

FEDERAL ENERGY REGULATORY COMMISSION
DRAFT ENVIRONMENTAL IMPACT STATEMENT
PUBLIC MEETING
FOR THE PROPOSED ROCKIES EXPRESS EAST PIPELINE PROJECT
DOCKET NO. CP07-208-000

January 7, 2008

6:00 p.m.

Clark's Hall Reception Area

Rockville, Indiana

ACE-FEDERAL REPORTERS, INC.

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Suite 1230

Washington, DC 20005

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Court Reporter: Renee R. Dobson, RMR

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A P P E A R A N C E S

FOR THE FEDERAL ENERGY REGULATORY COMMISSION:

Alisa M. Lykens, Chief, Gas Branch 2

REPRESENTATIVES FROM ICF & ENTRIX:

Karen Fadel y

Jenni fer Ward

Chris Moel ter

ALSO PRESENT:

Tony Glynn, Constructi on Manager REX East Project

Ben Guidry, Rockies Express Project Manager

El izabeth Dol ezal , Hydrostatic Issues Manager

Chris Basista, Computer Operator

FOR THE U. S. DEPARTMENT OF TRANSPORTATION OFFICE OF PIPELINE

SAFETY:

Harol d Wi nni e

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1 PUBLIC COMMENTERS & QUESTIONERS:

2 D. Robinson

3 Tamara Wilson

4 Phillip Clodfelter

5 Ben Edmonson

6 David Brown

7 Brett Kramer

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1 P R O C E E D I N G S

2 MS. ALISA LYKENS: Okay. Folks, if you could
3 take a seat, please, and get ready to start.
4 First of all, Happy New Year. Back to business.
5 Again, my name is Alisa Lykens. I am a Branch
6 Chief in the Division of Gas in the Environment
7 and Engineering Division of the Office of Energy
8 Projects in the Federal Energy Regulatory
9 Commission. Our commission office is located in
10 Washington, D.C.

11 Tonight I'm assisting the Environmental
12 Project Manager, Laura Turner, for the draft
13 Environmental Impact Statement public comment
14 meetings for the Rockies Express East Pipeline
15 Project. We are holding a total of nine public
16 meetings this week across the project area with
17 three separate teams from the commission staff and
18 environmental contractor, ICF International and
19 Entrix. This is a public meeting to take comments
20 on the draft EIS issued by the commission as a
21 lead federal agency for the project. The oral
22 comments we receive tonight and any filed written
23 comments we receive will be addressed in the final
24 EIS, which will be prepared for this proposal.

25 The draft EIS, which looks like this, was

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1 written by FERC staff, ICF and Entrix with the
2 input from other federal cooperating agencies. We
3 received over 500 comments during the scoping
4 period including written and oral comments, and we
5 did our best to evaluate the impacts and address
6 them in the draft EIS. The principal objectives
7 of this draft EIS are to identify and assess
8 potential impacts on the natural and human
9 environmental that would result from the
10 implementation of the proposed action, describe
11 and evaluate reasonable alternatives to the
12 proposal that would avoid or minimize adverse
13 effects on the environment, and identify and
14 recommend specific mitigation measures as
15 necessary to minimize the environmental impacts.
16 This meeting is intended for you to tell us what
17 you think what we got right, what we got wrong,
18 what we missed, or need to reevaluate for the
19 final EIS.

20 Representatives from ICF and Entrix are
21 helping me tonight. Let me introduce Karen
22 Fadely. She's in the back, Karen. Chris Moelter
23 in the front. Oh, he was. He is now in the back.
24 And Jennifer Ward. I am expecting Mr. Harold
25 Winnie from the U.S. Department of Transportation,

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1 Office of Pipeline Safety; and when he arrives,
2 hopefully, we will have him speak. I will--if we
3 are taking comments at that time, I'll break, and
4 we'll ask Mr. Winnie to address us.

5 The Federal Energy Regulatory Commission
6 itself is composed of up to five commissioners who
7 are appointed by the President. Currently, the
8 commission has five sitting commissioners with one
9 designated chairman. Our chairman currently is
10 Joseph Kelliher. The commission itself will
11 decide if authorization of the Rockies Express
12 East Pipeline project is in the public convenience
13 and necessity and the overall greater public
14 interest. As part of the decision-making, the
15 commission must consider environmental impacts of
16 the project and comply with the National
17 Environmental Policy Act of 1969, or NEPA. In
18 order to comply with NEPA, we produced the draft
19 EIS so that the public has an opportunity to
20 review the proposed project.

21 Rockies Express East Pipeline Project is a
22 joint venture among Kinder Morgan Energy Partners,
23 Sempra Pipelines & Storage, and Conoco-Phillips.
24 On April 30th, 2007, Rockies Express filed an
25 application under Section 7 of the Natural Gas Act

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1 in Docket Number CP07-208 to construct and operate
2 natural gas facilities including 640 miles,
3 42-inch diameter pipeline, Missouri, Illinois,
4 Indiana and Ohio; seven compressor stations
5 totaling approximately 225,000 horsepower, and
6 ancillary areas are also proposed. The project is
7 covered in more detail in the draft EIS.

8 The draft EIS was issued on November 23rd,
9 2007 with a closing comment date of January 14th,
10 2008. I do encourage you if you are not speaking
11 tonight, and you would like to provide written
12 comments, you should send them in as soon as
13 possible so we can receive them by the 14th. You
14 may also file comments electronically, and those
15 directions are in the first few pages of the EIS,
16 or we also have a brochure in the back entitled,
17 "Your Guide to Electronic Information at FERC"
18 that will be useful if you follow directions.

19 Because the commission has a responsibility
20 to treat all parties of the proceeding equally, we
21 must make certain that our process is open and
22 public. For this reason we at the commission
23 staff are constrained by what we know as ex parte
24 rules. This means there can be no off-the-record
25 discussions or correspondences between FERC staff

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1 and interested parties regarding the merits of the
2 case. Therefore, I urge you to speak tonight on
3 the record or put your comments in writing so it
4 can be addressed and file them with the secretary
5 of the commission. Again, the directions are in
6 the first pages of the draft EIS or in the
7 brochure.

8 You may have noticed that we have a court
9 reporter transcribing the meeting. This is so we
10 can have an accurate record of tonight's comments.
11 If you would like a copy of the transcript, you
12 can make arrangements with the court reporter
13 after the meeting. The transcript will eventually
14 be made available on the public record at FERC's
15 public reference room and part of the record on
16 the FERC web site under project docket number.

17 Again, let me emphasize the meeting is not a
18 hearing on the merits of the proposal. It is,
19 like I said earlier, a meeting to give you, the
20 public, opportunity to comment on this draft EIS.
21 We'll address tonight's comments in the final
22 Environmental Impact Statement when it's ready for
23 issue. All comments filed that are not
24 environmental related including the project
25 meeting will be considered by the commission when

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1 it makes its overall decision on whether to
2 approve or disapprove the project. And we will be
3 available after the formal proceedings have
4 concluded to answer any individual questions you
5 may have, and I will attempt to answer any
6 questions you raise if I feel I can answer it,
7 particularly for those of you in attendance
8 tonight. At the same time I'm also cognizant of
9 your time; so if we have speakers waiting to wait
10 their turn, I might ask you to keep on course. I,
11 may ask you to hold your questions until the last
12 person has had an opportunity to speak. I will
13 call up individuals to speak in the order listed
14 on the sign-up sheet. We also have brought some
15 forms with us. If you'd rather put your comments
16 in writing if you're a little shy, you can give
17 those to us at the meeting when you leave, or you
18 can mail them.

19 All right. I'm going to get ready--I
20 currently don't have any speakers signed up to
21 speak. So after all that is said and done, it's
22 fine if you change your mind, I'll open it up.
23 You can come up to the microphone. I ask that you
24 come up to the microphone; and when you speak,
25 please spell your last name for the record. Speak

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1 slowly and clearly and identify any organization
2 you may represent.

3 Do we have anybody who would like to speak
4 tonight?

5 (A PAUSE IN THE PROCEEDINGS)

6 All right. Do we have any questions?

7 MR. D. ROBINSON: I'm going to ask some
8 questions, but I want to hear what you got to say
9 first before I--you may explain all this stuff.

10 MS. ALISA LYKENS: Well, could you come up so
11 we can--the court reporter can accurately get your
12 question?

13 MR. D. ROBINSON: Sure, I will.

14 MS. ALISA LYKENS: Okay. Can you come
15 forward? Just stand up.

16 MR. D. ROBINSON: My name is D. Robinson,
17 R-o-b-i-n-s-o-n. I live in Mooresville, Indiana.
18 And after your presentation I guess I might very
19 well have a question or two.

20 MS. ALISA LYKENS: Okay. Well, I'm ready.
21 No one else is to speak. I'm ready if you would
22 like to ask your question.

23 MR. D. ROBINSON: I thought--I haven't
24 learned anything yet.

25 MS. ALISA LYKENS: Did you receive a copy of

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1 the draft EIS?

2 MR. D. ROBINSON: Yes, I did.

3 MS. ALISA LYKENS: Did you read it at all?

4 MR. D. ROBINSON: Yes.

5 MS. ALISA LYKENS: Do you have any comments
6 you'd like to make--general comments you'd like to
7 make about it?

8 MR. D. ROBINSON: I guess. I didn't come to
9 be the entertainment. We all have some trauma
10 when we think about having our fields torn up with
11 a 42-inch gas line, and I'm sure I probably share
12 that with some other people here. One of the
13 things in reading the diagram that's in my book, I
14 see a gauging station, and I don't have any idea
15 what a gauging station is. I hope maybe somebody
16 can answer that today.

17 MS. ALISA LYKENS: Would you like to tell him
18 what a gauging station is? Identify yourself,
19 please.

20 MR. TONY GLYNN: My name is Tony Glynn. I'm
21 construction manager for Rockies Express East
22 Pipeline. Sir, what it probably is referring to
23 is a meter site, which would be an interconnect to
24 one of the gas companies in the area that sell gas
25 locally or take it on to another place.

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1 MR. D. ROBINSON: So would it be in the main
2 pipeline, or is it on a little spike that goes out
3 off of that pipeline? It looks to me like it's--
4 the one that I'm concerned with is very near my
5 property, and I can't tell--there's not a dot or
6 anything that shows where it is.

7 MR. TONY GLYNN: Yes, sir, without knowing
8 exactly where we're talking about, more than
9 likely the meter site will engulf Rockies' right
10 of way, and then it will possibly be another
11 150 feet in width adjoining the Rockies' line so
12 that all the meter and equipment and everything
13 will fit within the fence, and the interconnect is
14 made to the gas company.

15 MR. D. ROBINSON: On the sketch that I am
16 questioning, it just says gauging station, and
17 there's not a dot, an arrow or anything. It just
18 shows it across the bridge.

19 MR. TONY GLYNN: Okay. When we get through
20 with this part, can we look at the map? I mean,
21 because like I say--

22 MR. D. ROBINSON: Would you describe what it
23 looks like? What is this thing? Does it stick
24 out of the ground?

25 MR. TONY GLYNN: Yes, sir, it would.

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1 MR. D. ROBINSON: And what kind of a fixture
2 is it?

3 MR. TONY GLYNN: It will be, like, a 200 x
4 150 or 200 chain-link enclosure.

5 MR. D. ROBINSON: Oh, looks like that would
6 be pretty well defined on a drawing.

7 MR. TONY GLYNN: Yes, sir, and like I say,
8 that's--without knowing exactly where you're at,
9 I'm not sure which meter site it would be.

10 MR. D. ROBINSON: Mooresville, Indiana, about
11 306, I think, 308.

12 MR. TONY GLYNN: Citizens Gas. Okay. Now,
13 Citizens is the one that we're building adjoining
14 the existing Citizens station? Okay. All right.
15 Now that I know where we're talking about, yes,
16 sir, the adjoining Citizens site--

17 MR. CHRIS BASISTA: That's a package of all
18 of them.

19 MR. TONY GLYNN: Okay. That's just to--let's
20 see. That would be the east of where we're
21 crossing that asphalt road there.

22 MR. D. ROBINSON: Are you saying it's between
23 306 and 308? That's where--

24 MR. TONY GLYNN: Can I look at the map with
25 you?

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1 MR. D. ROBINSON: Sure. We're not taking too
2 much time, are we? Nobody else has asked yet.

3 (DOCUMENTS ARE EXAMINED)

4 MR. TONY GLYNN: It doesn't have Citizens in
5 it.

6 MR. D. ROBINSON: Doesn't have Citizens in
7 it?

8 MR. TONY GLYNN: No.

9 MR. D. ROBINSON: But you see what I'm
10 saying?

11 MR. TONY GLYNN: Yes, sir.

12 MR. D. ROBINSON: This is out here in the
13 middle of nowhere. It says the gauging station,
14 and it doesn't indicate where it is.

15 MR. TONY GLYNN: Right. Yes, sir, but you
16 know the asphalt road there, and then just up this
17 way there's an existing site there.

18 MR. D. ROBINSON: That's way back here. This
19 is 42 here, State Road 42.

20 MR. TONY GLYNN: Right.

21 MR. D. ROBINSON: Is this gauging station on
22 the blacktop Greencastle Road that comes back
23 through this way?

24 MR. TONY GLYNN: Yes, yeah, and there's an
25 existing Citizens site; correct?

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1 MR. D. ROBINSON: I got you.

2 MR. TONY GLYNN: Yeah, and what our plan is
3 is to build right adjacent to the existing
4 Citizens Indiana gas meter site there.

5 MR. D. ROBINSON: Okay. I understand that.

6 MR. TONY GLYNN: Here's a little better
7 picture of it. Here's the existing site that is
8 there now, and then what our plan is is to butt
9 right up next to it.

10 MR. D. ROBINSON: Okay.

11 MR. TONY GLYNN: Okay.

12 MR. D. ROBINSON: Sorry.

13 MS. ALISA LYKENS: That's okay. Have any
14 other questions?

15 MR. D. ROBINSON: Yes. I find in the thick
16 book that you built that it says that over
17 cropland you're going to have 5 foot of overburden
18 covering the pipeline. But in my conversations
19 with people close to the rec's people it seems
20 like there's a 3 foot, and then I heard 4 foot.
21 I'm looking on I-6 of your book--

22 MS. ALISA LYKENS: Uh-huh.

23 MR. D. ROBINSON: --and it says,
24 "Construction Standards and Policies," and it
25 says, "A minimum of 5 foot of crop cover where it

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1 crosses cropland." Is that true?

2 MS. ALISA LYKENS: You're on page 1-6--1-6?

3 MR. D. ROBINSON: Yeah, it's page 6 of 17.

4 Yeah, 1-6 is what mine says at the bottom of the
5 page. It says it's "Rockies Express Pipeline
6 Construction Standards and Policies."

7 MS. ALISA LYKENS: Be patient. We're coming
8 up--there's a--staff made a recommendation in the
9 EIS regarding farmland and depth of cover, so
10 we're trying to find that particular condition.
11 Page 5-28 of the document, "Staff recommended that
12 Rockies Express shall bury the pipeline at a
13 minimum depth of 5 feet where the pipeline would
14 cross agricultural fields unless otherwise
15 negotiated with landowners."

16 So it could be a negotiated issue, and I
17 don't know if they want to speak to that effect,
18 but that's what we recommended.

19 MR. D. ROBINSON: You think it's a good idea?

20 MS. ALISA LYKENS: To go deeper? Yes.

21 MR. D. ROBINSON: So do I.

22 MS. ALISA LYKENS: Okay.

23 MR. D. ROBINSON: Now, how do we do that?

24 Who runs it? Them, or you and me?

25 MS. ALISA LYKENS: Well, we're directing them

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1 to do that and negotiate it with landowners. So
2 if you negotiate with them your 5 feet, that's
3 what we expect them to do on your property.

4 MR. D. ROBINSON: I feel like David with an
5 empty slingshot. If you and I agree that it ought
6 to be 5 feet, where is the argument?

7 MS. ALISA LYKENS: It's not an argument.
8 We're telling them--

9 MR. D. ROBINSON: Well, where is the wisdom
10 then?

11 MS. ALISA LYKENS: Well, they came in and
12 proposed something less than 5 feet. Exactly.

13 MR. D. ROBINSON: Yeah, I don't blame them.
14 It's going to cost them money to go 5 feet. I
15 agree with that.

16 MS. ALISA LYKENS: Right. Well, we agree.
17 You got heavy equipment that needs to go over that
18 pipe. Safety reasons. We agree with that. So
19 the recommendation by FERC staff will be--all of
20 these recommendations at the end of the book--I
21 think there are 148 of them--they are our
22 recommended measures that we give to the five
23 commissioners I talked about earlier for their
24 consideration. They can add more mitigation.
25 They can take some away. But usually, they adopt

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1 pretty much what our EIS has to say. We work for
2 the commission. We're a staff to the commission,
3 so we develop this also for their benefit. So
4 that is the purpose of the recommendations.

5 MR. D. ROBINSON: But you are the regulators?

6 MS. ALISA LYKENS: Yes, we are.

7 MR. D. ROBINSON: Okay. As a property owner
8 who raises trees for a living and as a hobby,
9 also, I have trouble with a 50-foot permanent
10 right of way. I think that's excessive, and in
11 today's modern technology I don't think it's a big
12 problem to find a pipeline within a 50-foot space.
13 So in regard to that, I found in here that when
14 they maintain the pipeline, they say that they'll
15 clean out any trees within 10 foot of the
16 pipeline, you know, when the undergrowth or brush
17 and so forth grows up. Can I plant a tree within
18 10 feet of the pipeline?

19 MS. ALISA LYKENS: Over the center line? No?

20 MR. D. ROBINSON: No, not--10 feet from the
21 OD of the pipeline. You--why do you need 50 feet
22 if you only--if you can plant a tree within 10
23 foot of the OD of the pipeline?

24 MS. ALISA LYKENS: Well, my understanding is
25 the purpose of not planting the trees around the

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1 pipe is the roots.

2 MR. D. ROBINSON: I understand that, and they
3 say they won't cut them down if they're no closer
4 than 10 feet. So why then do you have to have
5 50 feet of easement?

6 MS. ALISA LYKENS: Well, that's a standard
7 width.

8 MR. D. ROBINSON: I know. It was done in
9 some conference room, and it seemed like a good
10 idea. But when you get--

11 MS. ALISA LYKENS: No, standard industry is
12 50 feet.

13 MR. D. ROBINSON: Standard? What are
14 standards? Standards are what you use when you
15 don't have better judgment.

16 MS. ALISA LYKENS: Well, I appreciate your
17 comment on that. I don't think I can address it
18 any further.

19 MR. TONY GLYNN: Ma'am, can I?

20 MS. ALISA LYKENS: Yeah.

21 MR. TONY GLYNN: Sir, your land agent that
22 works with you brought this to us. It's probably
23 been a month or so ago.

24 MR. D. ROBINSON: Yes, I've said it over and
25 over and over.

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1 MR. TONY GLYNN: And I went to operations
2 about it, and they agreed to let you grow your
3 trees within 10 feet each side of the center line,
4 which, I mean, we agreed to that.

5 MR. D. ROBINSON: All right.

6 MR. TONY GLYNN: But the 50-foot permanent,
7 let me kind of explain that to you. If for some
8 reason at a later date they need to come in and
9 work, you know, the 50 feet is for them to come in
10 and travel on so that all that they're paying is
11 damages outside the right of way, you know. And
12 that's what the 50-foot permanent is for is any
13 type of maintenance or anything that might need to
14 be done in the future. But I took that specific
15 question about you being able to grow your trees
16 within 10 foot each side of the center line to
17 operations, and they said, yes, that that would be
18 fine. But the other part is we do--we would like
19 to acquire the 50-foot permanent.

20 MR. D. ROBINSON: You understand that the
21 property owner gets suspicious that you're going
22 to sell that easement right then to some other
23 pipeline or other facility that may want to come
24 through, you know. There must be a reason why
25 you're wanting such a wide right of way.

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1 MR. TONY GLYNN: Right. That's a safety
2 thing. And what it is--and when you say future
3 selling it off, I mean, I know that it happens,
4 you know, for various different things. But when
5 you take a 42-inch pipeline in the center of a
6 50-foot easement, there's not a lot of room to do
7 anything else within that easement as far as being
8 any type of permanent structure or anything. Like
9 I say, it's a safety, visual, fly-by type thing so
10 that everyone can visualize and maintain and keep
11 the pipeline in a safe operating condition.

12 MR. D. ROBINSON: You understand that
13 everything is special--I mean, unique in my case.
14 That field is not buildable because it's in a
15 flood plain, so that brought the illogic of the
16 50-foot to my mind.

17 MR. TONY GLYNN: Right.

18 MR. D. ROBINSON: I'd like to know about
19 access roads. I see that you're going to maintain
20 the access roads and would grade them and do other
21 things to them to keep them active. I'm
22 wondering, do we get that identified somehow? It
23 just kind of has a blanket statement in there that
24 says access roads are there and will be used.

25 MR. TONY GLYNN: Can I answer that?

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1 MS. ALISA LYKENS: Yes, go ahead.

2 MR. TONY GLYNN: Okay. Without--I mean,
3 you've kind of got me once again. Rockies Express
4 will leave no temporary construction access roads
5 behind. The only permanent access roads that we
6 will leave behind are to meter sites, main lane
7 valves, and compressor stations. Everything else
8 will be taken out with clean-up at the end of
9 construction.

10 MR. D. ROBINSON: Okay. On the drawing you
11 have a driveway that's on my property that you've
12 shown as an access road.

13 MR. TONY GLYNN: We would like to purchase it
14 as an access road.

15 MR. D. ROBINSON: Okay.

16 MR. TONY GLYNN: And I'm saying that without
17 knowing exactly--I know that I have--I've
18 requested a temporary access road from where we
19 were looking at the meter site awhile ago just to
20 the east, and then it went back south.

21 MR. D. ROBINSON: Okay. I'm sorry to have
22 taken too much of your time, but I hope somebody
23 learned something from that.

24 MS. ALISA LYKENS: Thank you. Anybody else
25 like to come up? Please. Remember to state your

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1 name, please. Thank you.

2 MS. TAMARA WILSON: Thank you. I just have a
3 couple questions. My name is Tamara Wilson. I
4 live in Hendricks County. First of all, I'd like
5 to agree with what Mr. Robinson said; that I have
6 a problem allowing landowners to bargain away our
7 safety by allowing Rockies Express to negotiate a
8 less--a lower--what is it--the depth of 5 feet--
9 allowing a landowner to bargain away our safety, I
10 think, is a very dangerous thing and flies in the
11 face of responsibility of FERC. So I would like
12 to place that on the record.

13 I just had a couple questions about the gas itself.
14 What is the--where is the origin of the gas? What
15 geography?

16 MS. ALISA LYKENS: Well, this project is part
17 of a larger project known as the Rockies Express
18 Pipeline. The gas originates actually in the
19 Rocky Mountain Basin. There's a Rocky Mountain
20 hub out on the border of Wyoming and Colorado
21 where this gas is stored.

22 MS. TAMARA WILSON: Do we know what
23 byproducts are in that gas?

24 MS. ALISA LYKENS: It's methane and--

25 MR. BEN GUIDRY: It's probably 98 percent

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1 methane. My name is Ben Guidry. I'm the project
2 manager with Rockies Express.

3 MS. TAMARA WILSON: I'm sorry, Ben. What was
4 your last name?

5 MR. BEN GUIDRY: Guidry, G-u-i-d-r-y.

6 MS. TAMARA WILSON: Thank you.

7 MR. BEN GUIDRY: The majority of it is
8 methane.

9 MS. TAMARA WILSON: And what is the other 2
10 percent?

11 MR. BEN GUIDRY: It's several different
12 products. There's oxygen, nitrogen. I don't know
13 what they all are, but it's several different
14 byproducts from processing natural gas.

15 MS. TAMARA WILSON: Where could we find out
16 the rest of the makeup of it to be more precise?

17 MR. BEN GUIDRY: If there's not a gas
18 analysis in the EIS, I guess we can send one to
19 FERC, and they can post it on the web site. Is
20 that possible?

21 MS. ALISA LYKENS: Sure.

22 MR. BEN GUIDRY: Okay.

23 MS. TAMARA WILSON: In what state is the gas
24 transported in, that is, gaseous or liquefied?

25 MR. BEN GUIDRY: It's gas.

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1 MS. TAMARA WILSON: It's never going to be
2 transported in a liquefied state?

3 MR. BEN GUIDRY: No, it will not.

4 MS. TAMARA WILSON: Now, I read something on
5 the FERC web site today, a letter from another
6 Indiana resident that claimed that a waiver was
7 given to allow a higher PSI to 1,400, almost
8 double the 700 PSI. And I don't know if that's
9 accurate; and if so, how does that affect the
10 safeguards already designed into the system?

11 MS. ALISA LYKENS: Well, I'll start that
12 answer. Rockies Express did file a waiver with
13 the Department of Transportation Office of
14 Pipeline Safety, who is not here yet. I can't
15 speak to what they're going to do with that waiver
16 request, but they are the ones that will approve
17 that.

18 MS. TAMARA WILSON: Oh, so it's just a
19 request?

20 MS. ALISA LYKENS: It's a request. They need
21 to research, and they have to approve or
22 disapprove it.

23 MS. TAMARA WILSON: Oh, so it hasn't been
24 granted yet?

25 MS. ALISA LYKENS: I'm not aware if it has.

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1 Can you address that?

2 MR. BEN GUIDRY: That waiver has been
3 granted. And what that is, it doesn't change the
4 pressure in the pipeline. The pipeline is
5 designed for 1,480 PSI gauge. What it is is it's
6 changing the design factor we have to use when we
7 design the pipe. It's from .72 to a .8. It's
8 allowing us to go to 80 percent of the ultimate
9 tensile strength of the pipe instead of 72 percent
10 of the ultimate tensile strength of the pipe.

11 MS. ALISA LYKENS: Thank you. I wasn't aware
12 that was granted. Thank you.

13 MS. TAMARA WILSON: Is that tensile strength
14 changed based on the gauge of the pipe that's
15 being used?

16 MR. BEN GUIDRY: There's--the tensile
17 strength of the pipe is manufactured into the
18 steel. What this 80 percent allows, it changes
19 the wall thicknesses that we have to use in
20 different areas as we go across the country.

21 MS. TAMARA WILSON: So if the gauge of the
22 pipe changes along the way, there's a mechanism in
23 the system that will adjust the PSI to come down
24 lower to that 80 percent in a lower--

25 MR. BEN GUIDRY: No, no, the entire pipeline

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1 system is designed for a 1,480 PSI gauge.
2 Depending on the class location where we're at--
3 there's different class locations that are defined
4 by the Department of Transportation: Class I,
5 Class II, Class III.

6 MS. ALISA LYKENS: The classes are covered in
7 the safety section of the EIS.

8 MR. BEN GUIDRY: This waiver only affects
9 Class I areas, which is rural farmland is what
10 Class I is.

11 MS. TAMARA WILSON: Is it correct that there
12 are sections of pipeline in Class I areas that
13 have a lower--it's like a weaker pipe, isn't it?
14 There was a waiver given so that the pipe that's
15 used--and I'm sorry. I don't have the terminology
16 right, clear.

17 MR. BEN GUIDRY: What it is, it basically
18 allows--as I said, we can go from 72 percent of
19 the ultimate tensile strength of the pipe to
20 80 percent. In the design formula for pipe,
21 there's a wall thickness of the pipe that we
22 calculate based on the 72 percent. Because we can
23 go to 80 percent, we can decrease that wall
24 thickness basically is what that allows us to do.

25 MS. TAMARA WILSON: Okay. Just my very last

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1 question is it's my understanding that Rockies
2 Express is supposed to provide inspectors, whether
3 they're EI or AI throughout the process, the
4 construction process, and then during operations,
5 but it wasn't clear to me how long those
6 inspectors would be in place. Is it for the use--
7 the useful life of the pipeline?

8 MR. BEN GUIDRY: Well, we have--

9 MR. TONY GLYNN: We have inspectors during
10 construction. They're there from day one until we
11 put it in service. There's probably what, 15 to
12 20 inspectors on any one spread, which is about
13 100 miles.

14 MR. BEN GUIDRY: Plus the environmental
15 inspectors that FERC provides as well.

16 MS. ALISA LYKENS: Yeah, what we call our
17 monitors. They're third-party monitoring
18 compliance program, and we have an actual set of
19 monitors out in the field as well. And we work
20 with Rockies personnel on the right of way to
21 ensure that just like a double--we have two sets
22 of eyes out there.

23 MS. TAMARA WILSON: So is it that the AI, the
24 agricultural inspectors, are Rockies Express
25 people, and the EI are--

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1 MS. ALISA LYKENS: No, no, I think the
2 agricultural inspectors are--you proposed to use
3 them in ag lands. Environmental inspectors are a
4 requirement from FERC. We have a condition, a
5 recommendation again in the document that requires
6 them to use so many inspectors per spread, and
7 those will report directly to Rockies. And then
8 FERC ourselves will have our own set, a contractor
9 out there full-time also watching and reporting
10 directly to us.

11 MS. TAMARA WILSON: So is that just during
12 the construction period?

13 MS. ALISA LYKENS: Construction and
14 restoration, final clean-up to restoration, and
15 FERC staff will inspect the project up to five
16 years after the project is in the ground. We
17 particularly look for restoration issues, erosion
18 control out here. If there's still issues with
19 ag, if there's rocks coming up in your soil or
20 those kind of things, of course, you can call
21 Rockies first. But if there's--if you don't get
22 any resolve with that, you can call FERC, and
23 we'll help you. We'll get that addressed.

24 MR. BEN GUIDRY: And let me further--once
25 it's in service, it's turned over to our

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1 operations group, and then there are certain
2 inspections they have to do that are requirements
3 by the Department of Transportation. I can't tell
4 you what the exact inspections are, but we walk
5 the pipeline. We fly the pipeline. They do leak
6 inspections. There's lots of different things
7 that they have to do to be able to operate a
8 pipeline.

9 MS. TAMARA WILSON: And those will just
10 be--that will follow the DOT regs?

11 MR. BEN GUIDRY: They'll follow the DOT
12 requirements.

13 MS. ALISA LYKENS: That's right. Let me just
14 state at this point--it's probably a good
15 opportunity--that the commission itself, we
16 regulate the construction and approve the project
17 for the operation purposes. Our staff sees it
18 through construction and through restoration. And
19 as soon as the gas is turned on, then the
20 oversight goes back to the Department of
21 Transportation Office of Pipeline Safety. So any
22 safety issues, any concerns, the program--there's
23 a whole set of regulations the Department of
24 Transportation, they require of the pipeline
25 companies including inspections and pigging.

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1 This pipeline will be piggable. There will be pig
2 launchers and receivers all along the pipeline,
3 and those pretty much will check for any kind of
4 leaks or any damages. And they can electronically
5 do that in this modern age, and so I just wanted
6 to clarify that for you.

7 MS. TAMARA WILSON: You know, I just did
8 think of one other question if I could.

9 MS. ALISA LYKENS: Okay.

10 MS. TAMARA WILSON: The pipeline that's being
11 laid, say, especially through the agricultural
12 areas, do we know what contaminants are going to
13 be already in that pipe that are going to be then
14 cleaned out before--before operations?--because
15 it's my understanding from the EIS that once the
16 pipe is in, there will be a flushing process where
17 they draw water out of the river and flush it back
18 in?

19 MR. BEN GUIDRY: For a test. There shouldn't
20 be any contaminants in the pipeline.

21 MR. TONY GLYNN: No, what the water is for is
22 to hydrostatically test the pipeline before it
23 goes in to operation to make sure it's been built
24 in compliance and that it doesn't leak or
25 anything.

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1 MS. TAMARA WILSON: But it will run through
2 the pipe, right? It will be--it will be
3 pressurized through the pipe?

4 MR. TONY GLYNN: Yes.

5 MS. ALISA LYKENS: That's right.

6 MS. TAMARA WILSON: And then does it go back
7 into the river?

8 MR. TONY GLYNN: It goes back into--

9 MS. TAMARA WILSON: The source?

10 MR. TONY GLYNN: You answer that.

11 MS. ELIZABETH DOLEZAL: It will depend on how
12 it gets permitted. It will either return to the
13 receiving water body if that's how the state
14 handles it, or it will be a land discharge.
15 Again, each state will permit the hydrostatic
16 permitting for the project separately. So Rockies
17 Express is obtaining four permits for
18 hydrostatically testing of its pipe. All the
19 water bodies that we've drawn from will be
20 approved by the state with the amount that we
21 withdraw and the rate that we withdraw from, and
22 the same happens on discharge.

23 MS. TAMARA WILSON: And so there are two
24 choices, whether it's returning to its source,
25 or--

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1 MS. ALISA LYKENS: Allows vegetated area.

2 MS. TAMARA WILSON: Vegetated area.

3 MS. ELIZABETH DOLEZAL: Right.

4 MR. TONY GLYNN: Yes, ma'am. But the pipe
5 that we use is internally coated as well as
6 externally coated.

7 MS. TAMARA WILSON: With what?

8 MR. TONY GLYNN: It's internally coated.

9 MS. TAMARA WILSON: But what is it internally
10 coated with?

11 MR. TONY GLYNN: It's called FBE. It's an
12 epoxy, and it's got 14 to 16 mills inside the
13 pipe.

14 MS. TAMARA WILSON: And what is the purpose--
15 is that--you were telling me this because it--

16 MR. TONY GLYNN: Well, you were asking about
17 contaminants.

18 MS. TAMARA WILSON: Yes.

19 MR. TONY GLYNN: It's not like the inside of
20 the pipe is rusty, you know, and what have you
21 because it has the internal coating in it.

22 MS. TAMARA WILSON: Thank you very much.

23 MS. ALISA LYKENS: Thank you. Anybody else?
24 Don't be shy. Come up to the--thank you.

25 MR. PHILLIP CLODFELTER: My name is Phillip

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1 Clodfel ter. I'm representing landowner, Max
2 Clodfel ter. Originally, the compressor station
3 was proposed south of Bainbridge. That has now
4 been--it looks like on the map it is west of
5 Bainbridge. My father has land on three sides of
6 that compressor station. What was the main
7 purpose in moving that South Bainbridge to West
8 Bainbridge? I think there ended up being four
9 sites for that. And while you're looking, maybe
10 one of the other people could answer this. It
11 says 55 decibels. How far away from the
12 compressor plant is that? It says there will be a
13 max of 55 decibels at the station.

14 MR. BEN GUIDRY: Right.

15 MS. ALISA LYKENS: That would be identified
16 at the nearest noise-sensitive area, which is
17 normally a residence or a house or a business
18 where the closest location to that compressor
19 station, that closest residence. So at that
20 particular point it would be 55 decibels or less.

21 MR. BEN GUIDRY: So it varies from station to
22 station, you know. At one station it might be
23 1,000 feet to the nearest noise receptive area.
24 At another it might be 2,000 feet. But our design
25 criteria is we have to meet 55 or less at that

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1 area, at that location.

2 MR. PHILLIP CLODFELTER: If you were standing
3 next to that building, what would be the decibels
4 when it was operating?

5 MR. BEN GUIDRY: Next to the building inside
6 the plant?

7 MR. PHILLIP CLODFELTER: Yeah, inside the
8 fence close to the plant on the outside?

9 MR. BEN GUIDRY: It would be well above 55,
10 but I couldn't tell you exactly what it would be.

11 MR. PHILLIP CLODFELTER: Thank you.

12 MR. TONY GLYNN: Just for talking while
13 they're looking up, the last FERC visit we had, a
14 gentleman had the same concerns at the Mexico
15 compressor station. He is planning on building to
16 the east of it. And we had the FERC people with
17 us, and they went with their decibel meters. And
18 the contractor was actually working within the
19 site; and the lady got her stuff out and took a
20 reading, and the birds were making more noise than
21 what the compressor station would make there. I
22 know that's hard to believe because, I mean, it
23 was the first time I'd ever been involved with it,
24 also, but she was reading it, and she said that
25 you wouldn't be able to hear the compressors over

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1 the birds that were singing in the area that we
2 were at.

3 MR. PHILLIP CLODFELTER: Okay. If you want
4 to get back with me on that answer later, you can.
5 I just wondered why it got moved or proposed to be
6 moved.

7 MS. ALISA LYKENS: Well, it appears that
8 Rockies at some point moved it on the--they
9 proposed to move and location. And we did put a
10 recommendation in for additional information on
11 that site, so we've not made a decision yet on the
12 new site. Thank you.

13 MR. BEN EDMONSON: My name is Ben Edmonson.
14 And I wasn't even thinking about this question
15 earlier; but with you construction people here, I
16 would like to find out. It's been a little
17 misunderstood, at least on my part, as to how you
18 will repair the tile, the drainage tile, that you
19 will cut with the digging process. I guess could
20 I just ask is there a general rule, or is there a
21 general statement you could make about that?

22 MR. TONY GLYNN: Personally, the way that I
23 like--and, of course, you know, I cannot dictate
24 to the contractor as far as what to do. But what
25 we as a group try to recommend to the contractor

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1 is to hire the local person in the area that does
2 the tiles and stuff that you see every day, you
3 know, that you have a comfort level with to hire
4 him to do the tile repair. You know, our AMA
5 agreements with the states that we have that are
6 still ongoing in negotiation, they nail us to
7 exactly how we are to repair the tiles. And that
8 is--well, I mean, they want reinforcement across
9 the ditch line, you know, and then I believe they
10 want gravel up to the drain tile itself, and then
11 compaction over the tile.

12 MR. BEN EDMONSON: I think the main thing is
13 that anyone who has installed tile and gone back
14 and seen tile damage and gone back to repair it
15 because this happens a lot with--with different
16 kinds of lines that are put across farms--

17 MR. TONY GLYNN: Yeah.

18 MR. BEN EDMONSON: --is that the level at the
19 bottom of the tile has to be compacted so that
20 there will never be any--any sinking because if
21 there is, then that tile will be damaged. And I
22 assume you know that if--on one of the farms that
23 we farm, I know that there will be, oh, about a
24 mile or a mile and a half of distance. Across
25 farmland I would assume there could be 100 tiles

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1 damaged. And some of the tiles, as the cut goes
2 one way, it could diagonally impact the edge of a
3 tile and strip it out forever and may not even be
4 noticed at the time. So it's just the most
5 critical issue that I can think of going on
6 because there's nothing worse than a damaged tile
7 because then you know what you've got. You've got
8 worse than you had with no tile.

9 MR. TONY GLYNN: Right.

10 MR. BEN EDMONSON: And I just hope that this
11 is a very major issue.

12 MR. TONY GLYNN: Yes, sir, it is a very major
13 issue with us.

14 MR. BEN EDMONSON: And it's going to be one
15 of the biggest issues that I can see you're going
16 to be working with.

17 MR. TONY GLYNN: Right, yeah.

18 MR. BEN EDMONSON: Thank you.

19 MS. ALISA LYKENS: Thank you. Anybody else
20 like to come, come up and have a question or any
21 general comments you might have? Please.

22 MR. DAVID BROWN: David Brown, Hendricks
23 County. Having arrived late, these are very basic
24 questions. Number one, the routes that are shown
25 on the large maps on the table at the rear, are

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1 those finalized routes? And number two, then have
2 all affected landowners been notified?

3 MS. ALISA LYKENS: The question is has all
4 the maps, are they final? And the answer is no.
5 We still are evaluating alternatives. We have a
6 slew of alternatives we're evaluating and
7 recommended. So I'm not sure if there are maps
8 back there have some of the FERC alternatives on
9 them or not. They're the file lines, so those are
10 as they filed back in July.

11 MR. DAVID BROWN: Will the maps, readable
12 maps be published at some point, like, in the
13 newspapers? The ones that we've had so far, you
14 can't even designate where county roads are in
15 relationship to the pipeline location. If not, I
16 would suggest that the newspapers get a little
17 more detail. I've tried to clip everything that's
18 been made available, and it's really quite
19 sketchy.

20 MS. ALISA LYKENS: Well, the route is still
21 changing. It's in progress. You know, with the
22 recommended variations that we've recommended,
23 they're going to have to go back and readjust the
24 line if they accept the certificate with our
25 conditions. And they've also just recently filed

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1 a change in its project--their project out in
2 Ohio; so we're going to have to evaluate that as
3 well, and that will probably have some effect in
4 the final--in the final mapping of the project.

5 MR. DAVID BROWN: Okay. Thank you.

6 MS. ALISA LYKENS: Thank you. Anybody else?
7 Don't be shy. I mean, we can conclude, and you
8 can go back and look at the maps and answer your
9 questions one on one. Do we have anybody else
10 that would like to come up?

11 Okay. Well, let's conclude. Oh, sir, come
12 on up. You have more questions.

13 MR. D. ROBINSON: I try not to dominate
14 this--

15 MS. ALISA LYKENS: No, that's okay.

16 MR. D. ROBINSON: --but I have a question
17 about abandonment. When the gas runs out, and the
18 company goes broke, and we still got the gas line
19 in our property, the best I was able to get out of
20 the book was that it would be abandoned according
21 to federal, state, and local laws. I have no idea
22 what that is. Can you tell me what happens when
23 the company goes bankrupt?

24 MS. ALISA LYKENS: Sure. Well, I hope that
25 doesn't happen. What--the authority for

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1 abandonment, just as the company has to come to
2 FERC to have a project built and approved to serve
3 gas, if they want to, they can abandon--they can
4 come back to the commission and ask to abandon
5 facilities as well. So that includes abandonment
6 by sale, which means they're selling it to another
7 natural gas service company, or abandon it in
8 place, and they want to shut the gas off; and they
9 either will remove the pipeline, or they'll
10 abandon it and place and seal it off and cap it
11 and leave it in place. And that's usually older
12 pipelines that are, you know--that are no longer
13 reliable.

14 MR. D. ROBINSON: Now, what assurance do we
15 landowners have that there will only be one
16 pipeline go in that easement?

17 MS. ALISA LYKENS: Well, the FERC certificate
18 only allows that one pipeline. If there's another
19 pipeline they want to put in in the future, they
20 have to come back and go through the process all
21 over again; and then we'd have to renotify all of
22 you all again, and we'll be right here again
23 scoping, so. . .

24 MR. D. ROBINSON: So they would have to
25 renegotiate the easement?

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1 MS. ALISA LYKENS: Yes, yes.

2 Anybody else like to come up and speak or ask
3 a question? You've been a great crowd. I
4 appreciate it. Oh, you got one more. Okay.
5 Thank you.

6 MR. BRETT KRAMER: I'm Brett Kramer,
7 K-r-a-m-e-r. And I'm with Kramer's Land Clearing,
8 and I do a lot of pipeline right of way
9 maintenance from--clear new right of way. I
10 cleared everything from Bainbridge all the way to
11 Greencastle. I was all on that line. We done
12 28 miles from Shelbyville to Greensburg for that
13 new Honda plant over there everybody is probably
14 familiar with. And I can't speak highly enough
15 about the pipeline companies because I've been
16 working with them for 20 years. I started the
17 company in '87, and they do go out of their way to
18 try and make everybody happy because it don't
19 matter whether you're cleaning it, or you're
20 maintaining it afterwards because we do that. We
21 cut canopy. We do all the bare ground. Anything
22 that that pipeline company is deemed for, anything
23 they need, we're there to help them any way we
24 can. And I just, you know--if it would make
25 anybody more at ease, they, you know--they'll set

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1 you all side to side, and they'll go through it
2 with you very detail and try and make it the best
3 they can for you. And, you know, I don't know--I
4 hear a lot of questions in here that I kind of
5 laugh about because I've seen it, and, you know,
6 20 years out there, it's quite the thing, but I'm
7 hoping, you know, that I get to clear some of this
8 right of way. I don't know if I will or not. I'm
9 trying hard.

10 But anyway, I guess I do have a couple
11 questions while I am up here. Some of them a lot
12 of people don't want to talk about, especially
13 when the federal is involved in it, but what about
14 the bat law? Is the bat law in effect on this
15 line, Indiana bat law?

16 MS. ALISA LYKENS: Indiana bat? Yes, the
17 Indiana bat. We've covered that extensively in
18 the draft EIS.

19 MR. BRETT KRAMER: Right. I do not have one
20 of them. I'm from Greene County, way down south.

21 MS. ALISA LYKENS: That's okay. They're
22 specialized services involved. They are
23 cooperating with us on the project, and we are
24 working on mitigation.

25 MR. BRETT KRAMER: What trees are specified

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1 as bat trees in your category because we do a
2 lot--we do a lot of bat trees for pipeline, Ohio
3 Valley Gas, Citizens Gas. What about dead trees
4 with bark hanging off of them, holes in trees, you
5 know--

6 MS. ALISA LYKENS: That sounds about right.

7 MR. BRETT KRAMER: Okay. So all of that
8 stuff has got to be on the ground by April 15th?

9 MS. ALISA LYKENS: Yeah, right now the EIS
10 says yes. They say they're working on it.
11 They're trying to negotiate with the Fish &
12 Wildlife--

13 MR. BRETT KRAMER: Well, you know, I know we
14 do all Panhandle Eastern's pipeline work, and we
15 have for the last 11 years. I know all the ins
16 and outs. I know the biggest--90 percent of all
17 the property owners through there, and I know what
18 you're dealing with through there as far as
19 terrain. And I just can't see getting them bat
20 trees on the ground by April 15th.

21 MS. ALISA LYKENS: Let me ask you, have you
22 ever seen an Indiana bat?

23 MR. BRETT KRAMER: I have never seen one in
24 the 20 years I've been out here doing this. I
25 don't think there's such a thing.

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1 MR. TONY GLYNN: So what are we looking for?

2 MR. D. ROBINSON: That proves they're
3 extinct.

4 MR. BRETT KRAMER: But anyway, if anybody has
5 got any questions on my part or whatever, you
6 know, I'll be--feel free to help out whatever I
7 can.

8 MS. ALISA LYKENS: Okay. Thank you.

9 MR. BRETT KRAMER: Thank you.

10 MS. ALISA LYKENS: I'd like to make a
11 statement that the Rockies Express has placed
12 alignment sheets in all the local libraries, so at
13 the county libraries they should be available
14 along the project routes. So the next county that
15 you're in, go check your library and ask for them
16 to see them. And as soon as they update them,
17 hopefully they might update them as well, so
18 you'll get the most updated maps.

19 All right. Well, I appreciate it. Anybody
20 else before I close tonight?

21 (NO RESPONSE)

22 All right. Well, it's about 7:10. We
23 concluded. Thank you.

24 (MEETING CONCLUDED)

25

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STATE OF INDIANA)

) SS:

COUNTY OF VIGO)

I, Renee R. Dobson, a Notary Public in and for said county and state, do hereby certify that the meeting did occur at the time and place heretofore mentioned;

That said meeting was taken down in Stenograph notes and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true and accurate record of said meeting;

I do further certify that I am a disinterested person in this matter; that I am not a relative or attorney of any of the parties, or otherwise interested in the event of this matter, and am not in the employ of the parties.

IN WITNESS WHEREFORE, I have hereunto set my hand and affixed my notarial seal this _____ day of _____, 2008.

My Commission Expires:

September 6, 2015

Renee R. Dobson, Notary Public,

Residing in Vigo County, Indiana