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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Public Scoping Meeting
For the proposed Southeast Supply Header Project
(Docket Number PF06-28-000)

Monday, 7:00 p.m. CDT
August 21, 2005
Multipurpose Building
West Gallman Road
Gallman, Mississippi

REPORTED BY:
Harvey J. Rayborn, CSR #1274

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APPEARANCES

John V. Peconom
Environmental Biologist

Scott Flickinger
Tectra Tech

Paul Scottland
Southeast Supply Header Project

Duke Engery Gas Transmission

CenterPoint Gas Transmission

The Public

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TABLE OF CONTENTS

Style of Public Scoping Meeting	1
Appearances	2
Table of Contents	3
Attachments	3
Proceedings	4
Certificate of Court Reporter	104

ATTACHMENTS

Written Comments of Lon Strong

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

2 MR. PECONOM: Good evening everybody.

3 Can everybody in the back hear me? Is it okay?

4 Do I need to speak a little louder?

5 UNIDENTIFIED: No, we can hear you here.

6 MR. PECONOM: Thank you. I appreciate it.

7 Again, good evening. On behalf of the Federal

8 Energy Regulatory Commission, I'd like to thank all

9 of you for coming out tonight.

10 My name is John Peconom. I'm a biologist

11 with the Federal Energy Regulatory Commission

12 working on this project, or this proposed project,

13 I should say.

14 With me tonight is Scott Flickinger who

15 works with Tectra Tech as an environmental

16 consultant helping us with this proposed project.

17 We have a couple more people checking in.

18 I'll go ahead and just keep going though.

19 The purpose of tonight's meeting is to

20 provide all of you with a little information about

21 this proposed project, how this process works in

22 terms of our review of this project, and to listen

23 to your comments that you may have about this

24 project.

25 As many of you know, I think everyone

1 should be on the mailing list. And if you're not on
2 the mailing list, there's a sign-up list in the back
3 to be on the mailing list. We've issued a notice of
4 intent which looks like this, and there's quite a
5 few pages in there. There's a map in the back.
6 It's a notice of intent to prepare an environmental
7 impact statement.

8 Southeast Supply Header, the Southeast
9 Supply Header Project is proposing to construct
10 several natural gas facilities starting in Louisiana
11 and including Alabama.

12 The Federal Energy Regulatory Commission
13 is responsible for reviewing the construction of
14 these facilities, and that is why we're here tonight
15 is to -- as part of this review is to listen to your
16 comments and explain the process.

17 Just to give you a little overview of what
18 we're hoping to do here tonight, and, again,
19 I probably will repeat a few things because I just
20 want to make sure everyone understands what we're
21 doing, and if I -- if something isn't clear, feel
22 free to go ahead and raise your hand and ask the
23 question. I want to make sure that everyone
24 understands what -- how this process works.

25 I'll spend a few minutes talking about the

1 project, the proposed project, spend a few minutes
2 talking about the process and about reviewing these
3 projects, and then open up the meeting for people to
4 comment on these projects, on this project. Excuse
5 me.

6 As I said, Southeast Header Project is
7 about 270 miles of pipeline, three compressor
8 stations and three booster stations.

9 To help us better understand -- better
10 understand this project, we've asked the Southeast
11 Header folks here to give us a quick presentation on
12 their project. In interest of time, we've ask them
13 not to take questions on the project. However,
14 these folks will be available after the meeting to
15 answer specific technical questions.

16 This isn't a technical meeting. It's a
17 comment meeting because we want to hear what you
18 have to say about this project and your concerns
19 about this project.

20 I guess before I allow them or ask them to
21 come up here, I want to just explain a little bit
22 how this process works.

23 We're in the prefiling process, which is
24 where a company will come to us before they a file a
25 formal application and they say we'd like to build

1 these facilities, but we want to work with you,
2 other agencies and the public early in the process
3 to develop this project. So, this project isn't set
4 in stone. There's some room to move to the left and
5 move to the right and do things different ways.

6 The prefiling process typically lasts
7 about six months. And in that six months, we have
8 several meetings like this. We meet with several
9 agencies in Mississippi, Alabama, Louisiana, and
10 we'll ask their opinions, their comments, their
11 concerns and work with the company, all of us
12 together, to refine this project. And at the end of
13 that six months, we hopefully have a project that
14 satisfies everyone's concerns.

15 I think before I go anymore into the
16 process, and just to kind of give you an idea where
17 we're at because a lot of stuff is changing and
18 people have heard different things at different
19 times and that's because this project is evolving,
20 I think I'll allow these folks to come up now and
21 explain how their project stands today and what
22 they're proposing to do. I think Mr. Monte Collins.

23 MR. SCOTTLAND: I'm --

24 MR. PECONOM: Oh.

25 MR. SCOTTLAND: Thanks, John. My name's

1 Paul Scottland, the project director for the
2 Southeast Supply Header Project.

3 And as John indicated, it is an
4 approximately 270-mile pipeline extending from
5 Delhi, Louisiana to Coden, Alabama, as y'all have
6 seen on the maps.

7 The Southeast Supply Header, LLC, is a --
8 the company that is sponsoring the project or
9 building the project. It's actually a partnership
10 of Duke Energy Gas Transmission and CenterPoint Gas
11 Transmission, so we are 50/50 partners in this
12 facility.

13 Again, as we indicated, the project is
14 picking up from Delhi, Louisiana. The intended
15 purpose of the project is to bring gas supplies out
16 of eastern Texas and northern Louisiana down to the
17 growing southeast markets and to provide an
18 alternative source of energy to the current offshore
19 production that comes out of the Gulf of Mexico.

20 Additionally, this pipeline serves to
21 provide additional gas supplies to the pipelines
22 that traverse the states of Mississippi and Alabama
23 in that we are having major interconnects with
24 several up to, I believe, eight of those pipelines
25 that are currently crossing the states. And,

1 again, it provides additional supply diversity for
2 users in those states as well as other areas of the
3 country.

4 Right now from a -- from a status of the
5 project, we have completed the surveys of the
6 project, the civil surveys and the environmental
7 surveys. We're in the process of evaluating that
8 information and preparing what are called resource
9 reports and providing that information to the
10 Federal Energy Regulatory Commission for them to
11 complete the analysis, and that's involved in the
12 Environmental Impact Statement.

13 From a schedule standpoint, our target is
14 to actually make the formal filing of our
15 application to the Federal Energy Regulatory
16 Commission in November of this year. And then upon
17 receiving approval of the project, we would propose
18 to start construction in late 2007 with the pipeline
19 being completed by mid 2008, and that's pretty much
20 the status and what the project is about.

21 MR. PECONOM: Thank you. I realize this
22 project is probably new to a lot of people and a lot
23 of people aren't familiar with the Federal
24 Regulatory Commission and how we review pipeline
25 projects like this.

1 The purpose of this meeting is to answer
2 those questions that you might have, and I want to
3 answer everyone's question about how this process
4 works, and I don't want people to be shy and feel
5 free to ask questions.

6 As Paul pointed out, they're proposing to
7 build the project. They've come to us, as I said
8 earlier, to participate in our prefiling process.

9 Our prefiling process is like -- is what
10 we're in the middle of now. There are several
11 meetings involved with it. You've been -- I think
12 many of you might have attended the open houses that
13 they sponsored about a month ago. This is the
14 comment meeting that we sponsor to listen to what
15 you have to say.

16 In the prefiling process, we also work
17 with the company and land owners like yourselves
18 and other interested parties to find out what
19 information is out there, where are the weapons,
20 what are people's concerns about timber, where are
21 the sensitive resources, rivers, streams, are there
22 air quality issues, are there noise issues, is the
23 house -- the proposed route going through the
24 middle of a house. Things like that are what we
25 want to know and what we look for. We look at

1 several issues and then we talk them through, we
2 work through them, we move things here and there.

3 Once the prefilings process is complete, we
4 then move into a formal application process where we
5 will review the application that Southeast Supply
6 Header people have prepared. We will check on that
7 information, we will consult with the agencies that
8 are responsible for regulating the tree sources and
9 we will prepare a Draft Environmental Impact
10 Statement.

11 The Draft Environmental Impact Statement
12 is our analysis of how this project, if constructed,
13 would effect the environment. Again, we talk about
14 recreation, water resources, ground water,
15 vegetation, wildlife or any endangered species, air,
16 noise quality, safety, reliability, operational
17 issues. All those things are covered under the
18 Draft Environmental Impact Statement.

19 That Draft Enviromental Impact Statement
20 is mailed to each of you, or everyone who's on the
21 mailing list, for your review to see if we capture
22 everything.

23 If we missed something, if you question
24 our analysis, we have more comment meetings then.
25 And then we take those comments and that

1 information, we prepare our Final Enviromental
2 Impact Statement. That Final Environmental Impact
3 Statement is then sent to our Commission which then
4 uses that, along with other information, to decide
5 whether or not to authorize this project.

6 If the project is authorized, we issue
7 them a certificate of authorization. That gives the
8 company eminent domain where they can go out and
9 take property to construct this project.

10 As I said, in the Enviromental Impact
11 Statement process, we try to look at as many issues
12 as we can. We try to look at them in detail to make
13 sure we cover everything.

14 The prefiling process is six months.
15 Upon filing the application, there's four months,
16 typically, till we file -- or till we issue a Draft
17 Enviromental Impact Statement, and then another four
18 months after that where we finalize the Enviromental
19 Impact Statement.

20 Once we finalize the Enviromental Impact
21 Statement, it could be another month or two before
22 the Commission votes on -- on the project whether to
23 authorize it or not.

24 I think that's a quick rundown on the
25 process. But I know it's confusing and there's a

1 lot of terms I may have thrown out there and
2 sometimes I'm not the best at explaining these
3 things. So if people have questions on the process,
4 I'd like to take those now and just help everybody
5 clearly understand how these things work. I know a
6 couple of people might have some --

7 JUNE OWENS: Has a project ever been
8 denied?

9 COURT REPORTER: Excuse me. You need to
10 say your name.

11 MR. PECONOM: I'm sorry. I should've said
12 that. Could you --

13 JUNE OWENS: June Owens.

14 MR. PECONOM: Yes. Projects have been not
15 authorized.

16 JUNE OWENS: How frequent?

17 MR. PECONOM: Not frequently. We do work
18 very hard, excuse me, to minimize the impact of
19 these projects. They --

20 JOE WYATT: What was that question?

21 MR. PECONOM: -- are generally authorized,
22 but they're not -- yes sir.

23 JOE WYATT: What was that question?

24 COURT REPORTER: What's your name, please.

25 JOE WYATT: Joe Wyatt.

1 MR. PECONOM: The question was:
2 Are projects ever not authorized or do we deny
3 projects, and the answer is yes.

4 I think, in my experience, projects will
5 come in one way and we'll tweak them and move them
6 and they come out differently at the other end, you
7 know, different than what they come in, so it's a
8 give-and-take process. We move things around. So
9 -- does that answer your question a little bit?

10 JUNE OWENS: June Owens. I have another
11 question. Why is the alternate route, which seems
12 to be looking on the map, a long way around but now
13 it seems to be the going route?

14 MR. PECONOM: So why is the alternate
15 route --

16 JUNE OWENS: Being used.

17 MR. PECONOM: Being used.

18 JUNE OWENS: Why is it going to be
19 approved?

20 MR. PECONOM: Well, as part of this
21 process, the prefiling and then ultimately our --
22 our review of the project, we'll look at several
23 routes. Right now I think the Southeast Supply
24 Header folks and their -- the information they've
25 collected believe that this route, the proposed

1 route, is the best route for, I'm sure, engineering
2 reasons and environmental reasons. We'll look at
3 other routes and see if perhaps the impacts of those
4 routes are less than this one and we'll look at --
5 you know, we've looked at two or three. We've
6 looked at ten or fifteen. I can't tell you what
7 number it is tonight. It depends how the -- how it
8 goes.

9 So I could say right now that this is
10 probably the least impacted, or at least the least
11 environmental impact for this proposed route right
12 now. It may not -- it may not be that way in the
13 end. There are -- many times we've asked companies
14 or required companies to go other routes. So, we
15 have to start somewhere and I think this is where
16 we're starting right now.

17 SAM KEYS: Sam Keys. Up until just a few
18 weeks ago, word -- I was getting -- talking to a --
19 people at a gas company, Jeff Scanlin, I believe,
20 he's supposed pretty high up in the organization,
21 that there was -- that there was a 90 percent chance
22 that it would not come through this area. And all
23 of a sudden it looks like it's inevitable that's
24 where it's supposed to come through. Why is the --
25 what's the discrepancy in not giving us a straight

1 word to start on?

2 MR. PECONOM: I guess in my experience,
3 these projects, things change, you know, and I --
4 I know that, you know, you hear 99 percent this way
5 and all of the sudden it's this way. I'm sure
6 there's reasons for -- for those -- for why it's
7 been changed. We'll look at those reasons, you
8 know. We'll ask those same questions in our
9 enviromental review: Why were you going this way
10 and now you've chosen to go this way? So I --
11 I don't have the answer for you there, but it's
12 something we'll look at.

13 And I should have mentioned earlier, one
14 of the things we look at in great detail is an
15 alternative -- alternative section. So we have an
16 alternative section with major alternate routes,
17 north or south. We have alternative variations
18 where you just move 300 feet one way or 500 feet
19 another way for a mile or two.

20 JOE WYATT: Initially, we had a meeting
21 here what, six weeks ago or so and they were
22 talking -- everybody that talked to the gas company
23 said 50 feet and they'll have an extra easement for
24 construction. Now they're talking about 60 feet
25 plus another 40 feet.

1 MR. PECONOM: Construction or right of
2 way -- right of way widths vary for a project. It
3 depends a lot on the size of the pipe, the
4 topography, you know, if you're building through a
5 very hilly area or a nice flat area. There's a lot
6 of variation in that.

7 There's no requirement for what the
8 right of way width should be or will be. I think a
9 standard is usually 150 -- I'm sorry, 100 temporary
10 and 50 permanents. I've seen that range anywhere
11 from, you know, 200 temporary to 25 permanent.

12 I think through this process we'll see
13 what works best. We'll see the requirements that
14 the company is asking for in terms of
15 constructability, you know. There has to be a
16 certain amount of safety involved in these things.

17 If you put a pipeline or a right of way
18 too small, then it tightens everybody in together
19 and accidents can happen. If it's too big, you
20 know, they're running all -- people are all over the
21 place, and that's unnecessary as well. So we work
22 with everybody to kind of narrow down these issues
23 and to find out what the final right of way widths
24 will be. That's something we look at. Absolutely.

25 JOE WYATT: My concern is, and, of course,

1 I'm prejudice as a timber owner, you know, it's not
2 just an inconvenience and a depreciation of going
3 through your property. As a timber owner, you're
4 giving up that acreage forever. It's not productive
5 and it does amount to a quite a few acres when
6 you're going across a large area.

7 MR. PECONOM: And land use is another
8 thing that we'll look at in terms of project. Some
9 people use their land for timber production. Some
10 people use it for pasture. Some of it's just kind
11 of sitting there. We try to minimize the impacts of
12 land use.

13 There are impacts and these projects will
14 impact -- will impact somebody and will impact some
15 use. Our goal is to minimize those uses. If we can
16 avoid them, you know, I think we -- company's would
17 like to avoid impacts as well and minimize them.
18 I think that's everybody's goal here to do that.

19 And that's a good comment that we will --
20 that I'll take back with me to Washington. I want
21 to, not to -- to cut your comment off, I want to
22 keep focusing on the process real quickly, and then
23 when we open up the meeting we can take land use
24 comments and alternative comments and whatnot.
25 Actually, I wanted to get to her before I come over

1 back you to. Yes, ma'am.

2 MONA BIRDSALL: My name is Mona Birdsall,
3 and did I hear you right in saying that y'all would
4 have eminent -- eminent domain and you would take
5 the land?

6 MR. PECONOM: When we issue a certificate,
7 we give the company the authority to -- eminent
8 domain authority. So then they have to offer a fair
9 market value to a land owner and they have to work
10 with the land owner.

11 I mean, I -- in my experience, companies
12 want to work with land owners. They don't want to
13 do -- go through the eminent domain process.
14 It takes a lot of effort. It involves lawyers, and
15 I think nobody wants to do that.

16 However, when we do issue a certificate,
17 whether the Commission approves the project and
18 issues a certificate, it does grant them eminent
19 domain.

20 MONA BIRDSALL: May I make a statement?

21 MR. PECONOM: Yes, ma'am.

22 MONA BIRDSALL: This country is founded on
23 freedom. We will go to war to protect our land, and
24 I think our land owners should have the same right.

25 MR. PECONOM: Actually --

1 MONA BIRDSALL: You can quote me with
2 that.

3 MR. PECONOM: Yes, sir.

4 ED BUCHHOLZ: My name is Ed Buchholz --

5 MR. PECONOM: Yes, sir.

6 ED BUCHHOLZ: -- from New Hebron, and I'm
7 a small land owner, which is little concern to a big
8 outfit like this. I understand that. But the land
9 that I have, the timber on it has been growing for
10 anywhere from 40 to 70 years. This is huge pine.
11 When I built my house, I cleared out enough to get
12 the house in. I have these huge pines all the way
13 around the house.

14 Okay. The timber cruisers that came
15 through there said you probably have one of the last
16 stands of old growth timber in the area. When the
17 survey line come through there, when I see a ribbon,
18 it's going to cut through the middle of it leaving a
19 fringe of about 150 feet on one side and then
20 probably 300 feet to my house leaving a wind tunnel
21 of 150 feet right through the middle of it.

22 Now, if anybody thinks that it's going to
23 be nice, I sat through Katrina and I watched the
24 wind, but due to the fact that the pine was tall,
25 thick and had plenty of support, I lost very little.

1 Now, you cut a wind tunnel down through
2 the middle of that, I'm not only going to lose one
3 side, I'm going to lose both sides and my house too.

4 MR. PECONOM: And in our Environmental
5 Review Process, we'll look at that and we'll -- if
6 it's a valuable, you know, stand of -- of timber, if
7 it's, you know, old growth forest there like you
8 said, we will look at that. And, actually, we're
9 going out to the sites to see the different route at
10 different times. We'll be out there on the ground
11 looking to see if --

12 ED BUCHHOLZ: What's going to happen when
13 one of these big pines that I've got around the
14 house comes over the top? Are you going to pay for
15 my house too? No.

16 MR. PECONOM: And we'll have --

17 ED BUCHHOLZ: I don't want you on my
18 property, period.

19 And when you come through and you asked to
20 survey the land, my granddaughter and I also have
21 another piece of land, we call it the DJC Ranch,
22 it's nothing but pastureland. That is what we
23 signed for you to survey. At the time, I went on
24 vacation. When I came back, you surveyed my piece
25 of property, not our piece of property. So you

1 didn't even have any right to come through there.

2 MR. PECONOM: I understand, and I -- I'm
3 with the Federal Government and will, you know,
4 speak with the companies and make sure that the
5 surveyors are calling out ahead of time as they
6 should be.

7 ED BUCHHOLZ: They called ahead and they
8 asked if they could go through it, but we said that
9 they could go through the ranch. They never, never
10 was authorized to go through the property that
11 I'm own.

12 MR. PECONOM: If you're here after the
13 meeting, I want to catchup with you and get all of
14 that information.

15 ED BUCHHOLZ: It's a small piece now.
16 You've got to understand when I lose this, I lose my
17 house and everything else. No, I don't want --
18 I don't want the pipeline up.

19 MR. PECONOM: Thank you, sir. Is there a
20 process question on how -- I -- I don't want to cut
21 you off. I just -- it's a -- yes, ma'am. I'm
22 sorry. Okay. I just didn't -- I want to keep the
23 questions on process -- yes, ma'am.

24 CHARLOTTE BYRD: My name is Charlotte
25 Byrd. I live at 1027 Bridges Lane, Hazlehurst,

1 39083. Y'all seem to have a problem. I have not
2 ever received one piece of information on this
3 pipeline come to my address to my attention telling
4 me anything about meetings or anything, but yet you
5 want to come right in my front door.

6 I got a threatening letter from your
7 attorney supposedly hand delivered to me. That
8 letter was not hand delivered to me. It was given
9 to somebody that does not even have a name on that
10 piece of property.

11 I got the threatening letter because
12 I didn't accept a piece of letter that I had to sign
13 for. I do not sign for mail that I do not know who
14 it is coming from, photocopied and everything about
15 me rejecting a letter.

16 Well, I'm going to tell you. I informed
17 that attorney about what -- how I have been dealt
18 with through this whole process, the threats, the
19 people that have called me at work. I asked them
20 not to call me at work. I can meet them after
21 6:00 o'clock. I set up an appointment, went to the
22 dentist's office, he can't see me, and not one time
23 has anyone come to talk to me, and that's coming
24 right in my font door. I do not want you on my
25 property.

1 MR. PECONOM: And I want to address the
2 question about the process there and the mailing
3 list and why people -- some people may get mail and
4 some people may not.

5 When we issue, you know, for instance, the
6 notice of intent, we use a mailing list provided by
7 the company who should be going to the tax rolls and
8 the county offices and find out who the registered
9 owner of that property is, taking that information
10 and putting it on the mailing list and supply the
11 mailing list to us. 270 miles is a long way, the
12 property changes hands, records aren't always kept
13 up, and I'm -- we'll get you on the mailing. I want
14 to make sure that we do.

15 CHARLOTTE BYRD: I signed up here at this
16 office because I heard through the grapevine of the
17 first meeting that was going to be here. And since
18 that time, I have turned my address in on three
19 different occasions and they're documented.

20 MR. PECONOM: And we still haven't got you
21 anything yet?

22 CHARLOTTE BYRD: No. I have --

23 MR. PECONOM: I apologize to you, ma'am.

24 CHARLOTTE BYRD: -- not gotten that letter
25 of intent. I've had to hear from it from other

1 people.

2 MR. PECONOM: Well, I apologize. Have you
3 signed it tonight?

4 CHARLOTTE BYRD: Yes, I did --

5 MR. PECONOM: I want to make sure that
6 you're on the mailing list.

7 CHARLOTTE BYRD: -- and I don't appreciate
8 being threatened like I did with that letter, and
9 I'm keeping it because I'm going to -- if I have to
10 use it, I'll use it.

11 MR. PECONOM: Yes, ma'am. And we'll get
12 you on the mailing list tonight and I'll make sure
13 that we do that and we'll take it back to
14 Washington.

15 Two hundred and seventy miles, as I was
16 saying, sometimes people get missed, and -- and
17 that's unfortunate, and I apologize for that. We do
18 our best to make sure that we update lists. When we
19 get returns in the mail, we ask the company to
20 update them, say, Where is this person now? They
21 track it down and then they get us the corrected
22 information and we try to get it back out as quick
23 as we can.

24 People move. Things change, you know, in
25 terms of who owns the property. We do our best and

1 we will continue to work with -- with all of you,
2 and if there are people you know that are not
3 effected or are effected, excuse me, and not on the
4 mailing list, please let us know and we'll get them
5 on the mailing list as well. So I -- I'm glad you
6 brought that up. We are trying to get that mailing
7 list as complete as possible. Thank you.

8 Yes, sir.

9 ROBERT HARRIS: Robert Harris, Hazlehurst.
10 What's the design life of the pipeline?

11 MR. PECONOM: That's a -- that's a little
12 bit more of a technical question. I want to just --
13 I'll -- I'll come back to you, but I just kind of
14 want to do the process, the overall process.

15 ROBERT HARRIS: I've got a process
16 question.

17 MR. PECONOM: Yes, sir.

18 ROBERT HARRIS: I want to get that on
19 the -- I've asked that question at previous meetings
20 and assured I would be given a response in the mail
21 or by phone and I have not received anything on
22 that.

23 MR. PECONOM: Okay.

24 ROBERT HARRIS: I also gave permission, in
25 Lawrence County near New Hebron, gave permission for

1 surveying additional of prior notification so that
2 I could be present, and I was not notified either.
3 And I've been very frustrated and disappointed with
4 this entire process. And when I get answers to
5 questions, if I get answers, I get a different
6 answer from any person I ask.

7 I started out with a positive attitude
8 about it. I am totally negative of it. If I could,
9 I would prevent them from coming on the property.
10 They have not handled the administrative process
11 with the landowners, and I think there's a lot -- as
12 you notice, there's not very many people here
13 tonight. There's been three or four times this many
14 people at least at the previous meetings, and I know
15 I'm not the only one with these concerns and --

16 MR. PECONOM: In terms of the process, in
17 the environmental process, you spoke about when
18 surveyors coming on property. They should be --
19 they should be calling you and, you know, I think
20 the authorization you gave them probably has
21 something in there about that, and I will follow-up
22 with the companies to make sure that that -- all
23 standards and agreements are being adhered to.

24 Are there other questions about the
25 process and how we review these projects and some of

1 the things we look at? Yes, sir.

2 JOHN BARNES: John Barnes. My question
3 is, you're talking about the process, the process is
4 -- what's the process? How were they supposed to
5 notify you? Because I was never notified before
6 they came on the property.

7 MR. PECONOM: As part of the prefiling
8 process, the company will go out and look at, like
9 I said before, look at the tax rolls, I guess, in
10 the county offices and they'll take -- and whoever's
11 the registered owner of that property, whoever pays
12 the taxes on that property, write their name and
13 address down, put it on the mailing list and keep
14 going down the line 270 miles. They supply that
15 list to us. We take that list, you know, assuming
16 it's correct, and send out our notice of intent.

17 I believe that sometimes property changes
18 hands or names change and this really don't get
19 reflected in the county, and I don't want to put
20 this on the county, but, you know, things somehow
21 get missed here and there, the mailing list, or
22 somehow a number was typed incorrectly. Those
23 things -- those kind of things happen.

24 Part of this meeting and part of the one
25 things we want to do is keep an updated mailing

1 list. That's why we supply those lists in the back,
2 to get people's names on there, and that's -- that's
3 part of the process. But we get the -- the
4 addresses from the company who goes through the tax
5 rolls and looks at who's the registered owner on
6 that property. They give it to us. We send it out.
7 We get some back. We ask them to correct them as
8 best as possible.

9 I guess that's kind of how the process --
10 that -- that is how the process goes for the mailing
11 list and we try to constantly update it.

12 JOHN BARNES: I'm not talking about the
13 mailing list. I'm talking about the, you know, the
14 permission to survey, you know, to come in and flag
15 it, you know, they've been through.

16 In other words, I would expect at least a
17 reasonable attempt other than maybe a voice message
18 left on the phone saying we would like to come
19 through your place. You would expect some
20 face-to-face interface with an individual before
21 they came on your place to survey it.

22 MR. PECONOM: I agree. And I -- we'll --
23 we'll be speaking with the company after about this
24 issue just to make sure that, you know, people
25 are -- that everyone is adhering to what they agreed

1 to. It sounds like there might be some -- some
2 issues or some things that are being messed and we
3 need to tighten it up.

4 JOHN BARNES: They've been lazy, you know.

5 MR. PECONOM: Yes, ma'am. Process.

6 MONA BIRDSALL: We also asked them that we
7 be present when they come through our place.

8 MR. PECONOM: Uh-huh. (Affirmative
9 response.)

10 MONA BIRDSALL: They told us they would
11 and did not let us know anything about it. They
12 also, when they came to ask, told us that this was
13 just a preliminary because it was going to go a good
14 bit south of here. They lied.

15 MR. PECONOM: I will --

16 MONA BIRDSALL: They did not let us know
17 when they came through.

18 CHARLOTTE BYRD: They're not dealing with
19 us properly.

20 COURT REPORTER: You need to say your
21 name, please.

22 CHARLOTTE BYRD: Charlotte Byrd. They're
23 not being dealt with, the landowners, respectful.
24 That's how -- that's just the bottom line of it.
25 We're not being respected as land owners and

1 taxpayers. Y'all are coming in here and telling us
2 all this stuff and just doing whatever, "Oh, we'll
3 take it by eminent domain."

4 ED BUCHHOLZ: That's the truth.

5 COURT REPORTER: Name, please.

6 ED BUCHHOLZ: Ed Buchholz. You've already
7 got it.

8 COURT REPORTER: Well, I can't remember 20
9 people.

10 ED BUCHHOLZ: Okay. Good. You've got it
11 on the typewriter then.

12 COURT REPORTER: Thank you.

13 MR. PECONOM: I appreciate everybody's
14 frustration and I understand it and I will talk to
15 the company after the meeting to make sure that this
16 doesn't happen again and work with them to make sure
17 everyone's getting phone calls. I understand.

18 Yes, sir.

19 JACK FOSTER: Jack Foster. If those
20 pipelines blow out on a big of line as that is,
21 I know there are lines that blow out because I saw
22 one at Union Church blow out right over here about
23 three miles, Union Church is probably about 28 miles
24 or something from me, how large of an area do those
25 things usually blow? How many feet? That was a --

1 that pipeline wasn't near the size of this one that
2 blew out, and what will this big one do?

3 MR. PECONOM: In terms of process,
4 I -- I'm not an engineer that deals with, you know,
5 accidents. I can't tell you that. I know -- I can
6 tell you that's something that we will look at in
7 our Environmental Impact Statement as part of this
8 review because we'll look at safety, and if there
9 are accidents, you know, how that will effect the
10 project, so -- and I guess I want to say something
11 else really quick and I'll come back to you.

12 This is an evolving process. There's a
13 lot of answers that aren't out there yet that
14 have -- this isn't set in stone. You know, these
15 are the questions that we want to hear so we can
16 answer them in our final review. We want to
17 eventually cover everybody's concerns and this --
18 if I say I don't have the answer, I'm not trying to
19 avoid you by any means. It's just I don't have the
20 answer.

21 We're getting information every day from
22 the company, new and updated, we're seeing changes,
23 and when we get a final application in November,
24 that's the information we'll use to do our analysis,
25 but for right now we're developing all of that

1 information so -- yes, sir.

2 JACK FOSTER: Me my son-in-law, we had
3 some yearlings that we winged and we had fixed a
4 fence along the road. Well, my daughter asked me,
5 said, Who is that down on the road? I said, I don't
6 know. I'll go down there.

7 When I got down there, a young man
8 and some more people had his foot on the wire and
9 stretching it, and we had just fixed those fences to
10 keep these cows and yearlings off the road there,
11 just young yearlings weighing about 350, 400 pounds.
12 They said they was going to come back to fix it.
13 I didn't want to fix it because we had spent all day
14 down there fixing those fences. Who's responsible
15 for those things?

16 MR. PECONOM: I'm hearing a lot of survey
17 issues so I will --

18 JACK FOSTER: These calves are hard to
19 keep penned. They're not like cows.

20 And then another question is: When they
21 put that pipeline in, it's going to draw out cattle
22 to the back place where they get out on the creek
23 and they'll -- they'll go down that pipeline to
24 graze. I've got enough trouble as it is. That'll
25 be more trouble. How do they -- do you -- are we

1 here to -- how do they arrive at what they pay you
2 on these places? For your troubles? Or just say,
3 Look this is what it's worth?

4 And then I've got one more pipeline
5 already through my place. I'm close enough to town
6 that one day I may want to cut it up into lots and
7 that'll prevent me from selling lots on pipelines
8 because I'll be crisscross. They're not just coming
9 straight across. They're crisscrossing me. It's a
10 pretty good distance across there.

11 MR. PECONOM: My responsibility --

12 JACK FOSTER: They're just like this --
13 (Indicating) -- not straight X'ed, but crisscross.
14 It covers a lot of property when you crisscross one
15 end to the other end.

16 MR. PECONOM: My responsibility here
17 tonight is to listen to your environmental concerns,
18 to take that piece of information there, write that
19 down and make sure that when we do our review of
20 this project that we look at that.

21 Our responsibility -- we -- we're not
22 responsible for negotiations in terms of how that
23 works with a company for easements. My specific
24 responsibility is to the environment and to the
25 environmental review.

1 JACK FOSTER: You said eminent domain so
2 I thought maybe you were.

3 MR. PECONOM: And I apologize if I was --

4 JACK FOSTER: See, that covers what I just
5 asked. Eminent domain covers it. You got into the
6 same territory back-to-back right there.

7 MR. PECONOM: I apologize if I was a
8 little unclear about that. A question I often get
9 is did the authorization of this project give the
10 company eminent domain and the answer is yes.

11 In my experience, as I said before,
12 companies don't want to go down the eminent domain
13 road. It costs a lot of money. It takes a lot
14 longer to get on a project. They try to work with
15 you to -- to come to some sort of agreement. So
16 I'll be speaking with the company about that, about
17 working with the surveys.

18 And I guess -- are there anymore process
19 questions? Then what we can do, we can open it up
20 to people's comments and -- I'll come back to you,
21 sir, in just one second.

22 I want to reiterate that I don't have a
23 lot of answers, but I want to hear your questions so
24 I make sure that we -- we answer these questions in
25 our review.

1 I can't answer a lot of specific detailed
2 questions, but I can answer process questions and
3 I can take your comments and make sure that we
4 answer them at some point in the future. It may be
5 a few months before we -- it'll be several months
6 before we complete the Draft Environmental Impact
7 Statement.

8 Yes, sir. If you could state your name
9 for the reporter, please.

10 SAM MYERS: Sam Myers.

11 MR. PECONOM: Yes, sir.

12 SAM MYERS: I live on Union Road.

13 I have property in the Vicksburg SESH District, and
14 I have property in Hattiesburg. I have seen the
15 personnel from Vicksburg. I happened to be at the
16 Mayo Clinic with my wife because of an illness when
17 the first survey came through. If I had been there,
18 we wouldn't have had the problem then.

19 But during the first meeting on June 12th,
20 they asked me about the original line going south of
21 Big Creek, and I told them that was okay, I would
22 like more distance because of some trees, like the
23 gentleman here has got. The only thing I have are
24 some woodpeckers in there and I want to protect them
25 environmentally.

1 Later on you sent people from Vicksburg,
2 came back and took the survey markers out where they
3 would have crossed my private telephone line, my
4 private waterline, and the county water and the
5 county telephone, my asphalt driveway, the county
6 road, and they went back to the original line of
7 June the 12th, because I made that request back on
8 June the 12th and I signed a card about it.

9 Now, I have never seen anybody from the
10 Hattiesburg District. Is anybody here from the
11 Hattiesburg District?

12 (No responses.)

13 SAM MYERS: Any personnel?

14 MR. PECONOM: I don't know to be honest.
15 Just to be honest, I don't know if anybody is here
16 from the Hattiesburg District personnel. And -- is
17 this a survey question?

18 SAM MYERS: I was gone again and they
19 surveyed east of Union Road, which is in
20 Hattiesburg, and they missed West Road from
21 Vicksburg by 1,000 feet. I noticed this because
22 there was five vehicles up there one day and they
23 were all laughing like they -- about the two
24 surveyors lacked a thousand feet of meeting each
25 other.

1 After consultation with Vicksburg,
2 the SESH personnel came out and they moved it back
3 to the original June 12th line. But I've never seen
4 anybody. I have a letter, a whole bunch of junk
5 from Hattiesburg, the same thing I got from
6 Vicksburg, but I've seen anybody. They came over
7 and changed their survey and came up across from my
8 driveway to meet the other surveyor.

9 MR. PECONOM: So it sounds like you're --
10 I'm -- correct me if I'm wrong. Your -- your
11 concern is with surveyors not contacting you and
12 you're not being aware -- you're not being made
13 aware when the survey crews are out there and you'd
14 like to know that?

15 SAM MYERS: That's right. In either case,
16 if I knew they were coming, I had all these letters
17 with a bunch of folders and stuff in it, but
18 I happened to be at the Mayo Clinic in Jacksonville,
19 Florida.

20 MR. PECONOM: Yes, sir. And that's --

21 SAM MYERS: That survey has been corrected
22 back south of Big Creek where it was on the original
23 June 12th line. The survey across the road has not
24 been corrected. I've never been contacted by
25 anybody or nothing else from that unit east of

1 Union Road.

2 MR. PECONOM: Well, I will be speaking
3 with the company tonight about surveys and make sure
4 that everyone is getting out their proper --
5 appropriate notices. That's a comment I've heard a
6 dozen times tonight, if not more, so I think that's
7 something that we need to discuss with them.

8 Another point in your comments, there was
9 this moving back and forth and you don't know where
10 it's at right now, it sounds like, and you want to
11 make sure you know where it's at.

12 And part of this prefiling process is to
13 allow that to happen, for the line to move one place
14 or they find out it's better at this place or to
15 move back and forth and find the best place for it.
16 And that's, after listening to the land owners and
17 looking at things like timber stands and woodpeckers
18 and trying to move this thing around to make the
19 least amount impact. So in some sense that sounds
20 good, but it sounds like that's what it's supposed
21 to do.

22 Now, the surveyors should be contacting
23 you if that's what you'd like.

24 SAM MYERS: Using your terminology, they
25 should be but they haven't.

1 MR. PECONOM: And I will be speaking with
2 the company about it.

3 SAM MYERS: I said the Vicksburg people
4 have corrected it going back to the original line
5 where it's supposed to be, but I've never seen
6 anybody or heard anybody from the Hattiesburg
7 office.

8 MR. PECONOM: Thank you, sir.

9 SAM MYERS: I've got his name and
10 telephone number. Am I supposed to contact him and
11 tell him to come and change the stakes?

12 MR. PECONOM: Thank you, sir. Process.
13 Yes, ma'am. Process.

14 CHARLOTTE BYRD: One more thing.

15 MR. PECONOM: Yes, ma'am.

16 CHARLOTTE BYRD: We're talking about
17 all of this environmental deal and people that have
18 come in and done surveys. Well, we have a pair of
19 the -- two pair of the endangered woodpeckers on our
20 place in our pines and we have told them those
21 woodpeckers were there. I see --

22 UNIDENTIFIED: We even sent a letter to
23 Washington.

24 CHARLOTTE BYRD: -- them every day.
25 We sent the letter to Washington also telling them

1 that those two pair of woodpeckers are there.

2 MR. PECONOM: Endangered species, as you
3 mentioned --

4 CHARLOTTE BYRD: They're -- I think
5 they're -- what is it? White bill. Yellow bill
6 or -- it's the big ones that's got the solid red
7 head.

8 MR. PECONOM: And that's exactly what this
9 process is supposed to do is find out where these
10 thing are. They have --

11 CHARLOTTE BYRD: They've been told.

12 MR. PECONOM: -- environmentalists -- I'm
13 sorry?

14 CHARLOTTE BYRD: They've been told. They
15 were told at the first meeting that those
16 woodpeckers were there.

17 MR. PECONOM: And I think what happens is
18 the environmental survey people go out --

19 CHARLOTTE BYRD: And they came out
20 there --

21 MR. PECONOM: -- and they should be
22 contacting you.

23 CHARLOTTE BYRD: -- I -- they were --
24 I was not contacted. I was just told that they had
25 been on my property.

1 MR. PECONOM: And what the survey crews
2 do, you know, what they do is they look and they
3 find these woodpeckers and they find out where they
4 are and they mark them down on the map and tell us
5 about them, and the U. S. Fisheries and Wildlife
6 Service are also responsible for endangered species.
7 They have records of where these woodpeckers are
8 and other endangered species.

9 When we get all of the information from
10 the company and the U. S. Fisher and Wildlife, we --
11 we sit down on a map and we look for these things
12 and we go, "Okay. If that's going to go through the
13 middle of a woodpecker nest, we probably need to do
14 something different. We'll have to move it around."
15 If it's an endangered species or something, the
16 U. S. Fisheries and Wildlife Service is responsible
17 for it and we're responsible for it as well, so --
18 and that's what the process is. That's what these
19 surveys are designed to do is to determine those
20 resources.

21 CHARLOTTE BYRD: One more question.
22 How close to the houses are y'all planning on -- can
23 you go? How close to a home?

24 MR. PECONOM: Pipelines, I think the
25 standard -- the standard is 50 feet, generally,

1 separation between a pipeline and a house. It --

2 CHARLOTTE BYRD: Fifty feet in our front
3 yard?

4 MR. PECONOM: It varies. Yeah, obviously,
5 nobody wants it next to a house. I think that's --
6 yeah, we try to move these things around, but we do
7 have -- we do allow companies to go within 50 feet
8 of a house.

9 CHARLOTTE BYRD: Well, tell me what
10 happens when it blows up and kills something or
11 kills me? Are y'all going to say, "Oh, we're
12 sorry." Are you going to give me a couple hundred
13 dollars and then let the attorneys get the rest of
14 it for suing you?

15 MR. PECONOM: The Safety Commission will
16 look at the Environmental Impact Statement.

17 Yes, sir.

18 ED BUCHHOLZ: Ed Buchholz again.
19 As I said, this is old timber. And, yes, I also
20 have a pair of red cockheaded woodpeckers, and they
21 had their nest until Katrina came through and blew
22 that pine down. Now, I'm sure they're on that
23 property somewhere and I'm going to hunt it up if
24 that would help keep the gas line away from me.
25 I don't want it.

1 MR. PECONOM: Endangered species is
2 something that we look for. Fisheries and --

3 ED BUCHHOLZ: Okay. I'll hunt it up.

4 MR. PECONOM: -- Wildlife Services is --
5 is charged to protecting endangered species. And,
6 you know, pipelines, there are some requirements
7 that need to be enforced when it comes to endangered
8 species so -- are these process questions?

9 JUNE OWENS: You cannot answer this if
10 it's not, June Owens, if it's not a process
11 question.

12 MR. PECONOM: Yes, ma'am.

13 JUNE OWENS: When they dig and install
14 this line and they come across their property and
15 they treat us like we've been treated so far, so
16 disrespectfully, where will y'all be?

17 MR. PECONOM: Tonight, I will be talking
18 to the company about this, this issue. So this
19 is the first I've heard of it.

20 JUNE OWENS: Oh, y'all will not be with
21 that company when they're on our property, correct?

22 MR. PECONOM: No, ma'am. We do not need
23 surveys every day.

24 JUNE OWENS: No. I mean when they are
25 installing how closely will this company be watched

1 when it is destroying our taxpayer property?

2 MR. PECONOM: We will have inspectors,
3 ma'am.

4 JUNE OWENS: How often?

5 MR. PECONOM: Depending on the project,
6 we may have one there every day. I don't know for
7 this project. We haven't gotten that far along and
8 decided if we're going to be there every day or not.
9 At the minimum, we come every month. It's yet to be
10 seen so I don't know. It could be every day. It
11 could be once a month.

12 Process question, sir?

13 SAM MYERS: Processing question.
14 Does FERC control SESH personnel? Who is -- who is
15 the upper level?

16 MR. PECONOM: Construction-wise?

17 SAM MYERS: Survey-wise?
18 Construction-wise? Problem-wise?

19 MR. PECONOM: We regulate natural gas
20 pipeline companies. Construction is done by the
21 company. Operation is done by the company.
22 Operation is regulated by the Department of
23 Transportation. We regulate construction.

24 If there's a land owner complaint, we have
25 a phone number that people can call. We have a

1 complaint department that will, you know, can stop
2 construction, can issue, you know, fines to
3 companies that aren't complying with the regulations
4 or conditions of our order.

5 SAM MYERS: Back on the woodpecker.

6 MR. PECONOM: Yes, sir.

7 SAM MYERS: I told the original people
8 who came through, the environmental personnel, I had
9 several woodpeckers, two pair. I named off some
10 birds that I inventoried during the bird survey in
11 the spring, probably 40 to 50 species of birds,
12 cranes, hawks. I told them all of this. It had no
13 effect. The survey stayed right where it was until
14 one gentleman over in the Vicksburg office put it
15 back on the original line and took it out of my
16 front yard.

17 Okay. Now, who's going to contact
18 Hattiesburg to have the -- whoever is over there,
19 contact me about the surveyor across the east side
20 of Union Road?

21 MR. PECONOM: The environmental --

22 SAM MYERS: Which is my property also.
23 I've got property -- property on a divide line
24 between Vicksburg and Hattiesburg.

25 MR. PECONOM: The environmental surveys

1 are designed to identify the woodpeckers and other
2 endangered species. Until the surveys are done, we
3 don't know for sure that they're there.

4 I will be meeting with the U. S. Fisheries
5 and Wildlife Service on Wednesday to discuss
6 environmental, you know, endangered species issues.
7 They keep a database. You know, they do surveys as
8 well. It's their concern. They'll actually ask the
9 company a lot of times to survey that area just to
10 be sure that there are or not woodpeckers there. So
11 that's what the surveys are designed to do and it
12 that sounds like that's what they -- they should --
13 they will be doing. They'll be identifying
14 woodpecker areas.

15 The company will -- should be speaking,
16 you know, across their districts to make sure the
17 surveys are coming out as per their agreement and
18 we'll be talking about that afterwards.

19 I thought I saw one more hand --

20 SAM MYERS: You hadn't answered the
21 question who's going to contact Hattiesburg about
22 contacting me?

23 MR. PECONOM: Well, I will contact the
24 company and have them contact you.

25 Yes, sir.

1 JOHN BARNES: John Barnes.

2 MR. PECONOM: Yes, sir.

3 JOHN BARNES: What's the project number
4 for this project?

5 MR. PECONOM: Good question. The Project
6 Docket Number is CP0 -- I'm sorry. PF06-28.

7 What a docket number is, is a docket --
8 the number we use to track this project. So any
9 kind of issuance on our part or a submission of
10 letters from the company or land owners like
11 yourselves are all filed under this docket number
12 which is PF06-28.

13 Let me just spend a minute before I come
14 under another question talking about the docket
15 number. Anything that we mail out, anything that we
16 issue is put into the docket under that number.
17 Anything that's submitted to us, for instance, the
18 resource that Paul talked about earlier, the results
19 of surveys, are filed under that number. All of
20 that information is available to the public.

21 There's a handout in the back called
22 Your Guide to Electronic Information, or (FERC),
23 which tells a person how to, you know, look up this
24 information on the internet.

25 As this information is developed, it also

1 will be deposited in local libraries. I think
2 there's a couple listed, so for those of you who do
3 not have internet access, you can get it there.

4 I'll be out afterwards. If people want
5 to -- I can give you my phone number and if you want
6 to call me, if you need certain information or would
7 like to have certain information, I can get that
8 information to you as well.

9 There's also a phone number in both of
10 these documents for our Internal Affairs Office
11 which you can call to request information or just
12 call to ask for an update on the project if you
13 haven't heard anything for a while.

14 Mailings from us aren't very frequent.
15 They can come, you know, when the application is
16 filed, you'll get the DIS and FEIS. You'll see
17 communication show up on the internet, you know,
18 between us and the company, us asking for more
19 information and them providing us information, all
20 those correspondences.

21 I read several land owner letters today,
22 actually, and I think one came in this afternoon
23 that I read before I came over here. So, I read
24 these things as they come up. They're available for
25 everyone to read, you know. If you're concerned

1 about what your neighbor's letter is about, you
2 can -- you can look that letter up and read it.
3 A lot of concerns I've read in the letters are about
4 timber, and I think I'm going to see probably a few
5 letters about surveys here pretty soon too, so --
6 yes, ma'am.

7 CARLA STRONG: My name is Carla Strong.
8 If the Copiah alternative is advanced and becomes
9 the main route, how will we know about that? What
10 is the notification process with FERC and how will
11 we be notified and will we have scoping procedures
12 like this?

13 MR. PECONOM: Yes, ma'am. When that --
14 when the company files an application, we'll look at
15 all the information that's filed, the environmental
16 information and the alternative information. We'll
17 look at all of that. A company will propose a
18 route. We'll have alternatives.

19 If we -- if we feel that this route, you
20 know, the preferred route has more impacts than the
21 alternative route, we -- we would require that to go
22 the alternative route. However, we will have
23 scoping meetings and the issuance of a tract of an
24 Environmental Impact Statement that will indicate
25 that.

1 when they're preparing these projects, will look at
2 the routes that they can go and figure out if they
3 can do it, you know. Is it -- is it --

4 CARLA STRONG: Feasible.

5 MR. PECONOM: -- feasible. They'll do
6 that analysis themselves internally. They'll supply
7 us with information, probably the results of those
8 analysis. We'll look at that again and see if it's
9 feasible and if we agree with what their assessment
10 was. So, it happens twice. They do it for their
11 own purposes and then we do it to -- to make sure
12 that we agree and see if that's, you know, whatever
13 route is better than the other. So, it happens
14 twice.

15 Yes, ma'am.

16 CHARLOTTE BYRD: I want to ask a question.

17 MR. PECONOM: Yes, ma'am.

18 CHARLOTTE BYRD: Y'all are coming across
19 the land owners' property with this pipeline from
20 Louisiana to Alabama, correct?

21 MR. PECONOM: Yes, ma'am. That is the
22 proposal.

23 CHARLOTTE BYRD: Tell me what am I -- do
24 I, as a land owner and everyone else in here,
25 benefit from this pipeline coming across our

1 property?

2 Number (1) It's defacing it; and,
3 Number (2) I don't have a lot of acreage. So if
4 I got ready to break mine up, it's going to
5 depreciate the value of my property, be right in my
6 front door.

7 What do I stand to gain by saying
8 I have no problem with you doing this?

9 Is it true that my supervisors in this
10 county will be getting a substantial amount of money
11 for this pipeline coming through here?

12 MR. PECONOM: The purpose and need of a
13 project is something that we look at. It's one of
14 the very first things that you will see in the draft
15 Environmental Impact Statement: Why do we need this
16 project? Or, why does the country need this
17 project? Or, you know, how does project benefit
18 people?

19 That's -- we're not going to authorize a
20 project just for the sake of a project. There needs
21 to be a need for it. So part of their application
22 that meets this requirement is to justify the need
23 for this project. We will look at that and, you
24 know, that will be public information so you'll see
25 why there is a need for this project.

1 In terms of the county supervisors -- yes,
2 ma'am.

3 CHARLOTTE BYRD: Go ahead. Go ahead.

4 MR. PECONOM: You know, I don't know if
5 the county supervisors themselves will benefit. I'm
6 sure there's, you know, taxes and -- and --
7 actually -- that's actually a good question, because
8 we do look at effects, economic effects to counties
9 and the effected areas.

10 A lot of times we'll look at: Is there
11 enough labor in the area to build these projects?
12 Is there enough hotels for these people? Is there
13 infrastructure of the roads? Can they handle this,
14 these trucks coming through?

15 We have a socio -- we call it
16 socioeconomics is what that section's called,
17 environ -- our environmental review, and it looks at
18 things like that.

19 So I don't have those answers for you
20 tonight, but that's something we do look at in our
21 environmental reviews. You know, how much will the
22 restaurants make?

23 CHARLOTTE BYRD: Have you talked with our
24 supervisors here in this county? Have you talked to
25 the authorities here in this county? Have y'all

1 discussed anything?

2 MR. PECONOM: Personally, no, we have not.
3 FERC has not spoken with the county supervisors.

4 This project is about two months into the
5 review process, so we're just -- we're -- we're
6 coming down here tonight to listen to comments and
7 talk to agencies and talk to other people. So, you
8 know, we reach out to people.

9 They get all the notices. All of your
10 elected officials and representatives get notices of
11 this. Some of them write comments back. Some of
12 them, you know, talk to their constituents like
13 yourselves and supply us comments. I've gotten, on
14 other projects, letters from senators and
15 representatives and county boards of supervisors
16 expressing concerns with projects.

17 CHARLOTTE BYRD: But in the past the
18 pipelines you have put in, did the supervisors of
19 the county that you go through reap benefits and are
20 paid a substantial amount of money for you going
21 through the county? Yes or no. That's --

22 MR. PECONOM: I don't know.

23 CHARLOTTE BYRD: -- a yes or no question.

24 MR. PECONOM: See -- I don't know.

25 Because I'm -- I'm part of the Federal Government or

1 the Federal Regulatory Agency that oversees the
2 construction of these projects. I don't deal in
3 those issues I guess is what the answer is. I don't
4 know.

5 CHARLOTTE BYRD: So us as a land owner,
6 we do not benefit anything in this state,
7 Mississippi, because this line will be coming from
8 Louisiana to Alabama. So the state of Mississippi,
9 the counties that this line is going through, the
10 land owners that pay taxes in this state, that
11 pipeline will not benefit us at all. Is that what
12 you're telling me?

13 MR. PECONOM: No, that's not what I'm
14 saying. I don't think that's an accurate statement.

15 CHARLOTTE BYRD: Then in what way will it
16 benefit us?

17 MR. PECONOM: Well, that's what we're
18 looking for in this information. That's what we
19 want to know, the purpose and need of a project.

20 CHARLOTTE BYRD: Is it going to dump gas
21 here in the state?

22 MR. PECONOM: I believe there's some
23 interconnects proposed in Mississippi, so there will
24 be gas going through Mississippi.

25 CHARLOTTE BYRD: Are we going to be able

1 to tap into that resource?

2 MR. PECONOM: The gas runs at high
3 pressure.

4 CHARLOTTE BYRD: That's what I'm asking.

5 MR. PECONOM: No. And that's -- that's a
6 technical question. A lot of people ask that.

7 CHARLOTTE BYRD: We can just keep paying
8 the taxes on the land?

9 MR. PECONOM: And that's a good question.
10 You know, a lot of people ask that question, can
11 they just put a valve on it and tap into it, and
12 these -- these -- and this is a technical question,
13 and I actually know the answer to this one, but a
14 lot of them I don't know, is -- the high pressure,
15 you know, you couldn't put a small tap to that. It
16 would just, you know, these -- these local companies
17 regulate the pressure and get it down to where
18 people can use it. So the answer to that question
19 is no.

20 Are there anymore process questions?

21 Yes, sir. Process.

22 SAM MYERS: Is there a process? Is there
23 a possibility of two pipelines? One going down the
24 south route and one going on the survey state route?
25 Both of them are owned by the same energy company.

1 MR. PECONOM: Under this project is it
2 possible that they could amend their application and
3 decide to have two pipelines?

4 LYNN MYERS: Do another project?

5 MR. PECONOM: Or could another project
6 come up later?

7 SAM MYERS: They've got -- they've got it
8 surveyed on the south route and they've got it
9 surveyed through town. All they have to do is go in
10 and put a pipeline through on both of them.

11 MR. PECONOM: They would have to justify
12 it, you know. They do surveys of alternatives.
13 They look at one way and they'll look at another way
14 and they figure out which way is the best way to do
15 it. Could they look at both and say there's enough
16 need for gas out there that we need two pipelines?
17 I suppose it's possible. But they would need to
18 justify it. I think it's highly unlikely that that
19 would be the results.

20 SAM MYERS: I hope I understand the need
21 for that much natural gas in the area of Mobile. As
22 I have been told or read, they have 9 -- 11
23 customers that have already bought all the gas that
24 they can get down there, so it would be of their
25 benefit to go ahead put up another pipeline on the

1 south side.

2 MR. PECONOM: Again, as I understand this
3 project and what I've been told, you know, from the
4 federal perspective, that they're proposing one
5 pipeline. Three years from now another pipeline may
6 come in, ten from now, fifteen years from now.
7 I don't know. That's -- that's not my
8 responsibility. That's a market-based issue.
9 I mean, if there's a demand for gas, people are
10 going to build natural gas pipeline. If there's no
11 demand, I don't suspect they'll build pipelines.
12 I can't answer your question other than to say, you
13 know, we look at alternatives and it might happen.
14 I don't have a crystal ball.

15 But we're working on it, and I don't mean
16 to be flip, and I apologize if I sounded that way.
17 I just -- I -- I don't know how this would work in
18 the future.

19 Yes, ma'am.

20 LYNN MYERS: I'm Lynn Myers and I'd like
21 to know if they've decided which route they're
22 going, the northern route or the southern route?

23 MR. PECONOM: I believe they're in the
24 process of deciding which route to go through.

25 LYNN MYERS: Well, when are they going to

1 tell us?

2 MR. PECONOM: When they file an
3 application in November, that application will have
4 their proposed route, what they're proposing to do.

5 LYNN MYERS: So it won't be in November
6 until we know anything?

7 MR. PECONOM: November 1 is when we'll
8 officially find out. We'll be working with the
9 company now to kind of, you know, work through these
10 issues. We'll issue -- they'll file a formal
11 application with us November 1st. Right now it's --
12 it's -- it's in the development process. So
13 November 1st is when you should know, or roughly
14 around November 1st is when we will all know what
15 the proposed route is.

16 LYNN MYERS: Well, you will know before
17 that, won't you, because you just go all through the
18 environmental things?

19 MR. PECONOM: We'll be working through the
20 issues. I would -- I would hope to know before
21 November 1st.

22 LYNN MYERS: You will know before
23 November 1st.

24 MR. PECONOM: I would hope to know.
25 I -- I -- you know, we may be working through -- we

1 may be very close in terms of which project
2 minimizes impacts.

3 But November 1st is when they -- when
4 the company indicated to us they will file the
5 application. At that point, there will be a formal
6 application filed with us and then we'll review it
7 as such. So right now it's just in the development
8 stages and we're taking comments like we are tonight
9 to try and find out which route is -- is better.

10 Yes, sir.

11 SAM MYERS: I assume -- I assume you're
12 familiar with what our governor has put through, and
13 two other states, to open up the Gulf for gas
14 drilling. The contest now is whether they're going
15 to be able to drill. I think anybody that keeps up
16 with the news knows that we need the energy and
17 Katrina cut flow off -- cut the flow of gas, and
18 that's the reason for the shortage down in the
19 Mobile area.

20 MR. PECONOM: Again, you know, I don't
21 know what projects will come in the future. All
22 I know is today that this project here, which starts
23 in Louisiana and heads down to Alabama, there may be
24 other projects in the future that come, you know,
25 come see where it end, and we'll -- we'll analyze

1 those projects as they're submitted to us.

2 I believe she had a question and then I'll
3 come to you, sir. Yes, ma'am. Question of process?

4 MONA BIRDSALL: So just say a ballpark
5 figure we have 40 acres and say they come through
6 and they take four acres. Do we still pay tax on
7 the whole 40 acres the rest of our life and it don't
8 belong to us?

9 MR. PECONOM: As I understand most
10 easements, it's just an agreement to use the
11 property. You retain ownership of the property, but
12 you grant them easements to use the property.

13 MONA BIRDSALL: So we can't do anything
14 with it?

15 CHARLOTTE BYRD: We're told what we can
16 and can't do.

17 MR. PECONOM: For safety reasons, you
18 know, the use of the property is limited where the
19 pipeline is at, determine right of way --

20 MONA BIRDSALL: We'll, I've got a piece of
21 property here and the pipeline comes through it east
22 and west and I'm going to put some sort of water
23 line or sewer line or something north and south,
24 I can't do it?

25 MR. PECONOM: I would say that's accurate,

1 that statement is accurate. This pipeline itself
2 will be crossing other water lines and power lines
3 and utility lines and cable lines and phone lines.
4 I think that's pretty routine practice.

5 MONA BIRDSALL: But if I want to do it
6 later myself, I can't cross the pipeline?

7 MR. PECONOM: I don't think that's
8 accurate. As I said, you know, utilities often are
9 crossing each other so some utilities will be able
10 to go in. You can't built a house on top of a
11 pipeline.

12 MONA BIRDSALL: But if it's got a pipeline
13 east and west and it says pipeline, don't dig or
14 anything, and I decide I'm going to build a house
15 back over here behind it, I cannot bring myself
16 lines across that pipeline?

17 MR. PECONOM: No, I don't believe that's
18 accurate. I think you will be able to get utilities
19 across the line. It's not this invisible line that
20 you hit and you can't get across. There's limited
21 uses. You know, you can farm on top of permanent
22 right of ways. You can, you know, you can get other
23 lines across, other types of utilities across it.

24 Process questions. Yes, sir. Process.

25 ED BUCHHOLZ: Okay. Again, Ed Buchholz.

1 I have a question. They keep mentioning the
2 northern route or the southern route.

3 MR. PECONOM: Uh-huh. (Affirmative
4 response.)

5 ED BUCHHOLZ: The maps that I've got only
6 show one route going down through there. Where did
7 this secondary north and south route come from?

8 MR. PECONOM: The map in the notice of
9 intent is what they're propose -- currently
10 proposing to do. The prefiling process is designed
11 to look at alternatives and if it changes, you'll
12 get a different map. There will be a different map.

13 ED BUCHHOLZ: One other question.
14 After this thing is built and it comes through by my
15 house, and if you do knock all that pine down there,
16 I know what's going happen. The first thing that's
17 going to happen is the deer hunters are going to be
18 running up and down that gas line and just a good
19 shoot gallery and plus a wind tunnel, okay? Now,
20 because you have a right of way on there, does that
21 -- can I allow you to use it as a gas line but
22 nobody else can?

23 MR. PECONOM: I'm not sure if I understand
24 the question. Can -- nobody else can use the line
25 for hunting purposes?

1 ED BUCHHOLZ: Right. Or is this -- or is
2 this going to be public property now and I'm going
3 to be paying tax on?

4 MR. PECONOM: It's -- it's not public
5 property.

6 ED BUCHHOLZ: Then it's mine?

7 MR. PECONOM: It's your property.

8 ED BUCHHOLZ: And I can stop people from
9 going on it except for the gas people?

10 MR. PECONOM: Essentially, yes. Because
11 you'll -- theoretically --

12 ED BUCHHOLZ: Essentially. No, give me a
13 definite answer.

14 MR. PECONOM: If you come to an agreement
15 with the gas company and give them permission to use
16 your property, or if through the process it's --
17 it's taken via eminent domain, that agreement is for
18 the gas company use only. That is not for John
19 Hugh, hunter, or Susie Q, you know, nature walker,
20 to come to your property. That's an explicit
21 agreement between the two of you. And that is an,
22 you know, that's an issue that we'll look at too, is
23 land use, as I said before. So, no, your property
24 will not be open to everybody.

25 I saw another question. Yes, sir.

1 Process question.

2 ROBERT HARRIS: I don't know if it's a
3 process. It's an engineer. I'm not an engineer,
4 but it seems to me like two or three feet is not
5 deep enough. When you've got -- when you're
6 harvesting timber, and you've got some mighty heavy
7 equipment in there, and you can't say they're going
8 to go over this place or this place or that place,
9 because they go back and forth when they're
10 harvesting. We were told two months ago when we had
11 our other meeting here you can cross any place you
12 want to. Then according to this book here, it's a
13 negotiable thing.

14 MR. PECONOM: Pipeline depth?

15 ROBERT HARRIS: No. Being able to cross
16 it and, you know, ingress and egress. Is that
17 something -- are you going to have to have any
18 contract that you can cross it in place or specific
19 places or what have you?

20 MR. PECONOM: I heard two questions. Let
21 me see if I ask them correctly. There is a crossing
22 process.

23 ROBERT HARRIS: The first question was the
24 timber.

25 MR. PECONOM: Yes.

1 ROBERT HARRIS: I'm not an engineer, but
2 it seems to me like two or three feet for that size
3 of a pipeline is not deep, because those things tend
4 to float. Experts tell me they float. And if
5 you've got something floating, that soil is going
6 to -- you get this heavy equipment on there, I mean,
7 it's heavy. It may just float down.

8 MR. PECONOM: Pipeline depth is not a
9 standard thing. It varies, you know, based on the
10 -- on the property, you know. If the soils are
11 sandy and they need more room to construct it, they
12 dig deeper. There's lots of reasons to go deeper.
13 At the minimum, I believe there's a three or
14 four-foot depth to pipeline, at the minimum. It may
15 go deeper. It won't go shallower than that.

16 ROBERT HARRIS: Are you talking about the
17 top or the bottom?

18 MR. PECONOM: The top of the pipeline.
19 (Indicating.) So top of the ground. Top of the
20 pipeline will be four feet there. That's the
21 minium. It may go deeper. That's a little bit
22 variable past that four-foot line.

23 Your second question was about, and remind
24 me real quick.

25 ROBERT HARRIS: Crossing.

1 MR. PECONOM: Crossing. That's something
2 else I believe is worked out in the land owner
3 easement agreement, so you may work that out with
4 them. You don't have to come across one portion or
5 access it at one place. That's something to be
6 worked out in the easement process.

7 Generally, they would need to go down the
8 whole line to inspect it, but you'll have to --
9 you -- you might be able to negotiate with them
10 where they come into it.

11 ROBERT HARRIS: I'm not talking about
12 going down the line.

13 MR. PECONOM: You're talking about --

14 ROBERT HARRIS: I'm talking about crossing
15 it, because you're going to be crossing it, you
16 know. If you're cutting timber through a place,
17 you can't --

18 MR. PECONOM: Oh, about you --

19 ROBERT HARRIS: -- back and forth?

20 MR. PECONOM: -- crossing it perhaps or
21 somebody else crossing it. I believe that's
22 negotiable. I mean, they may ask you to -- they may
23 ask you to -- well, I think you should be able to
24 get across most of the time. I mean, I've seen
25 instances where they like to get something across at

1 one used standard road, you know. There's a road
2 there. Just stay on the road.

3 ROBERT HARRIS: Well, it's not a road,
4 though. It's woods. Where you're growing timber,
5 it's not a road.

6 MR. PECONOM: You'll have access to your
7 property. There's not this invisible wall there.
8 You'll be able to cross your property as I
9 understand it.

10 ROBERT HARRIS: That would have to be in
11 the contract then.

12 MR. PECONOM: You'd want to make sure,
13 I guess, to be clear with that in your land owner
14 agreement.

15 Process questions.

16 And I guess I should say also the south
17 east folks will be available after the meeting to
18 ask them these questions. You can ask them these
19 questions as well.

20 Anymore questions on process? Yes, ma'am.

21 LYNN MYERS: I don't know if it's process
22 or what it is, but what is the criteria used for
23 routing a pipeline?

24 MR. PECONOM: For routing a pipeline?

25 LYNN MYERS: Uh-huh. (Affirmative

1 response.)

2 MR. PECONOM: We look at a lot of things.
3 There's an engineering, om, aspect of it, was, can
4 the gas get there. I'm not an engineer so I can't
5 really speak to that in detail. There's biological
6 considerations.

7 LYNN MYERS: I mean as far as you're
8 concerned, do you think the environment is number
9 one or the community is number one? What is your
10 criteria?

11 MR. PECONOM: As the project biologist,
12 my responsibility is to the environment. There's
13 other people to look at the engineering aspects.
14 There's other folks that look at the economic
15 impact. There's other people that look at the
16 general purpose need of the project. So there's --
17 there's --

18 LYNN MYERS: So at the end of the day, who
19 says what? Where does it go?

20 MR. PECONOM: There's no one thing, as
21 I understand it, that determines a project. It's a
22 combination of five or six different things. It's
23 the environment. It's the engineering feasibility
24 of it, the impact of the community. It's the
25 purpose need for it. There's about four or five

1 different things that'll impact how a pipeline is
2 routed.

3 At the end of the day our Commission will
4 vote on whether to approve a project or not based on
5 all this information, one of them being the
6 Environmental Impact Statement.

7 LYNN MYERS: If you do not approve it,
8 where does it go?

9 MR. PECONOM: If we do not approve a
10 project?

11 LYNN MYERS: Uh-huh. (Affirmative
12 response.)

13 MR. PECONOM: It's not built.

14 LYNN MYERS: So it can't go if it's not
15 approved.

16 MR. PECONOM: It cannot be built unless we
17 give approval.

18 LYNN MYERS: So you are number one then?

19 MR. PECONOM: Well, the Commission is.
20 I personally am not.

21 LYNN MYERS: I mean the Commission is.

22 MR. PECONOM: The Commission is, yes.

23 The --

24 LYNN MYERS: And their policies.

25 MR. PECONOM: -- Commission is number one.

1 I'm sorry.

2 LYNN MYERS: And their policies. And
3 their policies.

4 MR. PECONOM: Well, they'll look at
5 several factors.

6 LYNN MYERS: Like in a one, two, three
7 order that you follow like it's going to affect the
8 place environmentally, then you would say no?

9 MR. PECONOM: I don't believe there is a
10 one, two, three order. Again, it's just kind of
11 a -- they'll all at the top and --

12 LYNN MYERS: That's generally what I want
13 to know, but if you say no, you're number one.

14 MR. PECONOM: If the Commission says no,
15 the project isn't built, and the Commission will
16 look at several factors, so --

17 LYNN MYERS: But you consider all the
18 factors, not just the environmental factors?

19 MR. PECONOM: Yes, ma'am. My
20 responsibility is for the environmental portion of
21 the project. But there are other individuals and
22 teams working on other aspects of the project and
23 the Commission will take all of that information and
24 make a decision based on -- on what we've
25 recommended.

1 Process. Yes, sir.

2 WILLIAM BOUTWELL: My name is William
3 Boutwell. I want to clarify. Did you say earlier
4 that they could come within 50 feet of a residence?

5 MR. PECONOM: Pipelines have been built
6 within 50 feet of residences, yes, sir.

7 Yes, sir.

8 MARVIN PARKER: Marvin Parker, Parker
9 Lane. I've got one complaint among many others.
10 Last Saturday morning a gentleman drove up in my
11 yard and informed me the pipeline was coming across
12 the corner of my property. That was my first
13 notice. I want to know why? They have surveyed it
14 and all, but nobody has told me anything.

15 MR. PECONOM: Well, at this point no
16 pipeline -- no pipeline has been approved. There's
17 a proposal for a pipeline. They are doing surveys
18 for this pipeline. Yeah, someone should have
19 contacted you.

20 MARVIN PARKER: See, the original pipeline
21 wasn't coming across me. Now all of a sudden they
22 put a dog's leg in to jump across 290 to come across
23 the corner of my property.

24 MR. PECONOM: It's been my experience
25 in these prefiling processes that pipelines can move

1 quite a bit, you know, 300 feet, 3 miles, 30 miles.
2 It varies. You know, there's a lot of things that
3 go on in determining how these things are routed.

4 I guess initially it was not affecting
5 your property and now it's -- and now it is
6 affecting your property. I've seen projects go on a
7 person's property one month, off the next month,
8 back on and off and on. It's not until a formal
9 application is filed that we know where they're
10 proposing to do it. And then we'll look at the
11 impacts of that property and look at alternatives
12 we've recommended in several cases that companies go
13 a certain way.

14 So, you know, once they've done their
15 process back and forth, we'll probably do the same
16 things and look at different alternatives.

17 MARVIN PARKER: Well, what I can't figure
18 out is they're going across an empty lot already and
19 now they're gone come across another person's
20 property onto me.

21 MR. PECONOM: And I -- I don't have all of
22 the information as far as why this pipeline is
23 routed the way it is right now. It's in
24 development. It may be an issue farther down the
25 line that causes the whole thing to move over a

1 little bit.

2 MARVIN PARKER: Well, no, it's going right
3 across Charlotte's and on across them.

4 CHARLOTTE BYRD: We're all right out there
5 together. We're not getting our notifications.
6 People are coming on our property, you know. Why,
7 if y'all are going to put through a pipeline, you
8 cannot have it set like you want it instead of
9 having us jumping all over the place and not
10 notified?

11 MR. PECONOM: Well, the purpose of the
12 prefiling process is to work with land owners like
13 yourselves so it can be put in the best place
14 possible.

15 Before the prefiling process, what
16 companies did is they filed an application and said
17 this is what we would like to do. And a lot of
18 times the public didn't feel involved or wasn't
19 involved with them and the agencies weren't involved
20 with that decision and people were frustrated and
21 upset.

22 The prefiling process was developed to
23 move that pipeline like this so everyone heard --
24 people can at least have their opinion and some of
25 their concerns addressed so that's why we do it this

1 way now; whereas, before, people weren't involved.
2 So that's why this prefiling process is why the
3 company chose to do that is so they can work with
4 people, agencies, DEQ, federal agencies,
5 representatives, land owners like yourselves.

6 Mailing notifications. You should be on
7 the mailing list and I apologize to you for you not
8 getting your list. You signed up tonight and we'll
9 get you on the list.

10 CHARLOTTE BYRD: Well, what about them?
11 Them? All of us. No one is getting these
12 notifications. We have not been -- we've been
13 disrespected. That's just the bottom line of it.

14 MR. PECONOM: Well, we'll get you on the
15 list tonight.

16 CHARLOTTE BYRD: They're putting in a
17 pipeline, and you say that you want to have these
18 little meetings, you want us all involved, but when
19 it comes down to it, y'all are just disrespectful.
20 You're going to do what you want to and that's just
21 the bottom line. This is candy coated.

22 MR. PECONOM: I don't believe that's true.

23 CHARLOTTE BYRD: Is that right?

24 UNIDENTIFIED: That's right.

25 CHARLOTTE BYRD: It's candy coated.

1 That's all it is right now. You've been sitting
2 here talking and it's just been around and around
3 and around in a circle. I don't know another thing
4 from the minute I walked in here than I do right
5 now.

6 MR. PECONOM: Well, I --

7 ED BUCHHOLZ: You'll get like what Chaney
8 did when Katrina blew through and he called up down
9 there at Collins and said have got the power going
10 to the pumping station down there? And they said,
11 No, we're trying to get it to the hospital and the
12 old folks home. What did Chaney do? He said to
13 hell with them old people. Get that power running.
14 Now, this is just what you're going to be doing to
15 us. You're going to be running these pipelines
16 through here because you don't really give a darn
17 about nobody.

18 MR. PECONOM: My job is to review the
19 environmental impacts of this proposed project.

20 Ma'am, I apologize if --

21 ED BUCHHOLZ: Human --

22 MR. PECONOM: -- I haven't done my job.

23 ED BUCHHOLZ: -- human -- human life
24 doesn't count.

25 MR. PECONOM: I don't agree with that.

1 Ma'am, I apologize that I haven't done my job
2 tonight to get you the information you need. I'll
3 be happy to sit with you as soon as we finish --

4 CHARLOTTE BYRD: I'm not satisfied with
5 anything I've heard from anybody any time I've
6 talked to them.

7 MR. PECONOM: I'll be happy to sit down
8 with you after the meeting and explain the process
9 to you the best I can.

10 CHARLOTTE BYRD: Well, all I know is, and
11 this is bottom line from what I've gathered, just
12 like I said, all of this is candy coated. You're
13 going to do whatever you want to do regardless of
14 what any of us have to say about it.

15 (Applause.)

16 UNIDENTIFIED: You're exactly right.

17 CHARLOTTE BYRD: That is just the bottom
18 line of it.

19 MR. PECONOM: This process is designed to
20 get your involvement, to include folks and get their
21 opinions and their concerns. The project has not
22 been approved. The project will not come up for
23 decision for quite some time. We'll do a very
24 thorough environmental review. You'll have the
25 opportunity to review those documents. You'll have

1 opportunities to comment on those documents.
2 They'll be mailed to you now that you're on the
3 list. We'll get you those documents as we issue
4 them.

5 I believe the gentleman behind you, sir.
6 I apologize. Yes, sir.

7 KENDALL MCMANUS: I'm Kendall McManus.
8 The amount of resistance that y'all have incurred
9 while doing this, does it have any effect on where
10 the pipeline goes or not? Because anybody that's
11 here don't want it on their place or they wouldn't
12 be here. And the rest of the people that y'all be
13 probably going across are fed up with it and they
14 just decided they're not coming --

15 CHARLOTTE BYRD: Or didn't get notified.

16 KENDALL MCMANUS: -- tonight or they
17 didn't get notified.

18 MR. PECONOM: We're doing or best to
19 notify people. Your concerns are being listened to
20 and will be addressed at the Environmental Impact
21 Statement. I've been on projects where there's been
22 3,000 letters, you know, from -- from land owners
23 like yourselves in other parts of the country, and
24 I think those have, you know, given us things to
25 look at and make sure we -- we do a good analysis.

1 So there's a lot of things we look at and
2 your comments are definitely one of them. I've read
3 the ten that we've received so far. I read those
4 this morning and yesterday.

5 KENDALL MCMANUS: But does it have an
6 effect on y'all's decision?

7 MR. PECONOM: Well, it effects what we
8 look at. If we look at something and based on your
9 comment perhaps we missed something, you know, you
10 have an opinion. So it does -- it -- it has an
11 impact in the process. And that's why we're here
12 tonight because we want to hear what you people --
13 what -- what the landowners are concerned about.
14 That's why we're here.

15 And we're taking notes. I neglected to
16 point out we have a court reporter here, so I think
17 everyone knows that we have him here now. But his
18 job is to record all these comments, put them in the
19 official record, which will be available on the
20 internet. Actually, he -- and you can request the
21 record of this meeting from him. At some point, you
22 can talk to him after the meeting and then it'll be
23 available on the internet in a couple of weeks. So,
24 yes, your comments do make a difference.

25 Yes, sir.

1 ROBERT HARRIS: Assuming this project is
2 approved, and I have a gut feeling it will be, when
3 will we know the exact boundaries where it goes,
4 because we'll have to -- we'll have to survey timber
5 and it's going to have to be cut and so forth. When
6 will we know and do they have any wiggling room,
7 after y'all officially approve it, as far as being
8 the orchards or what have you?

9 MR. PECONOM: You will know the proposal
10 on November 1st when the company files an
11 application with us. You will see our environmental
12 review of that proposal in the coming months. If we
13 approve the project, we'll issue an order which will
14 probably be about nine or so months after the
15 application is filed. That will tell you the exact
16 route of the pipeline.

17 The first condition that we put on any
18 order is we have to -- basically is we have the
19 right to change the order. So there is room to
20 change a project after it's been ordered. That is
21 the first thing that we have. And I've seen that in
22 many cases where something came back later for some
23 reason and the project needed to be changed. So
24 they're -- they're developing these things even
25 after the order is out.

1 ROBERT HARRIS: We'll, they're going to
2 have to show us the exact location once they
3 finalize it. Because, I mean, just saying we're
4 going across here, you know, we don't fly like the
5 crow does, you know, going through timber and we've
6 got to know the exact location. They'll do that
7 six, eight, nine months down the road if it's
8 approved?

9 MR. PECONOM: If the project's approved,
10 it'll be approved about nine months down the road.
11 Following the approval of the project, they'll need
12 to file an implementation plan with us, which is,
13 "This is what we're going to do. This is, you know,
14 this is how we're going to do it. "We'll review
15 that plan again. It should be exactly the same to
16 what they proposed. Now, things do come up where
17 there needs to be, you know, tweaks here and tweaks
18 there and we'll look at those again and decide
19 whether or not to approve it or not, so -- yes.
20 Does that answer your question?

21 ROBERT HARRIS: I think so.

22 MR. PECONOM: Okay. Yes, sir.

23 GLENN MCINNIS: Glenn McInnis.
24 I've got timber on both sides of the line, proposed
25 line north and south. When I harvest that timber,

1 I'm told that I can't cross your line. How am
2 I going to get my timber out?

3 MR. PECONOM: That question came up
4 earlier, is there a wall that stops you from going
5 across your property, and the answer is no. You'll
6 be able to get across your property. You'll be able
7 to retain some use of your property. You can't
8 build a house on top of your property for safety
9 reasons.

10 GLENN MCINNIS: Can a log truck or a
11 skidder? You can't load them across there one at a
12 time.

13 MR. PECONOM: You'll be able to have
14 access to your property, yes. You know, I guess
15 we'd have to -- I look at the analysis, and if
16 there's a weight issue, I guess there could be a
17 weight issue. I don't know the exact answer. If
18 there's a weight issue, you know, there may be --
19 the pipeline may need to go deeper so that there's
20 access to that area, and that'll be kind of worked
21 out.

22 Yes, sir.

23 ROBERT HARRIS: Yeah. Skidders and
24 loaders, and if they haul with timber with
25 18-wheelers, you're looking at 80,000 pounds,

1 minimum. I mean, they relax it after 90 or
2 95,000-pounds. You could be looking at an
3 18-wheeler weighing close to a hundred thousand
4 pounds going across a pipe, a 36-inch high pressure
5 pipeline in the ground.

6 And sometimes, regardless, they do it
7 during wet weather and a skidder, if you've seen the
8 monster trucks, these 8, 10-foot tires, these
9 skidders can make 4 and 5-foot ruts in wet weather.

10 MR. PECONOM: I don't know the answer --

11 ROBERT HARRIS: I think that's a concern
12 of several people here of what they're talking
13 about, to be a little bit more specific about it,
14 and these are issues that a lot of us have whether
15 we're a big land owner or a small land owner. Many
16 of us have either trees for personal, I can't think
17 of the word, looking at it or trees for commercial
18 value.

19 MR. PECONOM: Sure.

20 ROBERT HARRIS: And we're still going to
21 be paying taxes on the property. We're going to
22 have limited use of the property. As they said, the
23 more we find out about this, the more and more
24 restricted that they come and the less and less
25 supported, you know, many of us are of this project.

1 MR. PECONOM: And I'll be honest with you.
2 I don't know the answer to the question, but I will
3 find it out for you and I will make sure it's
4 covered in the Environmental Impact Statement.

5 ROBERT HARRIS: And as you --

6 MR. PECONOM: That's what I'm here to find
7 out.

8 ROBERT HARRIS: -- can probably deduct,
9 the theme of this meeting is we are not being
10 treated as valuable land owners with respect by
11 SESH. We're not.

12 Now, I can't believe that we're the only
13 ones in this whole 400-mile, whatever it is,
14 pipeline that's sitting in this room. I mean, if
15 you extrapolate this meeting and the number of
16 people and the number of complaints over the rest of
17 the pipeline, it's clear that SESH is not treating
18 the land owners with respect. They're not doing --
19 we're giving permission on the condition that we'll
20 be notified, and we're not being notified when
21 someone wants to come on our property. I don't
22 think SESH people would like somebody just barging
23 in their house without knocking on the door.

24 Well, private property is private property
25 whether it's a home, open land or timberland, and

1 it's restricted from trespassing by state law
2 automatically, and we're just mainly asking to be
3 notified, to be treated properly, and to be handled
4 in a way that will not be frustrating and will not
5 get us all upset and totally against this project,
6 because that's the end result as far as I'm
7 concerned, and I've heard it from several others.
8 Because I've totally -- I don't -- I don't want to
9 see these people. I don't want to deal with them.
10 I don't want to talk to them on the phone. I've
11 tried enough and I'm just -- it's just ridiculous.

12 The other thing is, just because people
13 live in Mississippi, we're still intelligent. We're
14 still smart. And if somebody has been able to keep
15 property in a family for generations, that requires
16 intelligence. That requires work. That requires
17 money. That requires somebody being able to manage
18 it, and a dumb person does not hold onto property
19 for generations.

20 CHARLOTTE BYRD: And that's what we're
21 talking about here too. Property that's been in my
22 family, that's been passed down to us, I may have
23 gotten like -- since 1889. My forefathers fought
24 for this country and then you're wanting to come in
25 here and take it away and tell me you can put a

1 pipeline, high pressure, 50 feet from my very front
2 door. I don't think so.

3 MR. PECONOM: And I --

4 CHARLOTTE BYRD: You're going move my
5 house. I do not want to live on a time bomb.

6 MR. PECONOM: I've heard all your comments
7 tonight. This is what we're here to do is to listen
8 to these concerns. I will talk with the company
9 about this tomorrow, or tonight even, and find
10 out -- to make sure that they're upholding their end
11 of their agreements with you, the survey agreements.
12 So --

13 JACK FOSTER: Question.

14 MR. PECONOM: Yes, sir.

15 JACK FOSTER: These artifacts going for
16 about a mile or two down that pipeline, what do you
17 do?

18 MR. PECONOM: Artifacts in Native American
19 and artifacts --

20 JACK FOSTER: Yes. sir.

21 MR. PECONOM: -- and war-type artifacts?

22 JACK FOSTER: Yes.

23 MR. PECONOM: We do archeological -- we
24 have a company to do archeological surveys. And as
25 required by law, we will protect, you know --

1 JACK FOSTER: It was not done.

2 MR. PECONOM: Is there some missed? Was
3 some -- and if that's -- if you know the site,
4 please tell us so we can get down there.

5 JACK FOSTER: They know they're -- they
6 know they're there.

7 MR. PECONOM: Okay. Well, after this
8 meeting, I want to come -- and I want to talk to you
9 and you tell me where that is and I'll write that
10 down and make sure that we get that information and
11 check it.

12 JACK FOSTER: I give you my name. Jack
13 Foster.

14 MR. PECONOM: Archaeological resources are
15 something that we look at. It's included in the
16 Environmental Impact Statement. Our job is required
17 by law to protect archaeological resources. If that
18 means moving a pipeline around it, that's what we
19 do. There's a lot of things that goes into these
20 projects. It's just a lot of work.

21 Yes, ma'am.

22 CHARLOTTE BYRD: I've got one more
23 statement that I would like make since you've got a
24 reporter there. I gave my permission, reluctantly,
25 and after receiving my threatening letter from the

1 attorney, which I have spoken to him and I have
2 informed him of various things, how I was treated,
3 and he did not realize some of the things that are
4 falling through the cracks or didn't realize how we
5 were being dealt with. Many of y'all have an
6 opportunity to talk to that attorney if you need,
7 I've got his name.

8 But I'm telling you right now, and I want
9 it on the record, you had my permission to come on
10 my property to do the initial survey, which has been
11 done. No one else is to come on my property unless
12 I am there, period. I don't want them back on
13 there. They've done their initial survey and I do
14 not want them back on my property unless you have my
15 written permission, and I am at my property when you
16 do it.

17 Now, I work five days a week. I work
18 hard. I work hard for my money. I work hard to pay
19 my taxes and to have a living, and I'm not going to
20 take no more of my time to talk to anybody else.
21 They can do it at my convenience if they want to
22 talk to me.

23 MR. PECONOM: Thank you. I think that
24 pretty much covers a lot of the process questions.
25 We've kind of mixed them up a little bit and gone

1 into other questions.

2 Generally, what we do in these meetings is
3 we open it up for concerns and statements.

4 Does anybody else have anymore they want
5 to add to the record while we have the court
6 reporter here with you.

7 LON STRONG: I have some comments that
8 I would like to read.

9 MR. PECONOM: Can you state your name for
10 the gentleman again, please.

11 LON STRONG: I'm Lon Strong.
12 Let the record reflect I'm totally opposed to the
13 project. In fact, I think SESH ought to change
14 their name to the railroad.

15 I don't know what the protocol is.
16 These are the comments of Lon Armstrong,
17 4044 Beauregard Road, Wesson, Mississippi.

18 I appreciate the opportunity from the
19 Commission to make these comments, and in the
20 interest of time I will read them. They're broken
21 into two categories, environmental Concerns and
22 Business Concerns:

23 "(A.) Environmental Concerns. We've been
24 informed by Duke Energy officials that the
25 construction period is -- for the proposed pipeline

1 project is from November through March."

2 Anyone who lives here in Mississippi knows
3 that's Mississippi's rainy season.

4 "The proposed pipeline is crossing four of
5 our pastures and rented hayfields."

6 Under the Environmental Concerns, we have
7 three categories:

8 "Number (1) Soil. The bottomland soils
9 most likely have 'severe wetness' classifications
10 for shallow excavations five to six feet deep,"
11 which is depth of the pipeline. "Soils in the pond
12 field, side field and hay field are highly erodible
13 soils.

14 Number (2) Streams. The pipeline, as
15 proposed, will cross within a few hundred feet of
16 the headwaters of Little Beaver Dam Creek. This
17 site is a hardwood forest with very steep slopes.
18 Any disturbance of this first order stream could
19 have adverse effects on the fluvial geomorphology.
20 Open channel construction would result in a heavy
21 sediment load that could permanently effect stream
22 sinuosity and flow.

23 We make the following requests: Use
24 directional drilling rather than open channel
25 construction; classify this stream before you do the

1 pipeline according to the Rosgen Method;

2 And (3), Identify the minnow or darter
3 found in waters of this stream. We would also like
4 for the record to reflect that the environmental
5 survey was taken during severe drought conditions."

6 We asked the question when we came in had
7 the environment survey been conducted on the
8 alternate route and no one seemed to know, which has
9 been kind of the general rule of this whole thing.

10 "(B) The intermittent stream on our
11 property where the pipeline is proposed to cross has
12 a severely degraded channel." And I discussed this
13 thoroughly with the surveyor.

14 "The channel had degraded to 15 feet or
15 more feet. Any disturbance of this channel could
16 result in a resumption of channel degradation
17 working its way upstream and laterally causing
18 severe bank sloughing. We request that any
19 crossing be made by directional drilling rather than
20 open channel construction."

21 We've looked at this channel where it goes
22 into Little Beaver Dam Creek. The channel is stable
23 there. The only place that's degraded is -- is
24 about 300 yards on our property. The channel is
25 stable going on upstream to the road. We fenced it

1 off several years ago primarily to calves out of it,
2 from falling in it. But any disturbance of channel
3 getting five or six feet below the bed of this
4 channel to put the pipeline is going to cause you
5 some problems.

6 "(3) Subwatersheds. The proposed route
7 is crossing two subwatersheds on our farm. These
8 sites have been allowed to heal over the years by
9 allowing them to become covered with trees. Any
10 disturbance could cause erosion and start
11 headcutting."

12 Again, we would suggest at alternate route
13 around these if you've got it coming off.

14 "(B) Business concerns: We run a 75-head
15 cow/calf operation. We're not the King Range, but
16 it's outs. The business is a certified Master
17 Cattle Producer and a certified Beef Quality
18 Assurance Producer. We have a rotational grazing
19 system on 200-plus acres and rent 65 acres for hay
20 production. We have a controlled breeding program,
21 a controlled winter feeding program, and a
22 controlled herd-health program.

23 Number (1): The proposed pipeline route
24 and construction period, November through March,
25 would adversely effect our business in the following

1 manner:

2 We pen cattle in November to perform heard
3 health operations and pregnancy checks. The
4 proposed channel would prevent access to our working
5 facilities;

6 Our feeding season begins in November and
7 continues through April the 15th. The proposed
8 route would prevent access by both cattle and
9 equipment for distribution of hay and supplemental
10 feed;

11 The proposed route would also prevent
12 access to the Pond Field. This field is planted in
13 clover and we control-graze it for two hours a day."

14 Where the pipeline is coming across that
15 field, it would cut off about 95 percent of it for
16 access.

17 "Our calving season is from December to
18 March, and it is not uncommon for cows to have
19 calving difficulties resulting in these cattle
20 having to be penned until the difficulty is over or
21 the problem is resolved. The proposed route would
22 prevent access to and from sick pens and working
23 facilities.

24 Since we are having calves during the
25 construction period, we're concerned about both cows

1 and calves getting into an open channel." An
2 eclectic fence will not keep young calves out of
3 that open channel.

4 "Construction activities along the
5 proposed route would prevent access to most of our
6 farm;

7 A 'plug' and an electric fence simply will
8 not suffice for access for our type of cattle
9 operation.

10 We propose an alternate route along the
11 backside or southern boundary of our property, that
12 would be much less disruptive to our business and
13 would avoid the environmental concerns listed
14 above."

15 MR. PECONOM: Thank, you sir.

16 LON STRONG: Y'all can ask me question
17 about that.

18 MR. PECONOM: Mr. Burkes.

19 BILL BURKES: My name is Bill Burkes from
20 Madison Parish, Louisiana. We have -- and I also
21 would like to ask that the next meeting that y'all
22 have you have one in Louisiana. We drove
23 four-and-a-half hours to get here.

24 I want to go on record that we have not
25 asked for the pipeline, nor do we want it, and I'm

1 sure -- and I kind of get the impression that
2 everybody here is kind of agrees with that
3 statement.

4 We have tried to work with Southeast
5 Supply Header, and Mr. Collins has been kind enough
6 to work with us. I guess we're one of the few
7 people here that agrees with that statement, but
8 I want to publicly thank him, but we don't want it.
9 But our situation is, we're close to the compressor
10 station and our feelings were we will give them an
11 alternative, but we -- but if there are any other
12 options that we have, we'd like for them to get off
13 of our property and go around us and -- because
14 we -- of the environment issues that we have. We
15 have black bear on our property, we have alligators,
16 we have panthers, we have several endangered species
17 and we also participate in conservation preserve
18 programs with the State of Louisiana and USDA.

19 And also I wanted to find out, we've been
20 told by Southeast Supply Header Project, that the
21 route that we've offered, the only acceptable route
22 for us is the one that they've chosen, and we just
23 want to verify. We trust them, but we still want to
24 verify that that's the route, if they do have to
25 come through us.

1 Also the question, I don't know if these
2 are environmental questions, I'll just kind of run
3 through them, and I don't now if you can answer them
4 or not, but I'd like to know some process --
5 sometimes this process, how the pipelines will be
6 inspected. If they're going to be inspected with
7 ultrasound pigs, and also what type of pigs and how
8 often pigs with go through there, because I don't
9 want to have another situation like the last one we
10 did with PT.

11 I would like to know the life -- the life
12 line. It is 25 years or what -- what the life span
13 of the pipeline will be.

14 And also another question, I'd like to
15 know if there is an explosion, the impact of the
16 heat and the fire and the percussion. I'd like to
17 know those answers.

18 And also I would like to get a copy of the
19 environmental surveys and archaeological surveys
20 that are on our property.

21 And also at some point in time I'd like to
22 know who regulates and who -- a list of our contact
23 people, you know, down the road. There was a major
24 explosion within a mile of our property of a high
25 pressure pipeline that did a lot of damage. Those

1 are the only comments and comments I would like to
2 put on the record.

3 MR. PECONOM: Thank you, sir. I'll catch
4 up with you after the meeting to go over some of
5 those.

6 Mr. Buchholz, would you like to make a
7 statement or --

8 ED BUCHHOLZ: No, I've quit.

9 MR. PECONOM: Would anybody else like to
10 make a statement or express their concerns or issues
11 with the project at this time?

12 Yes, sir.

13 HARLON COLEMAN: Harlon Coleman. On new
14 planted pines, or say 15, 14-foot planted pines,
15 will we get full market value for those pines when
16 y'all come throw?

17 MR. PECONOM: I don't have the answer to
18 that question.

19 HARLON COLEMAN: Or was that just
20 considered as a bush and shoved off?

21 MR. PECONOM: I don't have that answer.
22 That's something that you'll need to negotiate or
23 work out with the company.

24 The Federal Energy Regulatory doesn't get
25 involved with negotiation at that level. We don't

1 deal with easement agreements, but you can, I'm
2 sure, ask the company here tonight after the
3 meeting.

4 HARLON COLEMAN: We were talking about
5 taxes a while ago. On that pipeline, after these
6 trees are gone, I can't use it anymore for trees?

7 MR. PECONOM: On the --

8 HARLON COLEMAN: -- but I'm supposed to
9 pay taxes on that, but I can't use it.

10 MR. PECONOM: You'll no longer to be able
11 to use it, permanently use it for timber.

12 HARLON COLEMAN: Right. Yeah.

13 MR. PECONOM: And as the owner you'll
14 still need to pay taxes on it.

15 Does anybody else have any environmental
16 issues or concerns with the project that they'd like
17 to express so that we can cover them in our
18 Environmental Impact Statement or environmental
19 review of the project?

20 (No responses.)

21 MR. PECONOM: This isn't the only
22 opportunity you have to express your concerns or
23 comments with the project. Both of these documents
24 have the address and contact information for the
25 secretary of the Federal Regulatory Commission.

1 All comments, whether they be written or
2 tonight's comments, will be in the record.
3 I strongly encourage everyone to submit comments,
4 you know, either tonight or in the future, if you
5 think about them, expressing your concerns with the
6 project. You can write us a letter in the U. S.
7 mail or you can do it over e-mail. There's several
8 ways for us to get your information. When we
9 prepare a Draft Environmental Impact Issue, we will
10 be back down to hear people's comments on that
11 document. That document will be our analysis of the
12 proposed project.

13 This prefiling process is designed to hear
14 people's comments and to make changes, if necessary,
15 or to, you know, what we can do. I will be after
16 available. If somebody wants to come up to me, I'll
17 be happy to give you my phone number, you can call
18 and we can talk about it a little bit. Just let us
19 know your comments. E-mails and letters work best.
20 That way we have what you're concerned about on
21 record and we can make sure we cover that in our
22 environmental analysis, so -- yes, sir.

23 LON STRONG: When will I get answers to
24 the questions that I asked about the classification?
25 I would like to know what the set -- proposed

1 sediment load would be, erosion rates, providing you
2 do an open channel across the headwater of the
3 Little Beaver Dam Creek, and I would like to know as
4 quickly as possible the identification of that dart.

5 MR. PECONOM: Your comments, I will --
6 I'll be -- I'll be providing information -- the
7 Federal Energy Regulatory Commission will be
8 provided information by the company or, you know,
9 produced in our Environmental Impact Statements.

10 Based on your comments, you know, I will
11 ask them to provide this information, so it'll be a
12 little while to get these comments addressed and
13 concerns. I will make sure those comments are
14 addressed in our environmental analysis of our
15 project. Let me talk to you after the meeting and
16 look these over again a little bit more and talk to
17 you a little bit about that.

18 Does anybody else have anymore
19 environmental concerns?

20 I'm going to stay after the meeting for as
21 long as people want to stay around and talk or until
22 they kick me out of here.

23 (No responses.)

24 MR. PECONOM: If no one else has any other
25 comments or issues to express, then I'd like to

1 thank everybody for coming tonight. Yes, sir.

2 LON STRONG: Gentlemen, I just want to
3 reiterate once again, or for the session's benefit
4 and SESH's benefit, where the proposed crossing, the
5 headwater of Little Beaver Dam stream cannot take a
6 heavy sediment load. It just simply can't do it.
7 And you don't have to take my word for it. Call
8 Dave Rockett in Gautier Springs. He will tell you.
9 You're going to have to directional drill under.
10 I hate to say that.

11 MR. PECONOM: And water resources is an
12 issue that we look at. We look at all the stream
13 crossings to make sure that they are done the best
14 way possible. A lot of times we require companies
15 to drill. In some steams, it's not an issue.

16 LON STRONG: Keep in mind this is the
17 headwaters. It's the headwaters. It's not the
18 major stream. It just simply can't take a heavy
19 sediment load. It will mess that steam up.

20 MR. PECONOM: That's something we'll look
21 at. Absolutely.

22 Again, I thank everybody for coming.
23 I think this concludes our meeting tonight. I will
24 stick around afterwards to answer questions and
25 I believe the SESH folks will be here to do the same

1 as well.

2 (Time Noted 9:00 p.m.)

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CERTIFICATE OF COURT REPORTER

I, Harvey J. Rayborn, Court Reporter and Notary Public in and for the County of Hinds, State of Mississippi, hereby certify that the foregoing 104 pages, and including this page, contain a true and correct transcript of the above said proceedings, as taken by me in the aforementioned matter at the time and place heretofore stated, as taken by stenotype and later reduced to typewritten form under my supervision by means of computer-aided transcription.

I further certify that I am not in the employ of or related to any counsel or party in this matter and have no interest monetary or otherwise, in the final outcome of this proceeding.

Witness, my signature and seal this 28th day of August, 2006.

Harvey J. Rayborn, CSR #1274

My commission expires: 10/25/2008