 housewife. It'll be consistent week after week.

4 You know, it's one thing to make money, but it's
5 another thing to have principles and have ideas and have
6 dreams. This has shattered the dreams of the Carr Family.

7 We've never made a lot of money, but we've made a
8 lot of friends. We've made a lot of contacts all across the
9 country. You know, when you get down to it, that's still
10 more important than the money.

11 We try to make our land better. We've tried to
12 make improvements. We try our best. We may not have the
13 best fences in the world, -- (laughing) -- but I'll tell you
14 one thing. We still try to keep the thistles down. We try
15 to apply fertilizer and try to have pretty good crops.

16 And I want to close with this. I want you all to
17 listen closely. To be successful try doing some of the
18 things that successful people do, remember this and listen
19 real close.

20 That even in the hours of discouragement this is
21 still a good life, and a wonderful opportunity. And I beg
22 you, and beg you, to stop and smell the roses, and realize
23 what the American farmers are doing. What we're doing in
24 our community to support and feed the families. As the
25 population increases, so must the food supply.

1 Please take heed and realize what we're trying to
2 do. I sure thank you.

3 (APPLAUSE)

4 MR. GALLO: Barry Sulkin.

5 MR. SULKIN: My name is Barry Sulkin, S-U-L-K-I-
6 N, and I'm the environmental consultant hired by the STOP
7 Organization. And with me tonight is Bill Wade, who has
8 also been hired. He just got here and he's not up to speed.
9 So, I will ask if you will let him follow me. I'll do the
10 introduction and he'll go through into some more details.
11 Is that all right?

12 Also when Bill gets up to speak, we'll need help
13 to set up the projector. Because we didn't want to use the
14 one someone else brought.

15 First of all we evaluated the process that we're
16 under which is the NEPA, or National Environmental Policy
17 Act process. And through the pre-filing process has some
18 advantages, it's not described in regulations. So it makes
19 a bit confusing for us to participate. I'm going to read
20 just a couple of excerpts from the, NEPA regulations in the
21 middle of this document.

22 The intent of this process at this point is to
23 decide whether or not there are environmental impacts. And
24 in the preliminary process which we're under now, and
25 determine if there's a need for Environmental Impact

1 Statement's.

2 The scoping process is described in the
3 regulation as a method of gathering issues for the EIS. And
4 right now we're gathering issues for perhaps EA,
5 Environmental Assessment for the EIS. We're willing to
6 participate in that. But, we ask that you move quickly to
7 perform the EIS process, and let us participate.

8 In determining that, the main thing is whether
9 there are significant issues. I'm going to read you one
10 statement in particular that states, "that the degree to
11 which the effects of the quality of human environment are
12 likely to be highly controversial or at the very least
13 mildly significance. And I think you can see from the slide
14 tonight, this is highly controversial. So, that among other
15 things will trigger it.

16 Also any claims of benefit of the project should
17 be considered in terms of significance. As it states, "the
18 Agency shall consider both the beneficial and adverse
19 impacts as significant not just the negative impacts.

20 I'll leave you with this right here. We have
21 begun a survey of the water issues. We've heard a lot of
22 people talk about the wells, springs, streams, and creeks.

23 This is a particular area of concern, my
24 particular focus is on the water impacts. We have only
25 initially started this. I'll show you a map in just a

1 second. We've asked people to fill out surveys. We have a
2 portion I've had a portion of them returned to me. So far
3 I've received 48 of them that have been mailed back in or
4 came back in. I expect it to total a 100.

5 But, of the ones we've received so far, we're
6 witnessed the statistics, 48 percent have wells or springs
7 on the property used for human consumption. Seventy-three
8 percent have wells or springs on their property used for
9 animal consumption. And 88 percent of respondents have
10 ponds and creeks on their property.

11 We are planning to do this with field
12 verification. We need to determine which ones are clearly
13 on the pipeline proposed route. You are at great risk. I'm
14 going to also hand you a couple of photographs of some
15 steams and the one in the upper right hand corner, or on the
16 upper left hand corner, facing you. You'll see on Mr. Dye's
17 property there's a spring that's mainly used for watering
18 his cattle. And I have circled on the survey plat right
19 over the spring.

20 In my personal experience with another pipeline
21 in a neighboring county from two years ago, it was a 12 inch
22 sewer line crossing where it crossed a branch. There's no
23 overflow of water on that stream. The water will topically
24 follow the pipeline like a fresh stream.

25 Let me leave you with a couple of things. One is

1 this map. Mr. Ash, Ron Ash, will you help us? If you
2 would, just unroll that map over there against that wall.
3 So, we can all see the same thing. It's a preliminary map
4 of the pipeline that was provided to me. Some of the
5 members of the community put together a committee. we're
6 going to put it right side up, for obvious reasons.

7 We have only begun to try and identify where the
8 pipeline, wells, springs and ponds are. We don't have
9 streams on there. And that one area you see where the dots
10 are, there's one color for wells and one for springs, and
11 one for ponds.

12 Most if not all of those, are the only source of
13 water people have in their houses. There's not another
14 water source in these areas. And these people want to use
15 their ground water and they intend to. They feel like this
16 is a significant issue at least for the EIS analysis.

17 We're going to continue to do the survey. We're
18 going to ask that you allow us to continue it. We're going
19 to invite you to join us. We'd like you to meet us on site.
20 If you can do some of these as you develop your report and
21 your decision on the EIS. And we'll help you gain access.
22 We will share our results with you.

23 One of the other main issues on the decision is
24 whether or not there are alternatives. I heard earlier
25 tonight a discussion by the opponents for alternatives.

1 They took that to mean alternative routes. They drew two
2 alternative maps. The NEPA regulations talk about
3 alternative actions including the no action alternative
4 including alternatives outside the jurisdiction of the
5 agency making the decisions.

6 So in other words, is there a need for gas at a
7 certain location, are there other ways to supply that in
8 terms of other forms of energy versus a pipeline. And for
9 that we hired Mr. Bill Wade, who is an expert in that area.
10 He does energy and economic research. And I'd like to give
11 the rest of my time to him. And I'll turn this over to him
12 to present his findings on this. Thank you.

13 (APPLAUSE)

14 MR. GALLO: DR. WADE, as we discussed earlier,
15 could we put off your power point presentation until the
16 rest of the landowner's have finished.

17 DR. WADE: Sure.

18 MR. GALLO: Thank you. Next we have Ron Ashe.

19 MR. ASHE: Good evening. My name is Joseph R.
20 Ashe, it's A-S-H-E. I live at 1342 Fowler Ford Road.
21 Before I begin tonight, I'd like to say that I'm here
22 strictly on behalf of my property as a landowner, on behalf
23 of my family and my friends and neighbors. And no way am I
24 here in respect to the state agency that I work for which is
25 the Tennessee Regulatory Authority.

1 Senators, Representatives, Councilmen, I won't
2 say -- it won't take too much. I know there's a lot of
3 people who want to speak. On February 2nd I sent you guys a
4 letter regarding my property that the pipeline is crossing.

5 There's some key issues that I'm concerned about
6 on my farm. My farm is called Simmons Springs Farm.
7 Tonight you've heard from several property owners about
8 springs. Two of the springs on my farm have 1000 gallon
9 tanks. One of which I use as -- for my family. I do not
10 have city water.

11 And of these seven springs there's about 40
12 springs within probably a mile of my house that feed Whitson
13 Creek and you've heard tonight that Whitson Creek feeds
14 Grace Creek which is the actually feed of Portland uses for
15 their city water along with the cistern.

16 Another issue I mentioned in my letter was
17 wetlands. Originally the pipeline was going to across my
18 property above my creek area, and now it's been proposed to
19 cross in the wetland areas that I have.

20 And for the last several years I've worked with
21 the U.S. Department of Agriculture and the Resource
22 Conservation Commission which you may be familiar with,
23 regarding erosion on my property. Because these lands that
24 these proposed route, you can't even walk on it, much less
25 drive a tractor on it. If you do you'll sink up.

1 And they have come to my house several times, my
2 farm. Three times representatives and the engineers trying
3 to figure out a way to stop the erosion. This little creek
4 you've been hearing about, it's about a foot deep normally,
5 but when it rains real hard in our area it gets five or six
6 foot. And it's quite a bit of water that runs through
7 there.

8 So that's gives you a couple of proposals to work
9 on it. One cost me 3,800 dollars and it didn't work. The
10 other one is about 10 to 15,000 dollars and of course
11 there's no federal dollars to fix that, so it's all out of
12 my own pocket.

13 And I'm concerned about that pipeline going
14 through there because it's really a bad area. One thing I
15 didn't bring up in my letter that I apologize for , is that
16 I do have a prehistoric Indian campsite on my land.

17 I have talked to professional archeologist. He
18 has advised me that my site along with several other sites
19 on the property which you've heard about tonight, would
20 probably be part of the historic place. So, I wanted you to
21 know about that.

22 One thing and at the end of my letter I wrote in
23 hand, and I respectfully ask you about again tonight. I
24 would love to see an Environmental Impact Study done on my
25 land. Not just the area where I live, but the whole entire

1 project, because of the water we have here in Tennessee.

2 Like I said, I don't have city water, don't want
3 it. I mean, you can come to my house, and I'll guarantee
4 the best water you're ever tasted. And I appreciate your
5 time and your consideration.

6 (APPLAUSE)

7 MR. GALLO: Joshua Baker.

8 JOSHUA BAKER: Good evening, and thank you or
9 this opportunity. My name is Joshua Lee Baker, B-A-K-E-R.
10 And first of all I'd just like to say thank you for everyone
11 in this room that has served our country. And for those
12 that are my age serving in Iraq right now.

13 (APPLAUSE)

14 I'm 22 years old and I have several friends that
15 I know of that are serving now, and those that have already
16 come back. And I've met several college students that are
17 soon to leave.

18 I cannot imagine my father calling me on the
19 phone and telling me that after I've grown up on a farm,
20 worked hard to develop the ethics, the work capabilities and
21 the potential that I have, that somebodies going to come
22 along while I'm serving my country and take it.

23 It goes beyond the value of the land. We all
24 know this. We do not hear them talk about what goes in the
25 ground, what they're talking about with the gas company what

1 is going into their wallet.

2 (APPLAUSE)

3 There's two things that slow society today,
4 laziness and ethics. We need to dig deep. These are full
5 of potential. When somebody tells me they're going to put a
6 gas line in, and they've got a safety committee or an
7 inspections group coming in, and that they feel like they've
8 got pretty good guys working. I'm not convinced. I want to
9 know that they've got the very best in the world.

10 We need to use our full potential, and we'll say
11 it again. And find every way that we can to satisfy every
12 need because we are possible of doing that. We're a country
13 that's possible for satisfying every need. Each individual
14 has the potential to satisfy every need.

15 So, I urge FERC group to use your potential to
16 find other ways for the gas company. Thank you.

17 (APPLAUSE)

18 MR. GALLO: Next up is, Charles Haynes.

19 MR. HAYNES: Charles Haynes, H-A-Y-N-E-S. I'm
20 one of the fortunate people here tonight. This didn't go
21 across my farm, but it's affecting a lot of my friends and
22 neighbors and family.

23 And I've been fortunate to sell real estate in
24 this county for 35 years. I've never seen more dedication
25 against any kind of utility in my life. And I'm like my

1 predecessor, I'm not here in any other capacity, but to
2 preface that experience. I'm Co-chairman of the Sumner
3 County Planning Commission and been Chairman of the
4 Tennessee Real Estate Commission. So, I've seen a lot of
5 opposition to a lot of different issues.

6 And in serving on boards and commissions, one
7 thing that I feel FERC is this. I understand that
8 Midwestern has got some 2000 miles of this line to lay all
9 over this country. And I did the math sitting back there by
10 the numbers. About 18 months from beginning to end of this
11 project on 30 miles.

12 So, it's about 118 years of work that they've got
13 out there. Go to work and come back and see us a 100 years
14 from now, and see our great, great grandchildren. Defer
15 this thing for about 50 or 100 years, and maybe the appetite
16 for gas might be a little greater thing. Thank you.

17 (APPLAUSE)

18 MR. GALLO: Ricky Apple.

19 MR. APPLE: My name is Rick Apple, A-P-P-L-E. I
20 live at 830 Coram's Hill Road, Castalian Springs, Tennessee.
21 Like Mr. Haynes, I'm one of the fortunate ones. Midwestern
22 Gas is not running across our farm. We already have three
23 gas lines across there from Columbia Gulf Transmissions.
24 They Reach from Louisiana all the way up into Kentucky
25 somewhere.

1 My purpose here tonight is to stand with my
2 fellow citizens and ask you not to subject them to this
3 horrible ordeal that they're looking at. The first line was
4 laid across our place in 1954. It was a 30 inch, 800 pound
5 line.

6 The second one came in 1966. Another 30 inch 800
7 pound line. The last one in 1971. Thirty-six inch, 800
8 pounder. And the second passing in 1966, the water well was
9 sunk on our place which created a tremendous hardship on my
10 family.

11 Some 24 months later it finally got somewhat of a
12 settlement. And first of all they said they didn't cause
13 it, later they said they did cause.

14 Chasing cattle was a daily occupation. Not by
15 our hand, but by the construction crew that left gaps down,
16 gates open, and what have you. This went on through 1971.

17 And as far as the land being restored back to its
18 original use, I think it's impossible. Not only can you
19 walk across my farm today where the three massive gas lines
20 are and then which you can go across any of my neighbors.

21 It doesn't grow grass like it once did. It won't
22 grow crops like it once did. It's intermingled rock,
23 topsoil and soil from seven or eight feet down that's on top
24 of the ground. When you walk across it, you can definitely
25 tell that you've walked into another area there.

1 So, I beg you tonight to take into deep
2 consideration that all these gas lines that we've already
3 got that a lot of us have already carried the brunt to have
4 this done. Seek another direction. Deny Midwestern Gas.

5 (APPLAUSE)

6 MR. GALLO: Charles Carter.

7 MR. CARTER: My name is Charles Carter, C-A-R-T-
8 E-R. I live at 1520 Lauderdale Lane, Bethpage, Tennessee.
9 At the present time the pipeline is mapped to go diagonally
10 across my 170 acre farm. Having grown up in the Side view
11 area and having been a lifelong small game hunter, I have
12 got to know this area on a step by step basis.

13 I would like to recommend for you to read the
14 "Great Leap Westward," by Walter Durham, a history of Sumner
15 County from its beginning in 1805. I would also like to
16 recommend that you read "Early History of the Southwest"
17 published in 1852, written by, General William Hall, an
18 Indian fighter, a Governor of the State of Tennessee, and a
19 United State Congressman.

20 In the first chapter he tells how his brother was
21 killed and scalped. About the pursuit. How the Indians
22 were caught and killed upon a small creek on my farm. Both
23 of these books discuss and describe the early history of the
24 region.

25 I know from firsthand account that this area is

1 rich in artifactual and Indian Farming sites, supported by
2 large springs which provided clean water then, and still do
3 today. There are also very many early pioneer settlements
4 whose cabins are gone, but their springs and cemeteries
5 still remain.

6 I would like to address the environmental issues
7 that I feel affect the proposed gas line route. I strongly
8 urge FERC to specify that an Environmental Impact Study be
9 conducted on the entire area for this pipeline. Having
10 lived through several

11 Tennessee winters, we are very aware of the needs of our
12 country for natural gas. But, as our country continues to
13 grow and grow, with more and more industrial and urban
14 sprawl, isn't it time we started looking for more efficient
15 planning and use of existing public lands for the public
16 good.

17 At what point does our country decide who's
18 rights are more important. Is it more important to improve
19 a corporate profit, or is it more important to insure the
20 basic individual right to have property without that
21 property being taken by force.

22 Is a company's bottom line profit more important
23 than an individual's right to have private property without
24 the threat of being condemned or taken.

25 The Constitution of the United States reserves

1 specific powers for the people to include the right to own
2 property. Has this been changed? Has this been changed to
3 say, but can be condemned if requested by a private
4 corporation to increase their bottom line. Thank you.

5 (APPLAUSE)

6 MR. GALLO: Denise Pontrefoli.

7 MS. PONTREFOLI: Denise PONTREFOLI, P-O-N-T-R-E-
8 F-M-O-L-I. I understand FERCs position and the review that
9 you're doing. I do not understand the MGT when all these
10 little things over here are supposed to already have been
11 completed prior to November.

12 I found out about MGT coming on my property on
13 January 12th of this year, six weeks ago. There's little
14 pink stakes in front of our house at the street, Old
15 Highway 31E that Andrew Jackson walked up on his way to
16 Illinois.

17 MGT has never notified me. I wasn't aware of
18 anything. There's little pink flags behind my property,
19 behind the pond across the stream. I called MGT and I asked
20 them what was going on, and you know, what were they doing.

21 And they told me, oh, we're going to start
22 surveying your property. I said, no, sir you're not. We
23 don't give you permission to do that. He says, are you
24 denying me permission? I said, yes, sir, I am.

25 Within one hour he asked me, he said, "are you at

1 work or are you at home"? Can we call you back. I said,
2 yes sir, I'm at work. My husband is at home.

3 Within one hour they showed up at my house, told
4 my husband, patted him on the shoulder, and said, Buddy,
5 we're going to give you some money. I've already talked to
6 your wife. Sign right here. We're going to survey your
7 property. Now, for the last six weeks this has been an
8 ongoing thing. I live in a house that was built in 1857.
9 That's the first time they ever paid taxes. The proposed
10 line comes a 150 feet from the corner of my property which
11 is my bedroom. Part of my house, I'm sorry, not my
12 property. It comes across my property.

13 They're proposing to take down all the barns.
14 You Can't do anything with it You can have a pasture later,
15 but you can't have a barn. You can't implement or grow.
16 What are you going to grow on a gas pipeline?

17 You tell me no compressor stations. I understand
18 they're suppose to be something that comes up out of the
19 ground every five miles. So, that would be, let's see.
20 Five into 30 would be 6, I think.

21 Three hundred and eighty thousand dollars in
22 taxes to the county doesn't do me any good if it's 150 feet
23 from my bedroom. I don't -- I have a volunteer fire
24 department. I will pay an exorbitant amount for home
25 owners insurance. My insurance people have told me if it

1 comes this close to your house, one of two things is going
2 to happen.

3 Your rates are going to go through the roof
4 because we're in fire rating nine, volunteer fire
5 department, no firefighters anywhere, or we're going to
6 cancel your policy. Now, my bank doesn't like that at all,
7 and if my insurance is cancelled my bank is going to call my
8 note.

9 Is MGT prepared to pay me for my house? I mean,
10 at fair market value what kind of fair market value has been
11 put on something that was built in 1857? It's not broken,
12 don't offer to fix it. Don't mess with something that's
13 been there for a hundred and fifty years.

14 I'm not asking MGT to come back to my property,
15 but I am asking you this. I would appreciate some kind of
16 contact other than a little pink stake in front of my house,
17 waving at me saying PROP Pipeline.

18 Thank you.

19 (APPLAUSE)

20 MR. GALLO: Harry Wallace.

21 MR. WALLACE: I'm Harry Wallace, and I'll
22 decline.

23 MR. GALLO: David Baker.

24 MR. BAKER: Yes, I'm David Baker, B-A-K-E-R, 690
25 Rock Bridge Road. I want to personally before I spend a

1 couple of minutes here, I want to thank Mr. Dave Gallo, for
2 one thing. I really appreciate you listening to our
3 concerns, and I think you're really interested. I can see
4 that. So, I appreciate your attentiveness to our problems.

5 (APPLAUSE)

6 MR. GALLO: Thank you.

7 MR. BAKER: I'm one of the affected property
8 owners. I'm a business owner. I'm a beef cattle producer.
9 I'm not as good as the Carr Brothers. Now, I'll tell you
10 right now. But, I want to let you that a lot of things in
11 Tennessee have changed the last 40 or 50 years. Because 50
12 years ago if the headlines read, "The Feds are coming to
13 town", you wouldn't have had 300 people here, you might have
14 had three people, cause everybody else would have been in
15 the woods cooling down the stills.

16 (APPLAUSE)

17 You know that's true.

18 Now, I've never had anything to do with that kind
19 of stuff myself, but at anyway rate, I'll move on because a
20 lot of folks want to cover a lot of things.

21 I'm president of the stock organization, and I
22 really appreciate your time that you're listening to my
23 constituents. And the landowners that have not come here to
24 impress you, but to speak from their hearts. And I'll tell
25 you it's a hard thing for them to do.

1 I have forwarded my specific letter to FERC in
2 DC. These concerns are specific to my land, my family, and
3 my farming operation. We are in the beef cattle business.
4 We plan to be in transition to organic beef. I'm like Mr.
5 Carr, the Carr Brothers, we do not use antibiotics unless
6 completely necessary. And I look forward to the organic
7 business.

8 We've got a lot of water on our place, and you
9 folks are going to have a hard time if you come out there
10 and try to dynamite under my creek bed. You can literally
11 put me out of business unless you can assure me that that
12 water is going to be on the other side of where this
13 pipeline comes.

14 I've been asked by the property owners, and some
15 of them will be declining their time to give me another
16 extra minute or so to address and summarize issues that are
17 of great importance to this community. And I hope that you
18 will take these issues into consideration as you make your
19 decisions regarding this project.

20 Yes, the impact on our environment is one of the
21 upmost importance to our community and hopefully you have
22 witnessed and will witness the beginnings of what this
23 community is willing to undertake in order to preserve our
24 natural resources.

25 And with a significant amount of damage done to

1 our already fragile environment across this nation, this
2 community should be held in the highest regard for its
3 determination to protect and preserve our environment.

4 The utmost respect is due these hardworking
5 property owners. Instead the property owners feel they have
6 been mistreated by Midwestern Gas. I would --

7 (APPLAUSE)

8 And I'm not here to swing low blows to this
9 company. If you can look at these folks, and I can tell you
10 by looking at them tonight, they're tired. They're tired,
11 and they're showing me expressions that they're tired. And
12 basically they're just trying to do their job as well as you
13 folks are.

14 We're doing a little more than our job here
15 tonight. We're trying to hang on to our livelihoods, our
16 families, our environment.

17 (APPLAUSE)

18 But instead of getting the utmost respect for
19 trying to save our environment, our people here have been
20 subjected to intimidation, strong-arming, trampling of the
21 rights as property owners. And above all, and I want to
22 underline this, disrespect. Disrespect.

23 (APPLAUSE)

24 We have ultimately been sued and dragged into
25 court and just because we failed to allow big business to

1 begin the process of destroying our land and the environment
2 that we love so dearly.

3 And I know it's apparent. Everyone in this room
4 loves their property. They love this country. There has
5 been a tremendous amount of emotional damage to the property
6 owners that cannot be seen by the eye. And I repeat, it
7 began when Midwestern failed to show the property owners the
8 basic respect that they most certainly are due.

9 Midwestern field reps and surveyors have pushed
10 as hard as they can to see what they could get away with,
11 almost. Almost if they were experimenting with any and
12 every tactic possible to accomplish their task.

13 Midwestern's unprofessional handling of this
14 project has created a tremendous amount of undue stress,
15 worry, anxiety, and much personal disturbance in the lives
16 of these citizens.

17 Lots of problems were created by Midwestern from
18 the very beginning of this project, and admitted to by their
19 PR personnel more than once in my presence. We feel that
20 Midwestern entered our community with a presence of
21 deception and intimidation.

22 This is evident as Midwestern stipulated in their
23 NEPA pre-filing request to Mr. Mark Robinson, Director of
24 Energy Projects, dated October the 18th 2004. On page 3
25 Stipulation 3, that Midwestern would contact each county

1 commissioner and a effected legislator prior to conducting
2 any open house or other public outreach efforts.

3 Well, Midwestern failed to do this. I don't know
4 about you, but it sends me a signal. And I understand that
5 this may not be a requirement. However, it demonstrates
6 from the onset that Midwestern didn't feel it necessary to
7 extend this fundamental courtesy. A fundamental courtesy to
8 either the landowners, our elected officials, the people who
9 we trust, we've elected.

10 We've looked at these folks to tell us something
11 about what's coming and neither did they feel it important
12 to follow the basic proposal that they sent to Mr. Robinson.
13 And as far as I know, that was their first move in the
14 direction to our community.

15 Midwestern's failure to involve our elected
16 officials has left us harmed. On the front end our
17 landowners have been impeded out of the ability to source
18 information from our officials regarding this project. And
19 this sent an early message to landowners.

20 Elected officials in the community feel like that
21 Midwestern's plan to run this show their way and they have
22 continued to bully landowners, concerning this project.

23 Mr. Gallo, you mentioned that you had meetings
24 out in the community. I want to back up and say that we
25 feel that Midwestern did not involve our officials by

1 design. It was not overlooked. It was by design.

2 These open house meetings you're referring to I
3 might add, and I don't want to offend anybody in this room,
4 but one of those meetings was in a dance hall in a tavern.
5 I had dozens of people tell me they refused to go to that
6 place because there knifing and guns and beer drinking going
7 on.

8 Now, I didn't say it happened at your meeting,
9 I'm just saying that was not a good choice of places to have
10 your meeting. And you probably didn't select that, did you,
11 Mr. Gallo?

12 MR. GALLO: No, I did not.

13 Prior to the open house meetings, Midwestern met
14 with some landowners, excuse me, seeking survey permission
15 and to inform them about the pipeline project.

16 There was no consistency or presentation from
17 Midwestern's representation and this resulted in the
18 landowners being left with limited pertinent information
19 regarding this project. But many landowners were given the
20 impression that this was a done deal. And that there was a
21 permit in the works that would definitely be granted.

22 However Midwestern representatives are very, very
23 consistent in one area, and that is flaunting their power of
24 eminent domain, and that your land will ultimately be taken.

25 (APPLAUSE)

1 disrespect this community to get a line under the ground and
2 make a few more bucks.

3 (APPLAUSE)

4 Midwestern stipulated that they would have a
5 single point of contact, and I believe that's in your pre-
6 filing agreement, and what you agreed with FERC. A person
7 the landowners could communicate with. However, and I
8 won't call any names, everybody knows who he is.

9 However, many landowners have found this person
10 at best very difficult to work with. Several conversations
11 between this contact person and landowners in total failure,
12 and frustration and again more alienation. Total
13 alienation.

14 With our group -- When our group tried to obtain
15 a map of the proposed route, it was refused. All we wanted
16 to do was get a map. I had hundreds of people call me and
17 say David, do you know where the route is going? We sent a
18 person over to the company. No, you can't have a map.

19 So your single point of contact, Midwestern it's
20 not working. It hasn't worked. This -- I'm going to wrap
21 this up. This is but a few examples of how and why
22 Midwestern's plan to gain community support for this project
23 has failed. And it's failed miserably.

24 If needed or requested by FERC, we can provide
25 more detailed documentation in the form of sworn

1 testimonies, or affidavits, substantiating Midwestern's
2 mistreatment of the landowners. If it is needed, I would be
3 happy to if requested by Midwestern, to forward a copy of my
4 expanded notes to your upper management so they can better
5 understand why you have failed on this project.

6 It has been clearly demonstrated that this
7 project will have a severely negative impact on our
8 environment. We believe that Midwestern has demonstrated
9 that their failed people handling policies and procedures
10 has already had a very negative impact on the citizens. And
11 yet necessity for this project has not yet been proven.

12 We respectfully ask FERC, that you not reward
13 Midwestern with a permit for this project. And that you not
14 reward Midwestern's behavior by allowing this project to
15 continue its intrusiveness into the lives of these citizens.

16 However, if you choose to allow continuation of
17 this project, we respectfully request that Environmental
18 Impact Statement regarding this project. But I do believe
19 to allow Midwestern Gas Company to be limited to providing
20 their own Environmental Assessment in my opinion would be
21 like allowing the fox to guard to henhouse.

22 (APPLAUSE)

23 In conclusion, I would like to thank you, members
24 of FERC, for allowing the landowners, our environmentalist,
25 our consultants, our elected officials, and others,

1 including myself. You've been very gracious. I thought you
2 might shoot me by now. But we appreciate it very much for
3 listening to our concerns. Thank you, very much.

4 (APPLAUSE)

5 MR. GALLO: Ron Briley.

6 MR. BRILEY: I'm Ronnie Briley, my last name is
7 spelled B-R-I-L-E-Y. And I'm speaking of behalf of the
8 committee concerning the wetlands and water resources and
9 the impact of this four foot ditched gutted through Sumner
10 and Trousdale Counties.

11 I'm also speaking on behalf of my mother, whose
12 farm that this pipeline, -- proposed pipeline, is going
13 through. And I'm also representing myself as a citizen of
14 Sumner County.

15 The first contact that I had with Midwestern Gas,
16 and I'll have to call Mr. Baker on all of this, but I'm
17 going to get it off my chest, was very misleading. He told
18 us that it was a done deal. That pipeline was coming
19 through and wasn't nothing we could do about it.

20 Well, I beg to differ with him tonight. It is
21 not a done deal because that's what you've just said earlier
22 in your comments. Also tonight is the first time we've seen
23 any kind of alternative routes that Midwestern is proposing.

24 As many gas lines is running through Middle
25 Tennessee, it seemed to me like it ought to be some way to

1 get the gas to whoever needs it. Cause he told us in the
2 beginning that they was going to send it to the northeastern
3 part of the United States.

4 Well, after their hand was called on that, they
5 decided they were going to send it to the southeastern or
6 eastern part of the United States. And now that the water
7 has got too hot for them, they decided that Nashville Gas is
8 going to get the majority of it, and supply --

9 (APPLAUSE)

10 Now, on our farm, and yeah, in part mine, because
11 I've put a lot of work into it. (I did, too.) Yeah, he
12 did, too. And my wife helped me and then the family done
13 all of this. And this line where it's running pert
14 diagonally, and you've heard a re-occurring theme here
15 tonight, but this line is running diagonally across people's
16 farms.

17 I don't understand that, and it won't get through
18 my thick head. But anyway, it's coming through
19 approximately 25 springs, a mile and a half from the back of
20 mama's place to my brother-in-law's place on Dobbins Pike,
21 and it's 25 springs, ponds, wells, and Whitson Springs is
22 going to be crossed three times.

23 Now, Whitson Springs supplies the water for
24 Portland, Tennessee, and it also supplies the water for
25 Franklin, Kentucky. Now, that's going to effect the water

1 supply of thousands and thousands of people. Now, you
2 figure up what the population is of what Portland, Franklin,
3 and Kentucky is and you can come up with a number that goes
4 along with it.

5 Now, I feel like an Environmental Impact Study
6 needs to be done on these particular areas. Because on our
7 farm there's a wetlands right down in the lower end of the
8 bottom, down there. There's also one right in under the
9 hill there, and also this pipeline is going within a few
10 feet of the pond whenever it comes across to start where it
11 comes across our land.

12 Then it's running a very few feet right above the
13 spring that's been a feeding us water for many years. And
14 it's still hooked up to the pump there in the basement
15 tonight.

16 And then also coming on across we've got two
17 wells and a pond on the place crossing Whitson Branch, as
18 I've already said. And then another spring over there that
19 I've been told has been running and flowing for over a
20 hundred years.

21 And what are we going to do with these wells and
22 springs whenever they come through digging this ditch, and
23 then diverting the water flow that supplies all these
24 springs and wells. Well, we'll get to that in a minute.

25 The proposed pipeline as I said where it's

1 running right across, and we've got pictures back there
2 tonight. And we didn't get them all put up of what this
3 farm looks like tonight. But where was Midwestern Gas,
4 whenever, I was just a kid down there and daddy had me
5 picking up rocks, and we picked up rocks by the thousands.
6 And I can carry you down there right now and show you where
7 a pile of them is on the back side of the place where this
8 spring that's running off another farm over there running
9 right down through the back side of the place.

10 So, we have all these wetlands running through
11 here, and that's the reason why we're asking for this
12 Environmental Impact Study to be done on all this. This
13 farm has provided food for our family. It's put a roof over
14 our heads, and its clothes on our back. And it supplied an
15 education to us to be able to get to where we're at now.
16 And I'm an American citizen and I do not understand how a
17 Private Fork Profit Company, can come in and say we're going
18 to take the right's to your land and then just -- you ain't
19 got nothing to say about it.

20 (APPLAUSE)

21 I don't know how to explain to you the value of
22 that farm. Other than the fact that the memories of growing
23 up there and the hard work that we put in, that God let us
24 have that place, there to get us down the road as far as
25 we've got now.

1 But the quality of life will truly be ruined.
2 And it's already ruined the quality of life in the last four
3 months because I've had to try to learn what a gas pipeline
4 was.

5 I didn't even know who Midwestern was. And I'm
6 ashamed to say that they'd been in Portland way too long,
7 and that they're sitting there trying to take our land right
8 now. Take the rights to it that we have worked so hard and
9 so diligently, and that's what I'm trying to say, "from my
10 heart", that I want that land left just like it is. And
11 like I said, there's pictures back there to show it.

12 (APPLAUSE)

13 Not only this land here, but it goes across on
14 Martha Jo there where she gets her drinking water from a
15 spring that goes right across Ron Ashe's land where he gets
16 his drinking water from a spring. It goes right across my
17 brother-in-laws land where my nephew gets his drinking
18 water. And we don't want Midwestern Gas, digging a ditch
19 through that place.

20 (APPLAUSE)

21 We've been told that we can't build anything if
22 they come through on this 50 foot easement. And they've
23 even reiterated that here again tonight. And I don't think
24 anybody in their right mind in this building tonight would
25 want property sitting near this pipeline or come out there

1 and buy property that they want to build a house near that
2 and raise their kids near that pipeline.

3 Yes, this proposed pipeline is also going right
4 in under our driveway, and as I've already said diagonally
5 across our land. And they telling me that I can't run a
6 bulldozer across that pipeline once it's put in the ground.

7 How in the world am I going to get it down there
8 on the lower end of the bottom? How am I going to get up
9 the driveway to be able to go up behind the barn if I want
10 to use it up there? That is questions in my mind. Are they
11 going to come down there and set it across for me? Maybe
12 they would, I don't know. But, I doubt it.

13 (APPLAUSE)

14 I guess I've said enough already. But one other
15 thing I want to say. What's the value on a well, a spring,
16 and a creek? Now, we've done heard evidence here tonight of
17 springs and creeks drying up.

18 And I know from past experience whenever we go to
19 core drilling, that the wells and springs will run muddy.
20 Now, you can't tell me that when you dig a four foot ditch
21 through a piece of property, that's not going to affect them
22 springs. It's going to dry her up, move her around.

23 And then what is the value of a spring? Is it
24 10,000 dollars, 50,000 dollars, a hundred, a million. How
25 much is a spring worth? We can live without gas, cause we

1 have done it for years and years. And then, -- We can't
2 live without water.

3 (APPLAUSE)

4 This is the last thing I'm going to say. I ask
5 you, I'm pleading with you. Don't reward Midwestern Gas,
6 with a permit to be able to build their coffers and their
7 bank account that they might be able to grow and spend money
8 and do whatever they're going to do with it. It's our
9 property. We have a right to own it. We pay taxes on it,
10 and we don't want them to have nothing to do with it. And I
11 wish they'd leave Tennessee, altogether.

12 (APPLAUSE)

13 Ever since I first heard of this, I've lost a lot
14 of sleep over this. And I know a lot of other people have
15 because I've never had anybody try to take something away
16 from me that I didn't have some way of fighting for it.

17 Well, this is the only way tonight. I'm asking
18 you as FERC, don't allow them to do this pipeline. I thank
19 you for hearing me.

20 (APPLAUSE)

21 MR. GALLO: Benita Perry.

22 MS. PERRY: My name is Benita Perry. We live at
23 795 Rock Bridge Road. We are one of the lucky one's. At
24 this point the pipeline is not coming across our property.
25 However, it is coming very close to us. And I am here to

1 help support my community.

2 Deer, raccoon, squirrels, coyote, fox, owls,
3 hawks, wild turkey, cardinals, bluejays, indigo bunnies,
4 redwing blackbirds, blue herons, blue woodpeckers, buzzards,
5 snakes, muskrats, frogs, sun perch, minnow's, and turtles,
6 this is just a few of the wild animals that are in our area,
7 and a very few of them. We enjoy these animals immensely.
8 My question is, what kind of environmental impact is this
9 pipeline going to have on this wildlife?

10 We have one of the few places in this county
11 where we can walk out the back door and see a coyote walk
12 across the backyard, or watch a deer eating from our apple
13 tree along our clear creek.

14 We have one of the few places in this community
15 where we can enjoy stepping out on the back porch and
16 listening to the song birds, or seeing the wild turkey
17 running across the yards. Hearing the frogs at night.
18 Where we can walk up and down our creek beds with our
19 children and our grandchildren and see the crawfish and the
20 little minnows running around and water spiders.

21 We don't want this pipeline because we don't want
22 the detrimental effect it's going to have on these wild
23 animals.

24 The bulldozing down of trees that's lived for thousands of
25 years, hundreds of years. The bulldozing down of the

1 undergrowth of the fence rows and around the trees in the
2 forest area.

3 That's what can destroy the wildlife habitat.
4 And when you destroy the habitat, you destroy the wildlife.
5 When you destroy the waterways as Luke's already discussed
6 here tonight, that in turn will also destroy the habitat.

7 Now, I want you to think back just a minute. I
8 want you to close your eyes and imagine yourself walking
9 through a forest with your child or your grandchild,
10 enjoying the different trees, the different windflowers, the
11 songbirds, the wild animals. And then I want you to imagine
12 walking through a forest, there's no forest. There's no
13 longer trees, there's no longer wild animals. There's no
14 longer songbirds. We've lost our tranquility.

15 If this pipeline comes in, we will not only lose
16 our tranquility we will our security. We never know when
17 this thing is going to erupt, blow up. And tet me tell you
18 one time is all it takes.

19 We've lost our property value. Nobody wants to
20 live next to a pipeline. And if we can get insurance, our
21 insurance rates will increase drastically. And all for the
22 Midwestern Gas Company to put a dollar bill in their pocket.

23 I think we need to think about one of the most
24 important things as far as environmental impact, and that is
25 the community and the people who live on this property.

1 People who own this property. The people who have been good
2 stewards and taken of this property for years and years, and
3 continue to take care of this property.

4 What kind of negative impact will this pipeline
5 have on the people who are "landowners". I think this is an
6 important issue that needs to be thought about. I think
7 it's been fairly well demonstrated right here tonight. And
8 I'd think this will be forgotten.

9 Thank you.

10 (APPLAUSE)

11 MR. GALLO: Linda Webster.

12 MS. WEBSTER: My name is Linda Webster, W-E-B-S-
13 T-E-R. I live at 199 James Penn Road, in Bethpage,
14 Tennessee. I'm one of the landowners who's being targeted
15 for the -- pipeline by Midwestern Gas Company.

16 This proposed pipeline is going to cross from one
17 side of my property to the other. To cross my property this
18 proposed pipeline will impact two creeks, two springs, four
19 ponds and possibly my only source of water, a well.

20 I attended the Midwestern Gases open house, and
21 at that open house I asked Mr. Mickelberg and some other
22 engineers about my well -- I talked with him about the
23 dangers of construction to wells, especially in limestone
24 areas and they told me -- they looked at each other and
25 said, "we have never heard of anything like that before".

1 Now, I do not want to question their integrity or
2 honesty, but I do question their ignorance because to come
3 in an area that is karsts terrain and this means that it's
4 limestone rock, as it crosses from one side from Portland to
5 Hartsville that is the only kind of terrain we have in this
6 county.

7 Now, karsts terrain means that we will have
8 sinkholes. You have springs. You have underground springs,
9 and it is a very fragile environment. It can easily be
10 destroyed.

11 In fact, when I was at the dentist, my dentist
12 had read some of the letters I've written to the local
13 paper. His son is a geology student in college. He's only
14 gone one year to college. And his son was talking to him,
15 and said "that pipeline will affect the after birth, of this
16 entire county". Now, if a college student knew that, I have
17 trouble understanding how Midwestern Gas, has never heard of
18 a well being destroyed by blasting.

19 For me to connect to city water would cost
20 between 10 and 20,000 dollars, which I don't have. I am a
21 retired school teacher. I've taught school 33 years. This
22 was my dream to continue to live on the farm and to -- my
23 son quit his job to come and help me farm. And he was going
24 to be with me tonight, but he had the flu and had to leave.

25 We are in the process of building up the herd of

1 cattle. The only water that those cattle have to drink when
2 we first buy them, we keep them in a pound for two weeks, so
3 they won't leave the farm.

4 The only water they have is our well water. If
5 they blast it, they destroy my well, I won't have any water.
6 I will be just like the gentleman that you heard speak who
7 lost his well water to a pipeline.

8 Now, what will happen to the population of
9 Tennessee if their water is from ground water. And one out
10 of five get their water from wells and springs, and I'm one
11 of those people.

12 I can't put a value on a well. There are people
13 at West Moorland, Tennessee, not far from here, that are
14 having to pack water in barrels. They don't have any water.
15 There are industries that come to Tennessee because we have
16 such an abundant water supply.

17 Everything that I've heard tonight has been about
18 water. Water, my daddy told me, is something more valuable
19 than any other resource we have. And I believe maybe not in
20 my lifetime, but in my grandchildren's lifetime, you'll see
21 that come to pass. Because we cannot live without water,
22 and we already know about the states in the United States
23 that are always fussing and arguing over one state trying to
24 take the water for use in another state.

25 Now, when I went to that meeting, had those

1 engineers said, Ms. Webster, if we destroy your well, we
2 will hook you up to city water and we will pay for your
3 water bill from now on, I might have been willing to them to
4 come on my property. But when they told me they did not
5 know anything about it, had never heard of that happening,
6 that sent up a red flag with me.

7 I know that they have been on the property next
8 to me three different times surveying with their vehicles in
9 the middle of the fields, which they said they would not put
10 vehicles on the land. I asked the property owner if he gave
11 them permission. He told me no. I stopped the survey man
12 on my road and said, Do you have permission to be on this
13 land. And he said yes, he did.

14 Now, I don't know which one of those told the
15 truth, but you can see from what you're heard tonight, what
16 you think about it. Now, the reason I saw, my mother said,
17 she's here tonight, she's 89. She says I'm going to be
18 playing Titan's because I have fought this and I am going to
19 continue to fight it for these three reasons.
20 There names are Wilson, Whyte and Wade.

21 Their names are Wilson, Wallace and Wade, and
22 they are the love of my life. And this shows them playing
23 in the creek on my farm and these are my grandchildren. And
24 my dream is to someday see them live on the farm and they
25 plan to build their house right where Midwestern Gas wants

1 to cross.

2 I don't want them to build a house there. I
3 place this pipeline with poisonous snakes. If I came to you
4 and said I want to put four snakes, poisonous, I don't care
5 what kind they are, on your property, and that's 250 acres.
6 The chances are not good that you're going to bit by a
7 rattlesnake. Most people don't ever get bit by then, but
8 the stress that those four snakes would bring every you
9 turned your grandchildren outside to play. Would be that
10 you would want to go with them.

11 The stress this is bringing into my life and all
12 these other people, is -- it's just not right. I thought I
13 lived in the United States, that I was considers a citizen.
14 That I paid taxes, that I had rights, but obviously I don't.

15 I know this land one day won't be mine. I know
16 that. We can't take anything with us when we leave here,
17 but I want to leave my children one thing. They've got a
18 grandmother and mother that just stood up for they believe
19 is right. And I'm going to continue to do that until the
20 day I die because I have to meet my Maker one day and say to
21 him, "Lord, I did what I thought you wanted me to do." And
22 so I am begging you to not give this company a permit.

23 Let me live my life in peace with my family, and
24 all the rest of the people who have spoken tonight, cause we
25 love this land. I go up and down our road picking up trash

1 that's not even mine.

2 We love it. I've spent my whole life getting excited,
3 trying to impress students of this county the importance of
4 the environment. I know what it's going to do. And they
5 can say wherever they want to, but there are many, many
6 other ways that they can do this. And I thank you for
7 listening. I really appreciate you being willing to listen
8 to so many of us vent our feelings. And I just pray that
9 you find it in your heart to think about us when you go back
10 to Washington, DC. Thank you.

11 (APPLAUSE)

12 MR. GALLO: Since it's getting late, and we
13 previously asked Dr. Wade to wait til others could speak
14 before it get's too late. It's been suggested that a number
15 of people want to hear Dr. Wade. So, is that okay by
16 everyone to let Dr. Wade speak.

17 AUDIENCE: Yes, do the rest of our landowners get
18 to speak after him, Mr. Gallo?

19 MR. GALLO: If this place is still open. If this
20 place is still open. If the building is still open.

21 MR. GALLO: Are you going to be filing this study
22 with us?

23 DR. WADE: Yes, I have a written report which is
24 in "draft" and I'll be glad to attach these to them when I
25 finalize these.

1 DR. WADE: I'm William W. Wade. I'm from Energy
2 and Water Economics of Columbia, Tennessee. Columbia,
3 Tennessee is 75 miles south of here. We are professional
4 disinterested consultants. And I've never been in Gallatin,
5 Tennessee before tonight. Growing up in Memphis many
6 decades ago, all I know about Gallatin is Randy's Records.
7 But that's a long time ago.

8 When I was asked to take on this assignment, I
9 immediately knew that I needed to call on my colleague, Bill
10 Foster, who also is a professional economist. He's
11 Executive Vice President of the firm Foster Associates in
12 Bethesda, Maryland. He's my former partner. Foster
13 associates is a 50 year old natural gas economic Consulting
14 Company, perhaps the premiere natural gas consulting
15 companies in the United States.

16 I was a part of that firm for 10 years, and a
17 partner with Bill Foster whom I knew to have readily
18 available all of the data that were necessary to evaluate
19 alternatives to MGT's Eastern Extension Pipeline Project.

20 At the presentation which I'm about to give Bill
21 Foster did the supply side and I did the demand side. Plus
22 I'm going to cut through the material three times actually,
23 and increase the levels of specificity. I'm going to just
24 do the summary findings first. And I'm just going to read
25 these.

1 I call these findings relative conclusions
2 because they're all based on the numbers another analyst
3 with another organization built the exact replicate of these
4 numbers.

5 It's just going to list 10 findings and then
6 we'll move on. And I did it this way in case you wanted to
7 cut me at two minutes, or 10 minutes, or 15 minutes or
8 something.

9 EIA data shows that natural gas growth in Metro
10 Nashville is forecast to be small. The Natural Gas
11 Distribution Company is actually a small distribution
12 company, all things considered in the United States.

13 The demands on this forecast from the EIA data
14 has grown by 25 million cubic feet a day. That's a small
15 number as we'll see. I redid the demand forecast tied to
16 Nashville's growth rate which we'll see later, and it's
17 higher. But I did 36 million cubic feet a day against the
18 demand by 2025.

19 The MGT documents make reference to Sumner and
20 Trousdale Counties. I predict that gas usage in the
21 northeast counties including Wilson in that with Sumner and
22 Trousdale will grow by less than nine million cubic feet a
23 day by 2025.

24 Fourth finding. The Eastern Extension Project is
25 not needed to meet the natural gas demand in the northeast

1 counties or Metro Nashville as we shall see.

2 The contract. MGT's contract with Piedmont Gas,
3 Nashville Gas for delivery of 120 million cubic feet a day
4 displaces gas currently delivered Nashville Gas on the
5 Tennessee Gas Pipeline.

6 Pipeline deliver ability capacity exists on the
7 Tennessee Gas and the Columbia Gulf Transmission pipelines
8 to meet the existing and the demand grown in Metro
9 Nashville. So, the existing pipelines can meet the demand
10 growth.

11 Capacity. Existing pipeline capacity will meet
12 demand growth in the Nashville Gas service area. MGT is
13 currently capable of delivering gas to Nashville Gas Company
14 at either Portland or Hartsville by swap without Eastern
15 Extension, so that if they want to bring in the Canadian
16 gas, they can get it to Portland today. Getting it to
17 Portland gets it to Nashville Gas service area.

18 Gas supplies, meaning gas behind the pipe, in the
19 jargon of FERC, it's on the Gulf Coast that reaches Metro
20 Nashville now is adequate to reach future demands.

21 Supply or delivery diversity to Metro Nashville
22 is not enhanced by the MGT Eastern Extension. That's a
23 sophisticated comment and I'll explain it in a minute. It's
24 my thought that the likely motivation for that project is to
25 move the Northern Border Alberta Gas, known as Northern

1 Border. Pipeline Company owns MGT. It's our supposition
2 that the motivation for the project is to move Canadian gas
3 south to new markets.

4 All right. I've reduced my presentation to the
5 three policy questions. Piedmont states that they want to
6 bring 80 percent of the gas into the Nashville Gas area to
7 serve residential, commercial, and industrial customers and
8 mentioning specifically Sumner and Trousdale Counties.

9 By the way Nashville Gas is about 95 percent
10 residential and commercial, very few industrial customers.
11 So I think there are three questions for FERC to consider.

12 Does Nashville Gas need the gas? Is Sumner and
13 Trousdale Counties gas usage relevant to the policy
14 question? And can gas be delivered to northeast metro
15 county by existing pipelines? So let's deal with the
16 questions one at a time.

17 Let me just answer the questions quickly and then
18 I'll explain them. First question is "Does Nashville Gas
19 need the gas"? Well, I showed before it was 25 to 36
20 million cubic feet a day -- they need some gas.

21 Is Sumner and Trousdale's demand relevant? No.
22 Can gas be delivered to northeast Metro counties now with
23 existing capacities? Yes, and delivered to East Nashville
24 as well.

25 A few notes on the demand side coming up. EIA

1 data, State data, show that gas usage through 2/03 as a
2 matter of fact, and 2/04 is an estimate, has declined in
3 recent years. Natural gas is -- 2/03 rate filing shows that
4 gas usage has declined because of per household efficiency
5 gains in appliances, and better building standards.

6 They find that Tennessee has been a little slow
7 for the last few years and higher prices. This is TVA
8 service area. Natural Gas usage is not as big here per
9 household usage. If you look at the EI data in the south
10 which is the area that they reported and I've used, is lower
11 than the rest of the country

12 So recent gas usage has been down in the State of
13 Tennessee. And I've made a forecast based on EIA's forecast
14 for the future of the next slide. The next slide shows
15 EIA's forecast for Tennessee which I've stepped down to
16 Nashville.

17 And the blue bars are the EIA forecast and the
18 red bars are my forecast which shows that the demand for gas
19 in the Nashville Gas service area will grow by 25 to 36
20 million cubic feet a day over the next 20 years.

21 What I think is really going on is that it's a
22 fact that the Tennessee Gas Pipelines contract with
23 Nashville Gas expires November 30th 2005. So that's a
24 capacity of 56 million cubic feet a day approximately equal
25 to 1000 decatherms a day.

1 And so the answer to the Policy Question No. 1
2 is, does Nashville Gas need gas equivalent to 120 or 80
3 percent of that, 96 million cubic feet a day. No.
4 They don't, they need 25 to 30.

5 Usage. And so capacity utilization to meet
6 demand, natural gas demand would never make back that
7 investment. The MGT contract with Piedmont replaces the
8 Tennessee Gas contract. While it brings Canadian gas into
9 the surface area, if it backs out Gulf coast gas, it takes
10 market away from Tennessee Gas.

11 And I'm sure the FERC representatives know that
12 Canadian Gas has peaked in production and Gulf Coast Gas is
13 increasing over the next two decades. And a lot of LNG is
14 coming into the gulf coast over the next 15 years.

15 Let's move on to Policy Questions 2. Are demands
16 over at the northeast counties relevant to the policy
17 question? Take a look at the map. So again for the
18 gentlemen from the district, the northeast counties that
19 I've tabulated are Sumner, Trousdale and Wilson.

20 The next chart shows Cumberland region,
21 Tomorrow's Gas Use Forecast which is prepared by the
22 Tennessee Center for Business and Economic Research. These
23 are their population forecasts guiding regional planning
24 currently.

25 The important numbers to keep in your mind are

1 that my Nashville Demand Forecast which I previously showed
2 you was driven by that 1.5 percent growth rate for the Metro
3 Nashville area. Of course it's always dangerous to assume a
4 constant growth when doing a demand forecast because it
5 leaves out a lot of factual determinants of demand change,
6 like increasing efficiency, prices and so forth. But, it's
7 an easy and has a certain common sense to it.

8 So my Metro Nashville forecast which gets the 36
9 million cubic feet a day increases the demand by 2025 is
10 driven by that one and a half percent. The faster growth
11 rate -- it's a fact that the northeast counties have a
12 faster growth, but they have a small base. They're only 19
13 percent of the total metro population in the year 2000
14 census. Their population is forecast to grow faster at 1.8
15 percent.

16 So is the northeast counties gas usage remotely
17 relevant to the policy question? And the answer is, when
18 you work through the numbers, the increase in demand for the
19 northeast counties is 8.4 million cubic feet a day by 2025.
20 Current usage is 15 million cubic feet a day which only
21 increases to 24, and those numbers are rounded and I'm
22 rounding the numbers at 7.4.

23 So the answer to Policy Question No. 2, "is the
24 demand in the northeast counties remotely relevant to the
25 policy decision"? The answer is no.

1 All right. Let's get to the more detailed and
2 more perhaps interesting questions. Can gas be delivered to
3 the northeast metro counties by existing pipelines?

4 And I'm keying on the northeast or the east side
5 because some of the filings by MGT have keyed on demand
6 growth on the east side of Nashville as motivating the
7 project.

8 Let's take a look at my next map. And let's get
9 straight what the pipelines are that are coming through
10 Middle Tennessee right now. Counting the MGT capacity,
11 approximately 7.4 billion cubic feet a day of capacity comes
12 to or through Middle Tennessee. It comes right through
13 here, basically.

14 On the left side you have the three legs of the
15 Tennessee Natural Gas Pipeline come together right around
16 Nashville. They come from the Eastern Gulf, Central Gulfs
17 and Gulf Coast of Texas. The Tennessee Gas Pipelines come
18 together in Tennessee bringing 2.4 billion cubic feet a day
19 of capacity to and through the state. Texas Eastern comes
20 through Hartsville. The Tennessee Gas Pipeline flows
21 through Portland. Texas Eastern 2.2 billion cubic feet a
22 day comes through Hartsville, and Columbia Gulf at about 2.1
23 billion cubic feet a day comes right up the east side of
24 Nashville Gas service territory.

25 With this we will see capacity to deliver the gas

1 directly where MGT says is needed and they want to get to
2 Hartsville. So, there's a lot of capacity coming through
3 Middle Tennessee right now today. And MGT could bring 650
4 million cubic feet a day of Canadian gas down from Chicago
5 to Portland right now today. So, once you get to Portland,
6 you're in Nashville Gas service area.

7 Take a look at the project on the next page,
8 please. So this is the MGT graphic which I copied from
9 their website. Keep in mind to summerize, Tennessee Gas
10 passes through Portland. CGT and Texas Eastern Gas through
11 Hartsville. And East Tennessee Gas which I didn't mention
12 on the previous chart, runs east from Greenbrier to
13 Hartsville passing from the Tennessee Gas Pipeline to the
14 CGT pipeline and continuing east to serve markets to the
15 east, largely in East Tennessee.

16 Next chart. This is a representative chart in
17 that it's a snapshot of capacity at a day. I spoke to
18 representatives of CGT and the bottom line point is that CGT
19 pipeline runs right through the east side of Nashville Gas
20 Service area and they have capacity to serve as two members
21 of management of CGT have confirmed to me this weekend last.

22 MR. GALLO: Excuse me, sir. Did they say where
23 that capacity is from all the way from the Gulf Coast?

24 DR. WADE: It comes from the Gulf Coast, yes.

25 MR. GALLO: Okay. So they have capacities all

1 the way from the Gulf Coast.

2 DR. WADE: They've got a capacity all the way.

3 MR. GALLO: Okay. And capacity up to here.

4 DR. WADE: Next chart. Tennessee Gas -- Let's
5 not do the numbers. Tennessee Gas has capacity to deliver
6 gas from Nashville. After all they have the contract now.
7 And MGT will back out 56 thousand decatherms of Tennessee
8 Gas. Tennessee Gas confirmed to me they can deliver to
9 Nashville or they can connect to East Tennessee Gas at
10 Greenbrier which -- Let's go to the next one.

11 Mr. Spear, I think was the first speaker up this
12 morning, and he said, "can't they swap the gas around"? And
13 the answer is, yes. Yes, MGT could bring that gas to
14 Portland and deliver it to Tennessee Gas, and those
15 molecules could continue northeast with the flow of the
16 pipeline. And Tennessee gas could deliver gas directly to
17 the East Tennessee interchange at Greenbrier, which would
18 then connect with the CGT pipeline at Hartsville.

19 It's standard business practice. So, there is
20 pipe in the ground that can get the gas to the east side of
21 Nashville if that is the objective.

22 So let's answer Policy Question 3, the answer is
23 yes. Existing pipeline capacity in the ground can deliver
24 the gas. And by the way there is gas supply available at
25 least through the forecast period I've dealt with 2025 to

1 meet growing demand which is a very small quantity of
2 growth.

3 There's 25 to 35 million cubic feet a day of
4 growth. Think of it as a an enumerator. Over a pipeline
5 capacity existing in the ground today, 7.4 billion cubic
6 feet a day of capacity. Yes, gas could be delivered from
7 the Gulf Coast to Nashville by Tennessee Gas and CGT.

8 By the way my presentation has left out Texas
9 Eastern because Bill Foster felt that Texas Eastern's
10 capacity might be booked. So in the limited time we had, we
11 did not investigate further.

12 MR. GALLO: Is there availability of gas supply,
13 does that assume or presume that's with LNG coming on, or
14 are you just talking about existing sources?

15 DR. WADE: Increasing production from the deep
16 water gulf and L&G.

17 MR. GALLO: Thank you. Sorry to interrupt.

18 DR. WADE: So both have capacity and both
19 expressed to me personally the ability and willingness to
20 serve Piedmont National Gas. CGT passes right through the
21 east side of the service area which MGT has made a point of.
22 This is where we need to get the gas. And I made the point
23 that gas for the demand over there is very small anyway and
24 not growing but by very small amounts.

25 And a backhaul swap as Mr. Spear hypothesized

1 three hours ago over Tennessee Gas and East Tennessee Gas
2 could move to MGT gas to the east side of Nashville. So, if
3 you wanted to bring Canadian Gas in, you can do it now. And
4 there's abundant Gulf Coast gas and deliver ability to
5 continue simply bringing the gas from the Gulf Coast as is
6 now done.

7 Thank you.

8 (APPLAUSE)

9 DR. WADE: By the way, Mr. Chairman, as a member
10 of the Physical Science of Economics, I just want to
11 personally thank you for having me follow those inspiring
12 speeches.

13 DR. WADE: Thank you.

14 MR. GALLO: Yes, sir. Dr. Wade, are you going to
15 be filing this study with us.

16 DR. WADE: Yes, I have a written report which is
17 draft enclosed, and I'll be glad to attach these to them
18 when I finalize these.

19 MR. GALLO: We're going to take a 10 minute
20 recess, and then we'll pick it up.

21 (Recess @ 10:13:12 PM - 10:25:50 PM)

22 MR. GALLO: Next up we have Martha Finmore and
23 after Martha will be Alexis Wallace.

24 MS. WALLACE: She'll decline.

25 MR. GALLO: After May Fuentes and now we're ready

1 for Michael Dubois.

2 MS. GEORGIADES: My name is May Georgiades, G-E-
3 O-R-G-I-A-D-D-E-S. I live out on Fowler Ford Road. I
4 wasn't going to speak tonight, but my husband spoke earlier,
5 and I feel compelled that I need to tell you our story. He
6 went to Vietnam. He has two Purple Hearts, came home. We
7 raised a family, and he became a manager for an insurance
8 company. About four years ago the war came back to haunt
9 him.

10 We lived in town. About four years ago my
11 husband became totally disabled, and we lived in town. He
12 was told that we needed to move out where he could have
13 peace and quiet. So, we found property about six miles
14 outside of Portland about a year ago, a little over a year
15 ago.

16 One day this man knocked on my door. I didn't
17 know him, I was home alone. He said he was representing
18 Midwestern Gas, and they were going to put a pipeline
19 through our property. And I said, well, I don't think
20 that's going to happen. He said, I'll be back and I'll talk
21 to your husband. Which he did talk to my husband. My
22 husband went to the meetings and everything. And they have
23 moved the gas line. A creek runs at the back part of our
24 property where he goes and sits and gets peace of mind,
25 emotional and environmental I guess you'd call it.

1 But anyway they have moved -- our understanding
2 is the pipeline comes across from the other side of the
3 creek. If they come through there and they take that area,
4 that's still going to be messed up. Because he goes back
5 there in the trees, the water, everything he can enjoy is
6 going to be taken away. So, I'm asking you please, please do
7 an environmental study. There's streams back there, natural
8 streams, natural fields and trees that will be taken away.
9 Ron Ashe is our neighbor, and we doesn't want it even on
10 their property.

11 And I certainly thank you, thank you, thank you,
12 for listening to me tonight.

13 Thank you.

14 (APPLAUSE)

15 MR. GALLO: Martha Warren, and next up would be
16 Scott Watson.

17 MR. DUBOIS: My name is Michael A. Dubois, D-U-B-
18 O-I-S. And I'm a Cajun from Louisiana, and I moved about 16
19 years ago. I used to be a pipeliner. I ran a bunch of
20 pipelines from the Gulf of Mexico all the way up to Canada.

21 And the way this gas company is trying to get
22 around these people, they're trying to hoodoo them too much.
23 They have enough gas and gas pipelines in the State of
24 Tennessee to support everybody that's in the State of
25 Tennessee, Kentucky, Alabama, Georgia, and surrounding

1 states.

2 They have enough oil and gas that run through
3 this area that would supply us and you all, your children,
4 and your grandchildren, and your great grandchildren that
5 would ever be born in you all's lifetime. They have that
6 much in the Gulf. They have platforms off shore that have
7 40 wells to the platform that's never had a pipeline put to
8 them. They've been sitting there since I was a young man.

9 Whenever I come back from Vietnam, I did the same
10 thing again. I went right back on the pipeline again, and I
11 was on the Alaskan pipeline. I did a lot in California,
12 Texas, Oklahoma. I've done "run" a bit.

13 And these people say they can guarantee these
14 pipelines don't -- are in real good shape. They're going to
15 line them, they're going to last for years. And that's
16 false. That is a lie because we've run some pipelines that
17 were in the ground less than a year that were coated and
18 concreted that blew up, and knocked houses off their
19 foundations for miles surrounding the area. Burned the
20 complete subdivision down, 200,000 dollar homes. It was
21 gone in a matter of just a few hours. And the line burned
22 for seven days straight even with cutoff valves on both ends
23 within about 10 miles. Burned for seven days.

24 Luckily they didn't have any lives lost, but my
25 house was knocked off its foundation. And I lived just a

1 mile away. How many of you all have a pipeline passing
2 either close or through your property. Any of you all from
3 Midwestern Gas? Does any of you all have any? You all
4 wouldn't get close to one because you all know what it can
5 do. And you all are trying to hoo-doo these people to where
6 they can get a pipeline through just to put money in you
7 all's pocket. And let these people ruin their lives and
8 their homes for nothing. You've been looking --

9 (APPLAUSE)

10 That's the God's honest truth. And if anybody
11 has any questions, I'll be glad to answer them in any kind
12 of way, shape or form. You can reach me at 325-5544, my
13 home number, and I have an answering machine too. If you
14 let it ring three rings, and if I don't make it there, I
15 pick it up soon. Thank you. (APPLAUSE)

16 MR. GALLO: Mike Warren.

17 MR. WARREN: I decline, but thank you.

18 MR. GALLO: Wanda Hamshoe, and the next up would
19 be Jane Severs.

20 MS. HAMSHOE: I'm Wanda Hamshoe, thank you Mr.
21 Gallo, for this opportunity to speak. I'd like to tell you
22 about our family farm. We have lived there for 40 years.
23 It has been in our family for 40 years. It's at 1310 Rock
24 Bridge Road.

25 It's 153 acres. It has three ponds on it. It

1 has several springs. It has one spring that a neighbor,
2 that is her source of water. It has several creeks. We
3 thought soon there would be three generations living on that
4 farm.

5 This picture here is where my son has his heart
6 set on living. This is where they have their eye on the
7 property. I have two grandchildren that I do not want
8 playing near a pipeline.

9 There will never be any more land. This land is
10 our land. It belongs to us. We don't want them to take our
11 land not at any price. Not at any price. So, I'm asking
12 you to deny them the permit to go through our land. Thank
13 you.

14 (APPLAUSE)

15 MS. SEVER'S' Thank you gentlemen, for coming to
16 be with us. I never thought I would be speaking to the NRC
17 again. I'm a retired military person and I'm a little
18 different from these people, but I fully respect you people.
19 And I know the job that you all do.

20 I hope that if this thing is approved, that you
21 will be the nitpickers that I know you are. I know you're
22 going to make right when it gets here please.

23 The one thing that bothers me more than anything
24 is the fact that I have a farm at drop-off creek, which is a
25 water line and it goes across this line. There's 75 acres

1 there. And the water line goes there and it feeds Bethpage
2 Community. It is Castalian Springs Water line.

3 I let it go across my land because I felt it was
4 good for my neighbors. And I just feel like -- This hasn't
5 been brought up tonight to my knowledge.

6 And I think it would -- there are a lot of people
7 in Bethpage that this would hurt if something happened to
8 that line. Of course it's a plastic line, and it's not a
9 metal line like your pipeline is.

10 The other thing that bothers me is the fact that
11 originally I was involved with the American Legion contest
12 which is -- concerned with our constitution. And the more I
13 read the constitution the more I wonder what has happened to
14 our country now where it has become more of a of, for and by
15 the big corporations than it is of, for and by the people.

16 And I hope you all won't make this happen to us.
17 Thank you.

18 (APPLAUSE)

19 MR. GALLO: Hugh Carr.

20 MR. CARR: Mr. Gallo, I decline, let someone else
21 have my time.

22 MR. GALLO: Christine Cox.

23 MS. COX: Mr. Gallo, I really appreciate you
24 listening to us.

25 MR. GALLO: You're welcome.

1 Calvin Kirkham.

2 MR. KIRKHAM: I am going to let some other people
3 speak.

4 MR. GALLO: James Baker.
5 And Brenda Carter, you follow him.

6 MR. BAKER: As the others, sir, I would like to
7 thank you first for letting me have my time. Most of what I
8 wanted to say has been said, so I'm going to be pretty
9 short.

10 As Wayne early on said, "I am now disabled". It
11 didn't happen serving my country even though I did. Last
12 summer I finally kind of got things going. My wife and I
13 decided to pay our house off because of what I'm getting a
14 month, we can't make a house note and eat.

15 Why do I say that. We thought we had some peace
16 of mind after four hard years, three and a half maybe.

17 A couple of months later this came up. My
18 stomach is in a knot now and it has been since. And that's
19 the God's truth, and my doctor will attest to it.

20 And why is it in such a knot? One, I have a real
21 problem with people trying to take something away from me
22 that I have worked hard and bought and paid for.

23 My house is not 150 years old, it's 11 years old.
24 And this pipeline according to the State, with a 100 foot
25 tape measured about 60 feet from the base of my house.

1 I think that's way too close. If it was in the
2 northern part of Canada I think it's too close. Because
3 it's been proven, it's not needed.

4 And I just really have a problem with somebody
5 trying to take something away from me. Again, most of it
6 has been said. And this is supposed to be America, where we
7 have the land of the free. I thought once I got it paid
8 for, if I could keep my taxes paid, I could keep my house.
9 But, we darn near lost it. I know what that feels like,
10 too.

11 I don't like losing, and I just want to make a
12 point that I do not want this time bomb beside me. I know
13 they have good safety record. Gas lines all across the
14 country. Doesn't matter who owns it, but they blow up.
15 I've been doing a lot of research. I sometimes wish I
16 hadn't. Thank you for your time.

17 (APPLAUSE)

18 MS. CARTER: Good evening, my name is Brenda
19 Carter, C-A-R-T-E-R, 1520 Lauderdale Lane, Bethpage,
20 Tennessee. Mr. Gallo, thank you for your, and your staff,
21 for your patience also. I've called you several times with
22 some probably trivial or silly questions maybe, but anyway
23 nonetheless, I appreciate your patience and your endurance
24 tonight.

25 I'll be very brief. I am one of the landowners

1 being sued for the condemnation or whatever its called. I'm
2 a career educator in some of the country. And in the
3 terminology of the Honorable Senator Lamar Alexander, I'm a
4 Career Level 3 Educator. That term is becoming outdated,
5 but anyway. Obviously as a teacher along with my husband,
6 our farm is the major investment of our lifetime of work.
7 This proposed route and there's a key word that comes up,
8 you can fill in the blank, is diagonal across a 170 acre
9 farm. It would obviously devalue that farm, and the options
10 that we would have to choose from to use that land. People
11 sometimes use their land as an asset to develop, to pass on.
12 To use to support them in retirement, if you get my point.

13 My second major concern of course is
14 environmental that we've been over many times. I'm not an
15 environmental scientist. I don't have that knowledge. I
16 don't know the effects on the springs on our farm,
17 underground waterways, creeks, things like that.

18 But I would like to respectfully ask you again
19 for an Environmental Impact Study not done lightly or
20 briefly, but extensively over the entire route especially
21 with the effects of the waterway. And also done jointly.

22 I would also like to say regarding the
23 archeological sites, and I know you must think that there's
24 an Indian behind every tree growing from what you've heard
25 tonight. But this country is -- this county is especially

1 rich with history from the development from settlers and
2 from Indians. There are early settlements on our farm, are
3 in fact, are very easily found.

4 We have people that come when we're cultivating.
5 After it rains, of course is the best time to look when the
6 ground is tilled and you can see the flint. And many of
7 those are found, fortunately enough are even broken.
8 Sometimes they find them perfectly. There are Indian tools.
9 Obviously, there were some farmers that lived there long
10 ago.

11 I still feel like even though I did mention those
12 things, that those things should be researched by an
13 appropriate -- appropriately trained person to evaluate if
14 you're going to damage these sites. Once you start, they
15 will be gone forever. And I would like to know their value
16 and not lose what is captured there.

17 The last point I have is personal and it's just a
18 small thing in the scope of many things that were mentioned
19 here tonight. And I guess it would be an example that would
20 back up Mr. Baker's comments. I only know from my own frame
21 of reference. I have talked with representatives of
22 Midwestern Gas on the telephone.

23 But my own personal encounter with the employee
24 was on a Saturday morning when I was exercising the
25 opportunity to hopefully sleep a little while. I woke up to

1 the sound of my daughter screaming from her bedroom.
2 There's a man in my window. There's a man looking in my
3 window.

4 That's not a good thing to hear when you wake
5 because, for obvious reasons. I tried to get up and go down
6 the hallway. Meanwhile my other daughter has her visiting
7 Australian Shepherd dog. And anyone acquainted with that
8 species knows they're very territorial.

9 It launched across my daughter's bed into the
10 blinds and into the window. My daughter screaming, the
11 man's beating on my window, go to the door. It wasn't
12 funny. It sounds comical at the moment to tell it. I did
13 go to the door.

14 The man was wearing a brown jacket, matching
15 brown hat with a logo that said something like "Court" but
16 couldn't swear to that. It was embroidered on it. I asked
17 him for identification. He offered me none.

18 I noticed he was driving a small truck with a
19 license plate from Texas which means nothing probably. But
20 I was trying to salvage the situation, but it became evident
21 because he handed me a summons or what appeared to be a
22 summons. All the handwriting was the same. I was not asked
23 to sign anything. I was unfamiliar with that procedure.
24 So, I took my paper and he left.

25 On the first working day which I believe was

1 Tuesday of that week, instead of Monday, I called our
2 clerk's office. Mahallia Hughes, just to inquire about this.
3 Was this proper? Did I really truly have a summons? Was
4 that what that piece of paper was? Was it legitimate
5 because of the way I received ti.

6 The first thing she said, it wasn't the Sheriff's
7 employee, was it? Of course not. The Sheriff's employees
8 of our county are welcome on our property, and have never
9 conducted themselves in such an inappropriate and
10 disrespectful manner.

11 Now, that's a small thing. It sets a feeling
12 though. They did tell me if I wanted to inquire further, I
13 could call the attorney's office that was representing and
14 then that obviously they had hired this person to serve me
15 the papers. I did not pursue that. It didn't seem worth the
16 time. I knew what was up at that point.

17 This kind of behavior -- I know this is an
18 extension, an employee on down the line. But, in the
19 management system that I work in and in some of the Sumner
20 county schools, I have a boss that I'm responsible to and
21 that person has a boss. And we answer for our behavior, and
22 we are a part of that company that serves this community.

23 I want to say to you that I feel this is a threat
24 from all levels. I felt it was personal. I felt it was
25 something that was disrespectful to my home and to my child,

1 especially.

2 In this process you must consider this. It would
3 be my request to ask you to please not allow a permit for
4 this gas project to go forward.

5 I have appreciated all along your patience in
6 answering questions. I've especially appreciated our
7 elected representatives, Representative McDonald, Senator
8 Dianne Black, Representatives from -- Congressman's Boyd's
9 office. They have been fantastic, consistent, and vocal
10 about their concerns. Thank you for your consideration.

11 (APPLAUSE)

12 MR. GALLO: Frank Flynn.
13 and Eric Weaver to follow him.

14 MR. FLYNN: Thank you, Mr. Gallo. I'm going to
15 introduce myself to my clients are here. I'm the lawyer
16 that represents the stock organization, and I've represented
17 a great majority of the property owners who've been serve
18 with legal papers that they're all complaining about.

19 You know, when I graduated from law school from
20 the University of Tennessee in 1973, the very first lawsuit
21 that I filed was a suit against the Tennessee Valley
22 Authority to try to stop them from putting a dam on the Duck
23 River in Columbia, Tennessee. It was a 265 million dollar
24 project. And we challenged the Environmental Impact
25 Statement and pursued new trials in federal court. The

1 judge entered an injunction and shut down the project.

2 And I've been intimately familiar with the
3 Environmental Assessment and Environmental Impact Statement
4 processes in the more than 30 years since I resolved that
5 case. And you can go to Columbia, Tennessee today
6 thankfully and there is still no dam on the Duck River in
7 Columbia, Tennessee.

8 Because of that familiarity with that case, and
9 the other ones I've had involving the Environmental process,
10 I want to urge FERC to not allow the process. I want firm
11 use to not allow a superficial environmental assessment
12 conducted by and paid for by the applicant as a method of
13 sidestepping the statutory mandates of the environmental
14 review process that we believe the facts of this case
15 require the full-blown Environmental Impact Statement.

16 And maybe I can give you just a few quick
17 examples cause I want to hear from some more of the property
18 owners. I appreciate everyone of them that's coming up here
19 to speak. I know from whence they have spoken.

20 I was born and raised on a farm that's been in my
21 family almost a 100 years. And my cousin lives on the
22 family farm that in three or four years will have been in
23 our family 200 years. My great, great grandfather opened a
24 store on that farm in 1829. And my cousin's wife still
25 operates Fly's Grocery on that farm today.

1 We had a gas pipeline that didn't cross our land
2 1966, but it crossed the neighbor's land. And we always --
3 Well, when you grow up with your neighbors, you don't worry
4 about much in this town do you. I would hike, hunt, fish,
5 and swim on everybody's land and they did on ours, and
6 nobody worried about it. We even crossed that -- There was
7 a beautiful woods back in Grapevine Hollow and you know
8 what's on the top of Hickory Ridge and down toward Stone
9 Creek Bluff. We would come to this wide expanse about the
10 width or the length of this room that looked like a --
11 That's where the pipeline was. There were no trees, no
12 bushes, a little bit of grass. They would fly over that
13 once a year and spray it with some form of defoliant. We
14 called it Indian Orange. That's when we learned what Indian
15 Orange. We couldn't tell a spring from a helicopter.

16 I was glad to go to Vietnam June the 7th 1968. I
17 know the conditions you are talking about. Half of our
18 platoon at MTSU, never made it back alive. And I wasn't
19 supposed to speak about that.

20 The people who have spoken here tonight are the
21 salt of the earth in the State of Tennessee. They deserve
22 to have you take a hard look at the environmental
23 circumstances surrounding this pipeline proposal.

24 For example, in each state in Missouri you take a
25 hard look at the environmental issues. We have heard

1 tonight that almost half of the survey results on the map
2 show that the people along the proposed pipeline route get
3 their domestic water supplies from the streams and wells. I
4 don't think you will find that ratio very many places?. I
5 think that ratio deserves a hard look. And we've been told
6 tonight about historical ratios historical resources. I
7 want everybody to understand that the Environmental Impact
8 Statement process is not simply about the birds and bees,
9 and the water and the land. It's a total review that
10 includes a review of historical places. We've been told
11 about having their own homes, farms in the family for a 100
12 years. We've been told that is under this first pre Indian
13 sites, Indian burial grounds and I know for a fact there are
14 a number of ceremonial mountains and the urban pyramids in
15 this period that are one or two thousand years old. One of
16 the largest pyramids in Tennessee.

17 We need to have a hard look at environmental
18 impact study. I don't think that's possible. I urge you to
19 require a full environmental study. I don't think this
20 project can stand the light of day if that is done. Thank
21 you very much.

22 (APPLAUSE)

23 MR. GALLO: ERIC ABRAMS, Faye Saunders, Brian
24 Wright,

25 MR. GALLO: Mary Neighbors followed by Kay

1 Saunders. Brian Wright.

2 MR. WRIGHT: First I would like to thank you for
3 being here tonight and taking time to listen to us even
4 though I think all are all about ready for bed. My name is
5 Brian Wright, W-R-I-G-H-T.

6 Tonight I represent myself. My mother is a
7 landowner. My grandmother is a landowner over on Rock
8 Bridge Road. We also own property on James Penn Lane close
9 to Ms. Webster. It's going to cross both pieces of property
10 if we understand the map right.

11 And the way the pipeline looks at this time, like
12 it will cross the route and possibly permanently destroy a
13 pond that we use for watering the livestock that's on one
14 side of our property. There are no other sources of water
15 on that side at this time. They would also cross over a
16 very important creek that we use also for another part of
17 our property to water our livestock.

18 I'm very concerned about the overall
19 environmental impact. We have the pleasure of seeing all
20 sorts of wildlife. Everything from obviously the common deer
21 too -- we've seen Bald Eagles on the place a time or two.
22 So, it very much concerns me the idea that the damage can be
23 done to our environment. I do ask for a full Environmental
24 Impact Study be done. Once again, I thank you for your
25 time.

1 (APPLAUSE)

2 MR. GALLO: J. W. Dye. Billy Mills. Wanda
3 Harper.

4 MR. DYE: I'm J. W. Dye from Portland. My wife
5 and I own two farms there, and I'd like to discuss each one
6 of them with you. The first one, when these people came to
7 town, they showed me a map where the line was proposed to
8 be. We had a meeting later in Portland, and I went to it,
9 and they showed me a second map and the line was changed.
10 They surveyed the property and it's in a third place.

11 Three times I have told them there were springs
12 on this property that I watered my cattle out of the
13 branches. They ran 12 months during the year. We're in a
14 limestone area and have sink holes Karsts Terrain. And
15 anyone knows that when you have limestone areas, water is
16 underground and changes its course.

17 Now when they made that survey the largest spring
18 that feeds the branch is within the 50 feet that they
19 propose to use. You and I both know if they run a line
20 through that they could cause this spring to change its
21 course. I wouldn't have any water.

22 After they made this survey, I wrote a letter on
23 December the 9th to FERC. You've probably have seen the
24 copy. I'll read a portion of it. I said, "I'm firmly
25 opposed to the project for the following reasons. There is

1 a permanent stream of water that begins on the property that
2 is well fed by three springs.

3 The proposed pipeline is to cross within a few
4 feet of these springs. I water cattle out of those springs
5 12 months a year. This property is in an area, and I will
6 repeat myself, a limestone area, has sinkholes and so forth.

7 By placing the pipeline across this channel
8 around the springs, the flow of water underground could be
9 changed and I will be -- would have no water.

10 You received a copy of this. At the time I wrote
11 this, I hadn't been given instructions that I could send
12 three letters and designate where they would go. I only
13 sent one letter. I did certify it. I paid for the "return
14 receipt". I have them here.

15 Midwestern has been contacted on this. I have a
16 letter from them. They want to meet with me. They think
17 there's a misunderstanding. I think so, too.

18 We own another piece of property on Denning Ford
19 Road. It is the first farm outside the city limits.
20 They've surveyed that. They have run their line right
21 along Denning Ford Road.

22 Now, I can't subdivide that because who would
23 want to put a driveway across a pipeline? With reference to
24 the other farm that I had just mentioned, on both sides of
25 this property, it has all ready been subdivided.

1 There are homes on both sides of my property.
2 Recently built, and valued at 100,000, 200,000, to 250,000
3 dollars. These people have signed petitions objecting to
4 this project, that have property lines adjoining me. This
5 will devalue that land, too.

6 I haven't heard anyone mention tonight what
7 digging a trench across their farm would do toward this
8 productivity. We have literature from Midwestern that says,
9 "they will try to put the land back as it was and leave it
10 that way". They can't do that.

11 Once you have incorporated subsoil in with your
12 topsoil, your productivity is not there anymore. The ph
13 factor has been changed. All of your fertility has been
14 changed. Its ability to produce has been changed for many,
15 many years. I thank you very much.

16 (APPLAUSE)

17 MR. GALLO: Gary Mount, Wanda Kirkham.

18 MS. KIRKHAM: My name is Wanda Kirkham, K-I-R-K-
19 H-A-M. I know it's late and I know everyone is tired. And
20 I'm not -- cause my concerns have already been addressed
21 tonight. And I just want it on the record that this
22 pipeline is coming across our farm that's been in the family
23 for a hundred years. It's going to go from one side all the
24 way across the road to cross the other side.

25 We want to go on record to oppose it, and I want

1 to -- So, I want to tell you that this group of people here
2 tonight are some of the finest people not only in Sumner
3 County but in this country. Thank you.

4 (APPLAUSE)

5 MR. GALLO: Ms. Mary Wallingford.

6 AUDIENCE: Ms. Mary had to leave.

7 MR. GALLO: Thank you.

8 MS. BRILEY: My name is Glenda Briley, B-R-I-L-E-
9 Y. And there's not much left for me to say after Ronnie got
10 through, but he did fail to say that his mother was not here
11 tonight. She's home sick. We thought she had the flu, but
12 only had a viral infection.

13 She has had cancer this year. Now, she's having
14 to deal with this. And this is just too much, it's just too
15 much. My father-in-law passed away in 2000. I have two
16 sons and a daughter-in-law and the grandchildren have been
17 left to do what we can. We can't do anything about this.
18 We don't understand why this has to happen for our family.
19 She has had enough, she doesn't need this. We appreciate
20 you coming and listening to us. Thank you.

21 (APPLAUSE)

22 MR. GALLO: Mary Nagy.

23 Danny Dishman, and Kenneth Wilber.

24 MR WILBER: Thank you, Mr. Gallo. My name is
25 Kenneth Wilber, W-I-L-B-E-R. I live at 118 Torrence Nell

1 Boulevard, Portland, Tennessee. The route of the pipeline
2 disturbs me very deeply, especially the location in
3 reference to the Portland Water Treatment Plant, Drake and
4 Danforth Creeks in our water distribution system. I served
5 on the City Counsel for eight years, was recently employed
6 by the City of Portland's Public Works Superintendent. My
7 duties include oversight of the water system.

8 I'm also speaking as a very concerned customer of
9 the Portland Water System. The water system served not only
10 the citizen of Portland, but some surrounding communities in
11 Sumner and Robertson Counties.

12 The system provides water for approximately two
13 hundred miles and all the people in this area. The late
14 summer of 2002, the city started operating the new 4
15 million dollar water system. One, this site has built a new
16 water treatment plant, and other structures that were needed
17 to produce and deliver water.

18 We had more than our share of problems in the
19 transition, and we learned how vital the water supply is to
20 our customers, not only residential but commercial,
21 industrial, agricultural, schools, a local hospital, and our
22 area fire departments.

23 The proposed pipeline will be within a few
24 hundred feet of our plant and might go over or under our new
25 brown water intake line. There's tremendous amount of rock

1 in this area, and I know first hand because it blocked my
2 original construction plan.

3 During the construction pipeline blasting, over-
4 ending rock, saws or other methods have to be used that can
5 be very destructive. Dislocation of our concrete tank,
6 lines, water plant, raw water pumping stations, a man-made
7 dam on our city lake which is used as a backup water supply
8 and other items necessary to make and deliver potable water.

9 Also in this area, are several caves and
10 sinkholes that could be destroyed or compromised by
11 aggressive construction methods.

12 At the present, the construction practices are to
13 close to our lake and Drakes Creek which is our main source
14 of water supply. And there's always a possibility of
15 sinking the creek, or rerouting it with a pipeline truck.

16 The pipeline will actually cross Drakes Creek in
17 an area close to the pump station that feeds the same panel
18 in Oak Grove Community. It also crosses Hendersonville
19 Creek which feeds the Drakes Creek.

20 Portland has plans to build a new reservoir at
21 Cook Creek. I already have a permit for this reservoir and
22 have purchased most of the property. This would be the
23 future water supply for Portland and surrounding area.

24 Our major concern includes the environmental
25 impact, that this line will have on our streams and creeks

1 in our rural small town environment. The construction of
2 this line could jeopardize the water supply of Portland. We
3 need to leave the community as good as we can.

4 I ask you to deny this permit and to please --

5 (APPLAUSE)

6 MR. GALLO: Rachel Wilson.

7 MS. WILSON: I decline.

8 MR. GALLO: Robert Rock.

9 MR. LOTT: I decline.

10 MR. GALLO: Charles Smith

11 Good evening, thank you for your time in coming
12 and hearing our concerns tonight. I am before you tonight
13 as a fire official for the City of Portland, an officer
14 under the Sumner County Emergency Management, also as the
15 Sumner Agriculturalist.

16 I wear a number of hats in this county and in the
17 community in which I serve. My first concern is of the
18 Drakes Creek Watershed and the Kingsford Watershed and the
19 Whitson Branch Watershed. As Kent has already stated, these
20 are our areas in which we draw our raw water service for the
21 City of Portland. Also Franklin Kentucky and Simpson
22 County, and the Simpson County Water Board also uses these
23 same watersheds.

24 In speaking with the Public Works Director in
25 Franklin Kentucky today, he had not received notice of our

1 meeting tonight from either side, and was not able to be
2 with us. He wished me to extend that he wished he had been
3 notified where he could have participated. Since this
4 project is impacting the area in which they do draw part of
5 their resources.

6 Now, the bern of this watershed which feeds deep
7 in this culture along with other countless number of
8 streams, private springs and wells that traveling visitors
9 used. We're charged with protecting and that comes from
10 the director of Homeland Security, Tom Ridge.

11 And many studies that have been conducted, clean
12 water is just one of the most basic necessities for day to
13 day life.

14 It is one thing that we can not readily replace, if our
15 resources are limited to us. This has also been a charge of
16 our State Director of Homeland Security, General Jerry
17 Trimble.

18 Secondly, as an agriculturalist and a farmer here
19 in Sumner County, the vital security of our farms is another
20 concern of mine. As a former dairy farmer, I have been in
21 charge of countless livestock in my 40 years of being in
22 this county.

23 As we speak tonight, our northern border, our
24 Canadian neighbor, is closed to allow the production of beef
25 to come across. This is something that we as

1 agriculturalist in the United States strive diligently to
2 keep the quality of food available for our own consumption
3 in addition to exporting.

4 This year the United States Department of
5 Agriculture has released four safety reports. This is the
6 first year since we have imported more food into the United
7 States than we have exported. This tells me directly that
8 we are not producing as much of the world's food as we had
9 at one time.

10 With this goes along with the concerns of my
11 operation. If this project goes forward, we'll have
12 construction crews coming from different parts of the
13 nation. I have no way of knowing where they come from.

14 With that also brings the possibility of
15 transmitting of diseases. It is common practice here in our
16 community that's very basic. If I go visit my neighbor's
17 barn, I do not carry my truck across his farm. If I'm asked
18 to cross it, we cross it in his.

19 We do not cross equipment from farm to farm as
20 much as we used to. We still help the neighbors, but we do
21 take some common hygiene practices before moving to another
22 farm.

23 Our local veterinarian has expressed concern to
24 me in our operation when this was discussed with him, the
25 possibility for transmitting of BVD, Yawning's Disease,

1 Salmonella, Lepto and Coccidiosis are just a few of the
2 things that we discussed in our conversation.

3 This issue brings questions that the State
4 Department of Agriculture cannot answer for us, as far as
5 answers, as to how we can prevent it in an inexpensive
6 manner.

7 My mother was also here and had to return home
8 with a problem. But she wanted me to close with this
9 statement.

10 There is no fair market value for the blood, sweat and tears
11 that it takes to make a family farm. Thank you.

12 (APPLAUSE)

13 MR. GALLO: Peter Knight.
14 Charles Smith.

15 MR. SMITH: My name is Charles Smith, S-M-I-T-H.
16 And I'd like to let everybody know that we're definitely
17 opposed to this. We just moved here from Las Vegas about
18 three weeks ago, probably the newest member of the
19 community.

20 We had contacted MGT back in, I believe in
21 October or November, because we heard there were issues with
22 them surveying our property. We purchased the property at
23 2906 Dobbins Pike. It's about four miles south of
24 Switchboard Road.

25 Now, we purchased the property back in the middle

1 of summer last year, about August. And we just moved here
2 recently, but we heard that the gas company was wanting to
3 get on our land. I asked them for a written proposal of
4 where they wanted to survey on our land. And I asked them
5 for the forms to fill out, and I didn't grant their
6 permission to come onto my land. And I never received any
7 of that. They basically came in and surveyed while we
8 weren't there without my permission. The day we arrived, we
9 came out to find a bunch of stakes coming right through the
10 middle of the property. As you've heard before, diagonally
11 through the property. There's 35 acres on the property.
12 There's two streams that are directly affected and one
13 stream that is indirectly affected. We get our water from a
14 point well, and I believe that with this pipeline going
15 through there, that well will probably dry up.

16 We purchased this property to fulfill a dream
17 that is similar to what most people here have all ready
18 spoken about. And that is, the land has preserved throughout
19 their families for years. My wife, my son and I moved here
20 on the basis of having this beautiful piece of property that
21 our kids and our grand kids could enjoy in the future. I
22 believe that that dream is going to get squashed with the
23 pipeline going right through the middle.

24 It doesn't take a big environmental impact to
25 know what a 50 foot wide spread stretch of desert would look

1 like through the middle of a forest.

2 Now, we bought it for the beauty and the
3 wildlife. We sit and watch birds in the morning and the
4 deer running through there, and the kids like to go down and
5 catch frogs in the little creek there. When it rains, those
6 little creeks end up being three to four feet deep. When
7 it's not raining, they seem to be somewhere around a foot to
8 18 inches deep.

9 I'd just like to say that this is a huge impact
10 on the property. My wife and I have spent pretty much our
11 life savings to purchase this property outright. And we
12 planned on living here for the rest of our lives, but with
13 this pipeline going through there, I can't see living there.
14 And I can't see selling it because it would
15 be completely worthless.

16 There are several alternatives. By trade I'm an
17 architect, by degree I'm a civil engineer. Everything that
18 I've done in my career for the last 20 years, this type of
19 thing would never happen in a city.

20 I realize that being out in the country is a
21 little different, but in the city all these things have to
22 run under the streets. You know, you can't just go take
23 property from people.

24 Part of what got us to this part of the country
25 was the people. We moved here based on surveying several

1 areas of where we might want to live. And this area was
2 chosen after probably six years of looking at different
3 areas, based on the people that are here.

4 I don't know how a private company can come in
5 and take something from a private citizen in the United
6 States. This is just a -- it's a shock to me to see, you
7 know, how the company is actually treated people including
8 myself; when I specifically denied them access to the
9 property, and to come and find out that they surveyed
10 anyways. I get an idea of how my property is going to end
11 up based on what happened when I wasn't there. I have a
12 four foot trail that's got litter, filled with soda cans,
13 bags and trash just from the survey people.

14 You know, I can't imagine having a company with
15 this kind of integrity that we're supposed to trust these
16 people to put in a 1000 pound pressured gas line. That
17 could be a difference between life and death based on how
18 it's installed. And what about the integrity of the people,
19 who will put the pipeline in.

20 So you know, how are we suppose to grant that
21 trust to a private company that's already broken the trust
22 up front. That's all I have to say. Thank you.

23 (APPLAUSE)

24 MR. GALLO: Dennis Bergen. Karen Perry William
25 Deaton.

1 MR. DEATON: Thank you, I'll be brief. My name
2 is Bill Deaton,
3 D-E-A-T-O-N. And on behalf of my family and friends I would
4 like to sincerely ask that MGT's pipeline proposal be
5 denied.

6 I don't want to dismiss the obvious environmental
7 impacts that's been discussed so thoroughly tonight, but
8 what troubles me more is that the hopes and dreams of a lot
9 of citizens in this area are being thrown away I think
10 simply for some corporate profit.

11 And I know something about that, because in my
12 own family growing up in the '60s in Kentucky when
13 Interstate 75 came through, my dad who was a hardworking
14 carpenter and was able to buy I think a 40 to 50 acre farm,
15 that the interstate went right through the middle of it.

16 And he never recovered financially from that.
17 It took the farm. He didn't get what he should have gotten
18 from it because he didn't have the means to hire a fancy
19 lawyer.

20 But, I know because of that we can't always
21 stand, you know, in the way of the wheels of progress. But,
22 sometimes progress is being served and sometimes it isn't.

23 And in this case, it seems clear due to the
24 incredible presentations that we've seen tonight, that there
25 are alternatives to this. And this isn't just about

1 progress. This is about citizens who put their hardworking
2 money into their family farms and their homes. That's being
3 traded away simply so that MGT can stamp out some of the
4 competition.

5 It seems apparent that there's obvious
6 alternatives to that. And I thank you.

7 (APPLAUSE)

8 MR. GALLO: Dan Sweeten.
9 Herman Lawson. E. W. Anderson will follow him.

10 MR. LAWSON: Thank you, Mr. Gallo, and FERC
11 committee. I am Herman Lawson, L-A-W-S-O-N. I grew up on a
12 farm. My mother is still running that farm. I own a farm
13 myself in another county. Primarily I'm a teacher. I've
14 tried to get involved in affairs of the community.

15 There are three ways in which this really hurts
16 the earth. The value of the people's farms, the values of
17 the farmer's crop land. The environmental impact and the
18 dangers when we have disasters related to pipelines.

19 I was part of the many people that made the
20 effort to make sure that we didn't get a nuclear plant in
21 Hartsville because there was too many dangers there as well.

22 There were too many environmental problems there
23 as well. There was too much lack of candor there as I'm
24 hearing that there has been too much intimidation here.

25 The people can make a difference when the people

1 rise up and speak their mind. And I trust that you members
2 of the community have got the best interest of the people at
3 heart. But, I am concerned about some national trends in
4 the administration we serve and the current climate that we
5 have in court to the environment at this time.

6 I'm concerned the environment we have about
7 protecting us as consumers at this time. It seems like that
8 the move of the administration and in many other state
9 administrations, local administrations as well, at the
10 current time is the public going to be damned. It's what
11 we'll make in profit for the corporation when it comes to
12 consumer affairs, when it comes to environmental matters,
13 and other such things.

14 The top government officials meeting secretly,
15 meet secretly and decide matters about energy, won't turn
16 over papers. And they're not held accountable for doing so.
17 And the public's right to bring class action suits and to
18 bring recourse is being constantly challenged and threatened
19 as we speak.

20 But this is America. We still have a relative
21 Democracy, but it's up to us to defend it. We should not
22 take it for granted. And we are fine folks, and I'm proud
23 of you.

24 But, let's not stop the fight tonight either.
25 Let's keep talking, discussing, reasoning, listening and

1 speaking our mind when we know that we're trying to do
2 right. Thank you Mr. Lawson.

3 (APPLAUSE)

4 MR. GALLO: E. W. Anderson, Steven Woods.

5 MR. WOODS: My name is Steven Woods. I live at
6 120 Moss Circle. My wife and I have 20 acres down Rock
7 Bridge Road. And I want to thank you all for taking the
8 extra time to let all of us speak because what I want to
9 address is the awesome responsibility that you hold in your
10 hands.

11 You folks have the determination of imminent
12 domain. You have the challenging task which you take very
13 seriously, of deciding where the public's greatest need
14 lies. This issue has got to be one of the simplest ones
15 you've ever run into because it is apparently clear here
16 that the public interest lies against the pipeline.

17 The only interest in favor of the pipeline is
18 Midwestern. The only reason they want it today is the chain
19 of command. It's clear. There's no need for capacity.
20 It's already been demonstrated that there's plenty of
21 capacity to serve this area.

22 It's already been demonstrated that the needs of
23 this area have fully been served for the next 25 years. Not
24 only that, there's no need in Chicago for the gas that this
25 would provide. There's adequate pipelines to handle that.

1 There's an adequate supply to handle other parts of the
2 country.

3 This is simply about adding money to a chain so
4 they can transfer gas back and forth and take a transfer fee
5 each time they fill up those routes.

6 These people don't have the people's interest at
7 heart, but seeking to take a very good law, the law of
8 imminent domain to keep one individual or groups of
9 individuals from suborning the public interest. These
10 people are taking a twist to exploit that law for their own
11 use and take advantage of the public domain.

12 Thank you very much.

13 (APPLAUSE)

14 MR. GALLO: Sherry Baker, and Billy Baker will
15 follow her.

16 MS. BAKER: My name is Sherry Baker, S-H-E-R-R-Y
17 B-A-K-E-R. I'm just another voice in the crowd. And I want
18 to say "amen" to what A.B. said. I would just like to say I
19 would appreciate for all of you that are here tonight and
20 all the studying that took place, that you would deny
21 Midwestern Gas the permit.

22 MR. GALLO: Bill Jarrett.
23 Allen Kerry. Will Callaway, and Mark Harris will follow
24 him.

25 MR. CALLAWAY: Gentlemen, thank you for your

1 patience. I'm sorry you've missing the snow in Washington.
2 We don't get it too much down here, with global warming and
3 all. Hope you enjoy your stay in Tennessee. My name is
4 Will Callaway, C-A-L-L-A-W-A-Y. I'm the executive director
5 of the Tennessee Environmental Counsel. It's a statewide
6 organization. Beyond the question of justification and need
7 for the project, I still cannot believe the capacity and
8 demand questions wouldn't be satisfied if that were looked
9 at solely.

10 Let me direct the purpose of the hearing this
11 evening. Alternative analysis. We have met with the
12 company and discussed this. I was a little surprised to
13 understand that they already have 20 percent of the right-
14 of-way acquired potentially locked in before they've even
15 put an alternative analysis together.

16 As a matter of fact Alternative A, as I
17 understand tonight, was put forth by the Tennessee
18 Environmental Counsel. That's Right-of-Way 5052, Right-of-
19 Way 3803 which are owned by the Tennessee Valley Authority
20 as an alternative to going through green space, going
21 through geography and geology which will not sustain this
22 type of pipeline. We had recommended that one alternative,
23 if they didn't have that many on the table.

24 So, it does appear that they have moved much too
25 quickly. NEPA requires a variety of alternative analysis

1 justification and need. In this case they have -- we do
2 appreciate the prospect that the Federal Government now
3 begins the analysis, environmental assessment early to avoid
4 some of these problems.

5 You've done exactly the right thing. Having
6 worked with that for a long time, I appreciate what you are
7 trying to do. The alternative analysis could look at any
8 number of other right-of-way that exist in the area. And I
9 think you've already heard this tonight, so I won't repeat
10 it.

11 Let me speak to an EIS. Should this project move
12 forward, whether it's this proposed route or any alternative
13 route that might be put together in the final application to
14 FERC, an EIS is absolutely required for a variety of
15 reasons. Geography and geology, species, habitat, and a
16 number of blue light streams that exist in the area.

17 We have done a preliminary analysis of the
18 endangered threatened species that exist on the proposed
19 line. The proposed route that has been reported as the
20 preferred alternative. More than a dozen endangered
21 threatened species habitats are in the area.

22 Of these approximately half are aquatic species.
23 As you know Tennessee has an abundance of aquatic species,
24 but we also have an abundance of endangered species.

25 Secondly, it has been noted very well that the

1 impact on the wells, wetlands, and other water sources. The
2 sole source of aquifers are protected. If this pipeline in
3 any way impacts Aquifer, that is yet another reason to bring
4 in the EIS.

5 High quality streams are protected in the State
6 of Tennessee by anti- degradation clause. There are a
7 number of these streams that would be considered Tier two.
8 2. That's our classification for a high quality stream.
9 They can not be degraded without significant analysis by the
10 State of Tennessee. We encourage FERC to consider high
11 quality streams in EIS, as well.

12 Finally you've heard about carcinogen Just in the
13 past two years we've had at least two permits overturned
14 because carcinogen were involved in permits issued and
15 denied by the Federal Government by mistake. This was
16 determined after the fact.

17 We have encouraged the state and I would
18 encourage you to understand the geology of the State of
19 Tennessee, especially from the Nashville base to the east
20 where carcinogen is predominant.

21 We do not believe this is appropriate at the
22 Tennessee Environmental Council. We observe a number of
23 alternatives that can meet the demand and need. There are a
24 numbers of alternative routes that are sufficient.

25 And finally, this does not just beg for an EIS,

1 this is exactly the reason that the Federal Government and
2 NEPA have the EIS process, because we want to avoid
3 potential damages. Again thank you for your patience this
4 evening.

5 (APPLAUSE)

6 MR. GALLO: Mark Harris, Windy Smith. Is there
7 anyone else who would like to speak?

8 MR. HARRIS: Ray Spear and I spoke earlier, very
9 early in the meeting. I would like to make a request of
10 FERC tonight. You've heard many examples now of how
11 Midwestern has mishandled the surveying portion of this
12 process.

13 What I would like to do is request of FERC
14 tonight as far as an issue of temporary Halt Order to stop
15 the surveying and review how Midwestern -- review their
16 process, how they go about contacting and dealing with
17 property owners.

18 If the pipeline is granted, if you grant
19 permission, there are wounds that's already been established
20 that will never heal. This company is going to have to work
21 with these property owners from now on.

22 So, I would like to request that if that's
23 possible for you to issue a stop order on the -- a temporary
24 stop order on the survey, and have Midwestern review their
25 process on how they are handling this issue. Thank you.

1 (APPLAUSE)

2 MS. MOSS: My name is Elizabeth Moss, M-O-S-S.
3 I'm with the minority here that I didn't grow up out there
4 in the country. My family hasn't owned farms around here
5 during the years.

6 I was raised in Dallas, Texas in the middle of
7 the big city with all these environmental toxins just
8 pouring into it there. And when I moved to Tennessee, I
9 fell in love with it and wanted to stay. I've been here 23
10 years.

11 So, that's why I stay here because of the clean
12 air, clean water. And I can be healthier, raise healthier
13 children, and take care of my family longer.

14 I'm in the senior care business. I have a small
15 business, and it's customary for me in business that I have
16 to think outside the box and be creative in meeting
17 or beating my competition.

18 So, I challenge Midwestern Gas to do the same. I
19 don't appreciate the big corporate dollars, big are trying
20 to run me over in business much less personally.

21 The other thing I'd like to bring up is that this
22 country was built on the Golden Rule. That we do unto
23 others as we would have them do unto us. Recently there's
24 been an platinum rule created, and that is, if I treat
25 people how I think they want to be treated. Because I'm a

1 human, I'm self-centered. Most humans are. So, if I go by
2 the Golden Rule, then I have a tainted perspective most of
3 the time. But, if I go by the platinum rule and treat you
4 how I think you want to be treated, then it's a win win
5 situation. Thank you.

6 (APPLAUSE)

7 MS. DUNN: My name is Elizabeth Dunn, and I live
8 at 1161 Old Hopewell Road, Castalian Springs. You've
9 already heard from my husband tonight about our farm and the
10 Environmental Impact.

11 I speak to you tonight as a Registered Nurse. I
12 have a Psych background and a home health background. And I
13 have to give a free evaluation tonight. You Mr. Gallo, have
14 listened to this group tonight, and I thank you for that.

15 (APPLAUSE)

16 But I direct my attention to this side of the
17 room, body language speaks volume. They have sat here
18 tonight, as Mr. Baker started, they don't care what this
19 community wants. They don't even know what they want. They
20 want the dollars.

21 I want them all to turn around and look at this
22 group of people and know that this group of people does not
23 represent dollar signs on their bottom line. Thank you.

24 MS. STRYMER: My name is Dan Strymer, S-T-R-Y-M-
25 E-R. I have a small farm at 1384 Fallow Ford Road. And I

1 just -- Everything has been said tonight. I just wanted to
2 underline a couple of points about knowledge.

3 One, I just want the people of Tennessee to know
4 and the people in Washington to know that a major
5 corporation 25 miles down the road from me is making
6 millions of dollars off the water from Tennessee right now.

7 So if you don't think your water is valuable now.
8 And Nestle is one of the largest corporations in the world.
9 The water is valued in Tennessee. Anything related to how
10 the water quality is affected, is extremely valuable.

11 My second point is just I would like to be
12 reassured that -- Mr. Gallo, my only concern is that
13 Presidential Executive Order 13211 and I'll paraphrase,
14 could require federal agencies to meet the environmental
15 safeguards that might affect energy supplies, distribution.

16 I would like -- I hope that you can reassure our
17 community that in no way will any environmental standard be
18 in favor of any parties for that reason.

19 Thank you very much.

20 (APPLAUSE)

21 MS. STEVHENSON: Thank you, gentlemen. This is
22 Debbie Stevhenson,
23 S-T-E-V-H-E-N-S-O-N. We own 323 acres in Bethpage. We live
24 a nice simple life, we farm full time and I am a nurse.

25 And when you start bulldozing and dynamiting

1 around us, would you like to have a nurse taking care of you
2 that works at night and will never get any sleep. I mean
3 that's not a good sign. And I just want to make them go
4 away. Thank you.

5 (APPLAUSE)

6 MR. HAWKINS: My name is Jim Hawkins. I live at
7 475 Bates Point Drive, in Gallatin, Sumner County,
8 Tennessee. And I need to quickly think that -- although I
9 did come from a boy scout meeting, I'm not speaking on
10 behalf of the Boy Scouts of America.

11 I am speaking as a father and a husband and as a
12 neighbor to the citizens and many of whom are here tonight.
13 I think there needs to be a full comprehensive and
14 thoughtful Environmental Impact Analysis done before any
15 further action is followed. The boy scouts, growing up in
16 the scouts and coming back home to raise my own kids, I have
17 stayed up in this area just north of here, not right under
18 the area, but just north. This area is full of cross
19 county.

20 As you take a 50,000 foot view, and go up here
21 you'll quickly see over the Kentucky line just north of here
22 gentlemen, that you're Mammoth Cave territory. I have caved
23 in areas that open larger than this room in width just north
24 of this very territory. My fear is that blasting which will
25 be necessary to move through the limestone and rock sub-

1 strata would easily and quickly damage the subterranean
2 spaces and have a lot of impact on the aquifers, springs,
3 and the other elements that make up both the subterranean
4 and the above ground watershed.

5 So, I think this needs to be looked at very
6 carefully, not just to look at the 50 foot strip, but look
7 at the entire comprehensive set of connected watersheds and
8 aquifers that will be affected in Sumner and Trousdale
9 counties.

10 I've met today with representatives from the
11 parent company of Midwestern Gas, the Northern Border
12 Partners, and I've heard that they've made a thoughtful and
13 a careful approach to this.

14 But, they are a corporate parent. I'm a parent.
15 If my children get out of line, I'd want to know about it.
16 I'd want to set them straight.

17 It appears from what I've heard tonight,
18 Midwestern Gas the corporate charter has gotten out of line.

19 They have moved forward, they've already gotten
20 20 percent of the easement signed up. The power point that
21 Midwestern Gas put out tonight only has three elements of
22 damages that can be asked for.

23 The three elements that he put up with his power
24 point were No. 1. Payment for permanent easement. No. 2.
25 Payment for the use of the temporary workspace. And No. 3.

1 Payment for damages caused by construction.

2 What that failed to point out was there's a
3 fourth element that all these landowners are entitled to ask
4 for. And that is the damage to the market value of the
5 property as a whole.

6 Not only was that not covered in any of the
7 Midwestern Gas presentation tonight, I've not seen it
8 covered in any of their other community statements or
9 advertisements. And I don't know if the parent company knew
10 they were doing this. I'm assuming they didn't.

11 But Midwestern Gas is under tremendous pressure
12 to maximize corporate profits in order to meet the
13 shareholder value. Northwestern -- Excuse me. More
14 important, no departments other than the parent company,
15 should have the significant shareholder pressures.

16 I'm asking you as the members of FERC to help the
17 citizens involved in the process to counter balance that
18 corporate pressure for profit sharing.

19 This is a valid question as to whether this is
20 truly necessary to our national energy infrastructure. It
21 appears to be necessary only in order to help maximize
22 corporate profit. And that alone is not enough to overcome
23 the issues that have been addressed here tonight.

24 From the 50,000 point -- from the 50,000 foot
25 view a 30 mile stretch is a pretty short pipeline. This

1 company and others do 100, 300 and 600 mile pipelines.
2 Thirty miles are almost insignificant.

3 But tonight and throughout the past few months
4 they've have faced a disproportionate amount of resistance.
5 Not only because of the way that Midwestern approached the
6 landowners. But because of the fact that this is a fragile
7 and important part of Tennessee including Sumner and
8 Trousdale County as well.

9 I've hiked 50 miles -- just went on a 50 mile
10 hike through the summer in Trousdale county, so I'm familiar
11 not only a 50,000 point view but a 5,000 point view as well.
12 Thank you again and Mr. Gallo, I thank you from with the
13 bottom of my heart.

14 I hope that they will carefully consider, the
15 value of this 30 foot pipeline versus the other cost that
16 they face and that the landowners and citizens of Sumner
17 County face.

18 If my child had gotten out of line the way that
19 Midwestern has, I think I would pull back on the license for
20 them..

21 And maybe we can pull back the license from being
22 a necessity as well. I'm shocked and concerned about what
23 I've heard my neighbors and fellow citizens say tonight.
24 That's not the way things are supposed to be done. These
25 folks should not have been pressured and compelled to sign

1 papers early before being fully informed as to their
2 citizens rights.

3 And one other thing, in your own brochure you may
4 want to take this brochure that was handed out on the tables
5 here tonight. It has unnumbered pages that count through
6 Page 8. There's a section that says, "how do pipelines
7 obtain a right-of-way? The pipeline company negotiate with
8 landowners who are compensated for signing the easement.
9 Landowners are paid for loss of certain uses of the land
10 during and after construction. Element 2. And any damage
11 to the property. Element 3. Once again in it's own FERC
12 document, it fails to mention that important fourth element.
13 The right to full compensation for damage, or loss of market
14 value on the property as a whole.

15 And I think that FERC, needs to upgrade and add
16 that element, in a sense of fairness which counterbalances
17 the corporate pressures and give a little more citizen
18 information.

19 Thank you very much.

20 (APPLAUSE)

21 MR. GALLO: Is there anyone else? All right.
22 Then I'll thank you for coming out this evening. And let
23 the record show that this meeting concluded at 11:55 pm.

24 (Meeting adjourned @ 11:55:00 P.M.)

25

1 STATE OF TENNESSEE

2 COUNTY OF DAVIDSON

3

4 I Belinda Baskette, being a Notary Public and Court
 5 Reporter, in and for Montgomery County and for the State of
 6 Tennessee at Large, do hereby certify that this Chancery
 7 Court Hearing was taken by me using the Stenomask; that the
 8 foregoing pages, numbered 1 to 207, inclusive, were typed by
 9 me personally or under my personal supervision; and that the
 10 foregoing is a true and accurate ruling of this matter heard
 11 in Sumner Count Administration Building in Gallatin,
 12 Tennessee, on February 24, 2005.

13 I further certify that I am not counsel for, related to,
 14 nor employed by any of the parties hereto, nor financially
 15 or otherwise interested in the outcome of the action; that
 16 this transcript has in no manner been changed or altered.

17 Witness my hand and official seal in the City of
 18 Clarksville, County of Montgomery, State of Tennessee this
 19 the 8th day of March, 2005

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21

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My Commission expires March 15, 2005

24