

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

- - - - -x
IN THE MATTER OF: : Docket Number
ROCKIES EXPRESS PIPELINE PROJECT : PF06-3-000
- - - - -x

Best Western Inn
1200 Hwy 24 East
Moberly, Missouri

Thursday, January 26, 2006

The above-entitled matter came on for scoping
meeting, pursuant to notice at 7:02 p.m.

MODERATOR: DAVE SWEARINGEN, FERC

P R O C E E D I N G

(7:02 p.m.)

1
2
3 MR. SWEARINGEN: Good evening. My name is Dave
4 Swearingen and I'm an Environmental Project Manager for the
5 Federal Energy Regulatory Commission or FERC.

6 Dave Limand, also in FERC, is at the sign in
7 table by the entrance. To my right is Ron Kyland from TRC,
8 an environmental consultant corporation. TRC will be
9 assisting us in our environmental analysis.

10 On behalf of the FERC, I want to welcome all that
11 are here tonight. Let the record show that the Moberly
12 scoping meeting began at 7:02 p.m., January 26, 2006.

13 The focus of this meeting is to give you the
14 opportunity to provide environmental comments specifically
15 with the Rockies Express Pipeline Project. Rockies Express
16 entered into the FERC pre-filing process on November 18,
17 2005, to which we are beginning review of the facilities we
18 refer to as the Western Phase.

19 The Rockies Express Pipeline Project Western
20 Phase is a stand alone project that is built to deliver gas
21 from the Rocky Mountain region to the interstate pipeline
22 system in the Midwest.

23 Rockies Express has informed us that it
24 contemplates eventually building a larger system to extend
25 the Western Phase eastward linking the Rocky Mountain region

1 to the upper Midwest and the eastern United States.

2 This overall plan may or may not ever come to the
3 proposal stage based on market considerations. So if
4 proposals for extending the Western Phase of the pipeline
5 ever come forward, the FERC will consider those at that
6 time.

7 The main facilities of Rockies Express is
8 considering for the project are approximately 710 miles of
9 42 inch-diameter natural gas pipeline and five new
10 compressor station. The pipeline will extend from the
11 Cheyenne Hub in Weld County, Colorado to an interconnect
12 with the Panhandle Eastern Pipeline system in Audrain
13 County, Missouri.

14 Most of the pipeline route will be co-located
15 with other pipeline utility rights of way. There are some
16 other associated facilities that the Rockies Express is
17 considering. In a little while, I'll ask a representative
18 from Rockies Express to take the floor to present a more
19 detailed project description.

20 He will be able to answer some of your questions
21 regarding the project and will be available to you to answer
22 specific questions after the formal part of the meeting is
23 over.

24 Right now I'm going to talk a little bit about
25 the scoping process and public involvement and the FERC

1 process in general.

2 The main FERC docket number for the Rockies
3 Express Pipeline Project is PF06-3-000. The PF means that
4 we are in the pre-filing process. Once Rockies Express
5 files a formal application, a new docket number will be
6 assigned.

7 I need to make a note of explanation about the
8 last paragraph of the notice that you received in the mail,
9 that is our Notice of Intent that we published certifying
10 our attempt to prepare the Environmental Impact Statement.

11 The last paragraph of that Notice talks about the
12 FERC process of intervention. Intervention is a separate
13 part of the regulatory process this is not available until
14 the formal application has been filed. It has no bearing on
15 our purpose here and during the scoping period regarding
16 your environmental comments.

17 The National Environmental Policy Act requires
18 that the FERC Commission takes into consideration the
19 environmental impacts associated with new natural gas
20 facilities.

21 Scoping is a general term for soliciting from the
22 public before the environmental analysis is conducted. The
23 idea is to get information from the public as well as from
24 agencies and other groups so that we can incorporate issues
25 of concern into our environmental review.

1 For this project, the official scoping period
2 ends on February 10. However, the end of the scoping period
3 is not necessarily the end of public involvement. There
4 will be additional points along the process for the public
5 to be involved in this project. Scoping is just the first
6 step.

7 Our scoping process for the Rockies Express
8 project started last month when we issued the Notice of
9 Intent that is the NOI that you received in the mail. We
10 have extra copies of the NOI at the sign in table and if by
11 chance your name was incorrect, your address was incorrect,
12 you have the opportunity to correct that so that we can get
13 your name and address on the record.

14 The first step in our preparation of the
15 Environmental Impact Statement or EIS is to determine which
16 environmental resource issues are most important to you.
17 Your comments and concerns, along with all the people and
18 agencies FERC asked to participate in this process will be
19 used for us to focus on environmental analysis.

20 Your comments tonight, together with any other
21 comments that you may send or have already sent, will be
22 added to the record in the comments for this proceeding. So
23 we then take your comments and other information, we work on
24 our independent analysis of the project's potential impacts.
25 We will publish those findings in a Draft EIS, which will be

1 mailed out to all people on the mailing list and will be
2 publicly notice for comment.

3 The mailing list for this project was almost
4 5,000 people. So instead of automatically sending 5,000
5 copies of the EIS in hard copy form, what we've decided to
6 do is to send that out as a CD ROM. So if you're on the
7 mailing list to receive the draft and final EISS, you go out
8 to your mail box, what you are going to find is a CD ROM.
9 If you do not wish to have a CD ROM and you would prefer to
10 have the hard copy, that's fine, but you have to let me
11 know.

12 The notice that I sent out has the return mail
13 item where you can check and say that you prefer to have a
14 hard copy. You can mail that back in to me, you can fill it
15 out, leave it here with me or at the table as you come in,
16 that would be fine, but you have to let me know.

17 During the Draft EIS comment period we will hold
18 public meetings for additional comments. We will then
19 continue our analysis and incorporate the public comments
20 into a Final EIS which will also be mailed to all of the
21 interested parties.

22 I need to differentiate between the roles of the
23 FERC Commission and that of the FERC environmental staff.
24 The Commission is responsible for making a determination on
25 whether to issue a Certificate of Public Convenience and

1 Necessity to Rockies Express for this project. That is, the
2 Commission will decide whether or not to authorize this
3 project.

4 The FERC environmental staff, which I am a
5 representative here, does not make that decision. What we
6 do is prepare the Environmental Impact Statement, which
7 describes the project's facilities and associated
8 environmental impact.

9 It describes alternatives for the project,
10 mitigation to avoid reduced environmental impacts, and our
11 conclusions and recommendations.

12 So the EIS is used to advise the Commission and
13 disclose to the public the environmental impact of
14 constructing and operating the proposed project.

15 The Commission will consider the environmental
16 information from the EIS, public comments, as well as a host
17 of non-environmental issues such as engineering, markets,
18 rates, tariffs, design, and cost of the project, before
19 making an informed decision on whether or not to approve the
20 project.

21 All we have to take is environmental and non-
22 environmental issues into account but the Commission make
23 its final decision on whether or not to approve the project.

24 Are there any questions on the FERC scoping
25 process or the FERC process?

1 (No response.)

2 Okay, that's my overview of the FERC role. Next
3 on the agenda is a project overview by Rockies Express and
4 we have Alice Weekly who will give that overview.

5 MS. WEEKLY: Thank you. My name is Alice Weekly,
6 I'm the Project Director for the Rockies Express Pipeline
7 Project. With me tonight, I also have Jim Thompson. Jim
8 Thompson is our environmental consultant. I also have Jerry
9 Page as well as Lee Rand and they are with our right of way
10 scoping process. Would you guys stand up please. And we
11 will be available after the meeting if you have any specific
12 issues or questions for us.

13 The purpose of the project is to move about 1.5
14 to 2 billion cubic feet of natural gas from the Rocky
15 Mountains to the Midwest market and basically what we are
16 proposing, we are proposing to build a 42-inch pipeline that
17 will start in Weld County, Colorado and terminate about 710
18 miles later in Audrain County, Missouri, where it will tie
19 into the Panhandle Eastern Pipeline.

20 In addition to the 720 miles of pipeline, we will
21 also be constructing 5 compressor stations. There is one
22 compressor station site in Missouri near Turney, Missouri.
23 In addition to the compressor stations we will also have
24 mainline valves and meter stations built in conjunction with
25 this project.

1 In December of last year, we held open houses
2 where we asked you to come so that we can tell you about the
3 project and listen to any issues you think you may have.

4 In January, these are the FERC scoping meeting
5 and we are contemplating to actually apply for the FERC
6 Certificate in May of this year. So in May of 2006, we will
7 apply for the FERC Certificate.

8 We are hoping to have approval for the project by
9 March of 2007 and then we hope to start construction in
10 April or May of 2007. So in a little over a year, that's
11 when we would actually start construction.

12 And then we hope to actually start flowing gas
13 from the Rocky Mountain and be complete through the entire
14 construction project by the end of the year 2007, that's
15 approximately 8 months worth of construction for the entire
16 710 miles.

17 We will be available for any questions you may
18 have after the meeting. We also have a public website and
19 the web address, or the public website is
20 www.rexpipeline.com. We are abbreviating Rockies Express
21 Pipeline with REX so it's www.rexpipeline.com. We also have
22 a toll free number, if you want to call that, and that
23 number is 1-888-210-8475.

24 We have private brochures in the back and that
25 has the web address as well as the toll free number in case

1 you didn't catch it. So thank you and we'll be available
2 later on this evening.

3 MR. SWEARINGEN: Thank you Alice. Now we come to
4 the part of the meeting where you get to present your
5 comments to me. That way, I can take them back with me to
6 my office and with my project team, we can do our
7 environmental analysis with your input.

8 If you do not wish to speak tonight, you can mail
9 your comments in, you can drop them off at the table as you
10 leave or you can use the FERC electronic system to submit
11 comments electronically.

12 I have a brochure that I will give you, if
13 anybody wants one after the meeting is over, that explains
14 how to use the FERC website if you want to do it
15 electronically. So if you get up to speak or you write them
16 down whatever, they are all given the same way.

17 I notice we have two people that signed up to
18 present their comments. After I call these two people, then
19 I'll open the floor to anybody else who wishes to add
20 something into the meeting.

21 As you notice, the fellow to my left here is
22 transcribing the meeting. This is going into the public
23 record so when you speak, however, since we don't have a
24 podium, I'll like to have Ron here bring the microphone to
25 you at your seat and you can make your comments so that he

1 could pick them up and insert them into the record.

2 What I'll need you to do is state your name and
3 to spell it so that we can be accurate for the record. The
4 first person that signed up to speak is Jay O'Bannon. Mr.
5 O'Bannon.

6 MR. O'BANNON: I'll just be brief here. Just a
7 couple things I guess, the only thing that affect possibly
8 my family would be possibly for future land development. We
9 are close to this area and the county grows out, possibly --
10 some homes in that area where we are at now, there is land
11 being developed for a subdivision so I guess I'm sure that
12 will be looked at in accordance. I just want to make sure
13 that was looked at. Thank you.

14 MR. SWEARINGEN: Wayne Wilcox.

15 MR. WILCOX: Wayne Wilcox from Randolph County,
16 I'm a landowner and spelling the last name is WILCOX and my
17 full name is Robert Wayne. I also represent a landowner
18 that I farm for who lives in Wichita, Kansas. His name is
19 James D. Barnes Incorporated.

20 We have -- our big concern is the fact that
21 another pipeline has indicated they are going to follow the
22 same right of way come through at a later time, probably
23 within 12 months of the arrival of this pipeline and I hate
24 to see my land tore up for two years in a row along with
25 everybody else's cost of, the way I understand it, on the

1 same route all the way from the middle of Kansas to
2 somewhere along Audrain County was the break off where this
3 line will go into the Panhandle Eastern facility there in
4 Audrain County where the trans-county line will transfer on
5 then to Wood River and over into the Illinois, I think it's
6 Pawtuxet, Illinois, there are two refineries over there,
7 just big oil pipelines.

8 I would like to see that one or the other
9 project, TransCan is speeded up or this one delayed where
10 they can both come through our land in the same year so that
11 you not have to go through the longer period of recovery on
12 your farmland.

13 You know, 42-inch lines are going to make a
14 pretty big hole and I've endured with the flat pipeline, an
15 issue where they've had to make major digs and repair the
16 old line and I've had equipment stuck in those holes even
17 though you were trying to avoid them. I had to tow spraying
18 equipment out of these holes where they had fallen in and
19 they were good to work with, but it took about three years
20 to even get the original big hole closed in and this line
21 will be a bigger hole yet.

22 And if you go right next to it and put another
23 one, now you have a very hard time of getting your equipment
24 across these lines if it's a wet fall or a wet spring and
25 that will happen for about three years and you have to

1 endure it and if you just lengthen that time out if you, you
2 know, just cause the two lines to try to come together and
3 do something jointly. And I stated that at the meeting here
4 at Moberly with the people with your office. There was also
5 a gentleman from DOT here that day that had some regulatory
6 control over the oil pipeline.

7 I understand that the TransCan group is not
8 regulate by you all but this is an area that I feel that my
9 best opportunity at this point to make an impact on the
10 project.

11 MR. SWEARINGEN: Okay. Thank you Mr. Wilcox.
12 That's is a time for me to mention that the role of DOT,
13 that the Department of Transportation, that the Pipeline and
14 Hazardous Materials and Safety Administration is going to be
15 a part of the environmental preparation of this project so
16 that they, although there is not a representative here
17 tonight, they will be involved in preparing the
18 environmental Impact Statement and review the safety section
19 and making sure the pipeline is operating under DOT
20 standards.

21 Those are the only two people we had signed up
22 this evening, however this is your opportunity and this is
23 your meeting to present your comments and environmental
24 concerns. If all you wish to do is talk with company people
25 about maps and where it crosses your land, like I said

1 that's fine. After the meeting you can talk to them. It
2 won't be on the record but you can ask your questions.

3 If you have something for me, please go ahead and
4 raise your hand and I'll give you a mike.

5 MR. KAISER: Jimmy Kaiser of Centralia.

6 MR. SWEARINGEN: Could you spell that please.

7 MR. KAISER: K-A-I-S-E-R. I -- on this dig, a
8 pipeline that deep, we're going to get into an awful lot of
9 clay, it's going to be brought up on top of the ground, why
10 can't it be put into the proposal that we'll take the top
11 soil off, lay it to the side, make our dig, put the pipe in,
12 put the clay back in, and then cover it with top soil, it
13 won't take near as long to recover the damages done, and it
14 will put back into production a lot sooner.

15 MR. SWEARINGEN: If you can just hand it to the
16 gentleman over there.

17 MR. HAVERSTICK: My name is Ken Haverstick, H-A-
18 V-E-R-S-T-I-C-K. According to the markers that have been
19 placed, along this route the proposed gas line will be, have
20 already gotten a crude oil line that runs across the corner
21 of my place. The proposed markers are south of that line
22 which placers that natural gas line closer to my home, which
23 is within 300 to 350 yards of this and that's great cause
24 for concern because it goes underneath three power lines.

25 We've experienced a situation like that with

1 Panhandle Eastern South Centralia where they had a ruptured
2 the power lines. They had a massive fire going which the
3 heat was enormous from that and it is a little further from
4 the dwelling than mine is from this pipeline and also the
5 property values of having two pipelines crossing right there
6 together and that close to the house.

7 My concern is mostly for the safety aspect of it
8 also for the amount of ground that it's going to tear up and
9 plus it's going across CRP group which will have to be
10 replaced and reseeded. Those are both of my concerns.

11 MR. SWEARINGEN: Anybody else would like to make
12 comments?

13 (No response.)

14 If not, then the formal part of this meeting will
15 close. Anyone wishing to purchase a copy of the transcripts
16 within 10 days you can talk to the gentleman to my left
17 about making those arrangements or after 10 days, the
18 transcript of this will be posted on the FERC website and
19 you can print them off, download them, read them for free.
20 The FERC website is www.ferc.gov, that's F-E-R-C.gov and
21 again, if you want to pick up a brochure on how to use the
22 FERC website and be able to use the system there, it makes
23 it easier to read and retrieve documents, that's fine.

24 For example, the FERC website has a link call e-
25 library. If you go into e-library and type in the docket

1 number, and again, FP06-3, anything that's on file for this
2 project that's available for the public, anything that
3 Rockies Express has sent to us or that we have issued, you
4 can read that so you can stay on top of the project.

5 There are other ways that we can make the FERC
6 website available to you. So if you can see me after the
7 meeting to get a brochure, that's up to you.

8 There are hopefully available information. There
9 is information that's available to the public but not on the
10 internet and there is another level of information that is
11 not public but they are all based on confidentiality so
12 that's true and the mapping will not be available from the
13 FERC website, you have to talk to Rockies Express people,
14 have the right of way people come out to your house or after
15 the meeting and ask them for the maps. I'm sure they would
16 like to accommodate you.

17 Now, on behalf of the Federal Energy Regulatory
18 Commission, I want to thank you all for coming here tonight
19 and let the record show the meeting concluded at 7:25 p.m.
20 Thank you.

21 (Whereupon, the meeting adjourned at 7:25 p.m.)
22
23
24
25