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FEDERAL ENERGY REGULATORY COMMISSION

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PUBLIC SCOPING PROJECT  
FOR THE PLANNED TIOGA COUNTY EXTENSION PROJECT  
DOCKET NO. PF10-5-000  
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Proceedings in the Above-Titled Matter

Location: Hampton Inn  
7637 New York State Route 96  
Victor, New York 14564  
  
Date: April 28, 2010  
  
Time: 7:04 p.m.  
  
Reported By: Maria A. Wolczyk, CSR  
Alliance Court Reporting, Inc.  
183 Main Street East, Suite 1500  
Rochester, New York 14604



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1 MS. CROSLY: Good evening, everybody.

2 Can everyone hear me okay in the back?

3 A little bit? Okay. You are more than  
4 welcome to move forward.

5 The people in the back have heard it  
6 before anyway, so it's all right if they can't hear  
7 me.

8 On behalf of the Federal Energy Regulatory  
9 Commission, I would like to welcome you all here  
10 tonight.

11 Let the record show that the Tioga County  
12 Extension Project scoping meeting in Victor, New York  
13 began at 7:04 p.m. on April 28, 2010.

14 My name is Shannon Crosley, and I'm the  
15 Environmental Project Manager for this project.

16 Jessica Harris, who you met at the sign-in  
17 table, is also with FERC.

18 The purpose of this meeting tonight is to  
19 give you the opportunity to provide us with  
20 environmental comments, specifically on Empire  
21 Pipeline's planned Tioga County Extension Project.

22 Empire entered into the FERC pre-filing  
23 process in January, on January 28, 2010, and that  
24 began our review of the facilities that we do refer to  
25 as the Tioga County Extension Project.

1                   According to Empire, the planned project  
2 would enable them to provide firm transportation  
3 service requested by producers connecting Marcellus  
4 shale production along the proposed pipeline corridor.

5                   Project facilities include construction of  
6 approximately 16 miles of 24-inch-diameter pipeline  
7 from Tioga County, Pennsylvania to Steuben County,  
8 New York, and replacement of approximately 1.3 miles  
9 of 24-inch diameter pipeline in Victor, New York.

10                  Now, in a little while I'll ask a  
11 representative from Empire to give you a more detailed  
12 project description, and after the formal part of this  
13 meeting, they will be available to answer any  
14 questions you may have, and I'll also be available to  
15 answer questions.

16                  Right now I'm going to talk a little bit  
17 about the FERC scoping process and public involvement  
18 in general.

19                  The main FERC docket number for this  
20 project is PF10-5-000, and that PF prefix means  
21 pre-filing feeling. We are now in the pre-filing  
22 review stage. There is no formal application before  
23 FERC. When Empire files a formal application, that  
24 prefix will change to CP, which means "certificate  
25 proceeding."

1                   The National Environmental Policy Act  
2 requires the Commission to take into consideration the  
3 environmental impacts associated with new natural gas  
4 facilities.

5                   "Scoping" is a general term for soliciting  
6 input from the public before our environmental  
7 analysis is conducted. The idea is to get the  
8 information from the public, as well as agencies and  
9 other groups, so we can incorporate your issues of  
10 concern into our environmental review.

11                   The scoping period for this project began  
12 at the beginning of this month when we issued our  
13 Notice of Intent, which is also known as NOI. The NOI  
14 described the environmental review process and the  
15 steps that FERC will take to prepare our environmental  
16 assessment, also known as an EA. We have extra copies  
17 of the NOI at the table in the back if you haven't  
18 received one. We have an ending date of May 7, 2010,  
19 for our scoping period.

20                   Now, an important step in the  
21 environmental review process and the preparation of an  
22 EA is determining which environmental resource issues  
23 are important to you. Your comments and concerns,  
24 along with those of other people and agencies  
25 participating in this process, will be used to focus

1       our environmental analysis. Your comments tonight,  
2       along with any written comments you have filed or  
3       intend to file, will be incorporated into our public  
4       record. We then take your comments and information,  
5       and then we work on our own independent analysis of  
6       this project's potential impacts.

7               We publish those findings in the EA, which  
8       will be placed in the public record. Depending on the  
9       comments we receive during this scoping period, the EA  
10      may be published and issued for a 30-day comment  
11      period.

12             If you noticed on the NOI, there is a  
13      return mailer on the back of it. If you receive the  
14      NOI and wish to be removed from our mailing list, you  
15      need to indicate that on the return mailer and send it  
16      back to us.

17             The default for the EA is CD format, so if  
18      we do issue our EA and you wish to receive a hard  
19      copy, that's another box you can check on the NOI and  
20      return that to us.

21             So if you receive the NOI in the mail, you  
22      want to stay on the mailing list, you don't need to do  
23      anything. If you want to be removed from the mailing  
24      list or receive a hard copy of the EA, you need to  
25      return the mailer.

1                   Now, I'd like to differentiate between the  
2 roles of the FERC Commissioners and the FERC  
3 environmental staff.

4                   The five-member Commission is appointed by  
5 the President and confirmed by the Senate. They're  
6 the ones who are responsible for making a  
7 determination of whether or not to issue Empire a  
8 Certificate of Public Convenience and Necessity.

9                   The EA is prepared by FERC environmental  
10 staff, which I'm a part of. We do not make that  
11 decision.

12                  In general, the EA describes the project  
13 facilities, describes the potential impacts, describes  
14 alternatives to the project, and any mitigation to  
15 avoid or minimize impacts.

16                  So the EA is used to advise the Commission  
17 and to disclose to the public the environmental impact  
18 of constructing and operating this proposed project.

19                  The Commission then considers the  
20 environmental information, along with  
21 non-environmental information such as rates, tariffs,  
22 engineering markets. Then they make an informed  
23 decision on whether or not to approve the project.

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

1 (There was no response.)

2 MS. CROSLY: Okay. That's my overview on  
3 the FERC role, and I will now turn it over to Ron  
4 Kraemer with Empire to give the project overview.

5 MR. KRAEMER: Thanks. I'll stand here;  
6 it's a small group.

7 Thank you for coming. We do appreciate  
8 it. This is really -- this is a continuation of the  
9 process for us. It's really the beginning of the  
10 formal portion of the process at FERC, but it's a  
11 continuation of the process. We actually began this  
12 process overall back last October, where we introduced  
13 the project down in Corning, specifically the 16-mile  
14 new pipeline section. We held a public meeting back  
15 then, or an open house, I think we referred to it, and  
16 then we've held a second one, one down in Corning, in  
17 February of this year, 17th, and then up here on the  
18 18th.

19 And the purpose there was to introduce the  
20 project, start the conversation going about the  
21 project, get some feedback, and to a great extent  
22 introduce the fact that we were going to be sending  
23 land agents out talking to you folks, asking for  
24 permission to get on your property to start to do the  
25 environmental surveys, and so on, that are required to

1       prepare the FERC filing.

2                   So we appreciate the cooperation we've had  
3 during that period. We've actually had very good  
4 cooperation both on the 16-mile section and on this  
5 section up here, and I'll get to in more detail the  
6 facilities up here called the lift and lay section,  
7 and we'll explain what that means.

8                   The project is regulated by the Federal  
9 Energy Regulatory Commission. The eventual, the end  
10 result of what we hope to get is a certificate from  
11 FERC. It's called a 7C certificate, allows us to  
12 construct the facilities.

13                   As Shannon mentioned, we're in the  
14 pre-filing process, so we have not yet filed that 7C  
15 application. The process right now is just developing  
16 all the environmental background and records to put  
17 together that would allow us to make that 7C filing.

18                   The overall goal of the project is to move  
19 local production, Marcellus production in particular.  
20 We've been requested by two producers, two large  
21 producers who have significant acreage in Tioga  
22 County, Pennsylvania, to transport their gas from  
23 their wells or from a central delivery point to us,  
24 just inside Tioga County in Pennsylvania, two points  
25 on our existing pipeline, and particularly to an

1 interconnection with TransCanada Pipeline at a place  
2 called Chippewa.

3 So the idea is to take this gas being  
4 produced in North Central Pennsylvania and get it to  
5 some market centers where the gas can be consumed. We  
6 deliver to points along the pipeline.

7 It can be delivered to an interconnection  
8 we built a couple years ago, where we interconnect  
9 with Millenium Pipeline, which delivers gas towards  
10 New York City.

11 We can deliver to a new interconnection --  
12 it's on these maps here -- with Tennessee Gas  
13 Pipeline; it's called their 200 Pipeline. That  
14 pipeline serves Upstate New York, as well as new  
15 England.

16 And it can go on further up to the  
17 Chippewa point I mentioned, which would deliver gas to  
18 TransCanada Pipeline that can serve the Canadian  
19 Ontario market, as well as come back into the U.S. and  
20 serve Northeast U.S.

21 Overall facilities, the 16-mile  
22 pipeline -- this is the bulk of the new facilities --  
23 is a pipeline to extend the Empire Connector Pipeline  
24 we built a couple years ago, extend it 16 miles just  
25 into Tioga County, Pennsylvania, where we would

1           interconnect with these two producers.

2                         But the facilities you are probably more  
3 interested in up in this area is a section 1.3 miles.  
4 It was actually originally certificated as part of the  
5 Empire Connector Project we built a couple years ago.  
6 We removed it from that filing and are proposing now  
7 to do it in this filing, and it's being referred to as  
8 a "lift and lay."

9                         The general concept is a new line will be  
10 laid and the old line will be removed. And it's going  
11 to be done in one of two different fashions, really  
12 depending on whether there is room to construct, to  
13 first construct the line just offset from the existing  
14 line, somewhere between 15 and 25 feet away from the  
15 existing line and then remove the old line, or whether  
16 we don't have enough room to do that and literally  
17 have to remove the old line first, put the new line in  
18 the exact same place it was.

19                         Our preference is to do the former, the  
20 one I mentioned first, where we first lay the new line  
21 and pull the old line out. The reason for that is we  
22 minimize the disruption on the existing pipeline.

23                         This pipeline, even in the summertime,  
24 serves a major power plant in Oswego, and any time  
25 this line is taken out of service, we're interrupting

1 service to that power plant. So the goal is to  
2 minimize that.

3 And I guess we refer to one technique as  
4 the lift and lay, where the line is lifted first, the  
5 new line is laid in its place. And then the other one  
6 is the lay and lift, I guess, where you lay the line  
7 first and then lift the old line. So there will be a  
8 mix of both, depending on whether there's room for the  
9 two pipelines for a short period of time.

10 The other facility is the interconnection  
11 with Tennessee Gas, and it will involve a roadway back  
12 to a fairly isolated site in the back of an  
13 agricultural field near a wooded area, and a  
14 measurement and pressure reduction station to take the  
15 gas off of the Empire Connector Pipeline, measure it,  
16 clean it, and then deliver the pressure or drop the  
17 pressure and deliver that gas to the Tennessee Gas  
18 Pipeline.

19 The goal for in service on this is  
20 September 1st of next year. We have invested a fair  
21 amount of effort before we even started the NEPA  
22 pre-filing process last fall, particularly on the  
23 16-mile pipeline, and we'll continue and finish up our  
24 environmental studies here in the next couple of  
25 months. And we hope to put together a filing, I

1 believe it's in August, make what's called the 7C  
2 application in August, and are hopeful of a  
3 certificate in sometime late next winter so we can  
4 start construction in the spring of 2011.

5 I think that's all I have to talk about.  
6 So if you have any questions, we'll try to answer them  
7 for you. Thank you.

8 MS. CROSLY: Thanks. Well, now we move  
9 into the important part of the meeting, which is  
10 hearing you from guys. If you'd rather not speak  
11 tonight, there are forms at the back that you can  
12 handwrite your comments, submit them to us tonight.  
13 There's also instructions on how to submit your  
14 comments at another time, whether it's written or  
15 electronic.

16 At this time would anyone like to speak,  
17 make comments, or have questions?

18 JEFF CODY: I had a question, I guess just  
19 talking about the Victor segment in general. I guess  
20 after it's all said and done, there will still be one  
21 pipe in the ground, no matter which method you use.

22 MR. KRAEMER: Lift and lay or lift and  
23 lift. Yes.

24 JEFF CODY: Okay. So, and then there will  
25 be construction of a pressure-reducing station, and

1 that's a new facility?

2 MS. CROSLY: Uh-huh.

3 JEFF CODY: And that's in the Town of  
4 Victor, as well?

5 MR. KRAEMER: That's in the Town of  
6 Canandaigua.

7 MS. CROSLY: I'll let you answer these  
8 questions about the project.

9 MR. KRAEMER: Okay.

10 JEFF CODY: That's in Hopewell?

11 MR. KRAEMER: Hopewell, I don't know.  
12 Canandaigua. ^ \*\*CK LAST THREE STATEMENTS FOR SPEAKERS

13 So yes, there will be one pipeline when  
14 we're done, regardless of which technique we use. The  
15 only difference in the techniques is just to try and  
16 minimize the amount of outage time on the pipeline.

17 JEFF CODY: Sure, for your customers.

18 So you won't be acquiring any new  
19 easements in the Town of Victor?

20 MR. KRAEMER: There may be some temporary  
21 easements for it. Well, there will be, I believe,  
22 some temporary easements for construction. I think  
23 what we have left is a 50-foot permanent right-of-way.  
24 When we construct, we usually need more than 50 feet  
25 to construct, usually a minimum of 75 feet, so we

1       acquire temporary work space. And at roadways it's  
2       wider than that, and at stream crossings it's wider  
3       than that, and so on. But those are all temporary  
4       work spaces we would acquire just during construction  
5       period. They would go away, go back to the 50-foot  
6       permanent easement. That wouldn't change; the 50-foot  
7       permanent easement would remain; is that correct?

8               MR. GRICE: (Indicating.)

9               JEFF CODY: Okay. And then the temporary  
10       easements will be put back into the state they were  
11       prior to the construction process?

12              MR. KRAEMER: Yes.

13              JEFF CODY: Okay. Thanks.

14              MS. HARRIS: Excuse me. For the gentleman  
15       who had a question, did you say your name? Did you  
16       say your name?

17              JEFF CODY: My name is Jeff Cody, C-O-D-Y.

18              MS. CROSLY: Thank you. It's just for  
19       the court reporter.

20              JACK MARREN: If I may, I'm Jack Marren,  
21       Supervisor of the Town of Victor, and with me is Town  
22       Councilman and the head of our Highway Department,  
23       Troy Paige.

24              And first and foremost, I certainly want  
25       to thank you for the 170 letters you sent out to our

1 Town residents notifying them of this meeting.

2 Now, with that said, two questions. You  
3 mentioned the 15 to 25 feet you'd like for the lift  
4 and lay. Is that a particular safety concern? Is  
5 that why you have your original pipe that's in place  
6 now and you're looking 15 to 25 feet away? Is there a  
7 particular reason?

8 MR. KRAEMER: Just for, I guess, protocol  
9 here, I think the questions are supposed to be  
10 addressed to FERC. I'm happy to answer any question;  
11 I just want to defer to --

12 MS. CROSLY: I do appreciate it. But the  
13 specific detail project questions I will defer to  
14 Empire, because they'll be able to better answer them  
15 than I will.

16 JACK MARREN: Don't confuse us now.

17 MS. CROSLY: Any procedural FERC  
18 questions, I will be more than happy to answer. So go  
19 ahead.

20 MR. KRAEMER: The standard offset for  
21 construction, generally when you're constructing,  
22 you're constructing alongside an existing pipeline  
23 which is going to remain in place and you're building  
24 a new pipeline off to the side of it. The normal  
25 industry practice is 25-foot separation. That's kind

1 of the industry standard.

2 In this case, for safety's sake, we would  
3 like to build the new line, even though the old line  
4 is only there temporarily, the same distance away.  
5 It's just safer from a constructability standpoint.  
6 But because there's some areas that are tight, we may  
7 not be able to get that full 25 foot. And since this  
8 is a temporary nature, we're willing to accept that  
9 shorter separation for a temporary period of time.

10 So the separation generally is 25 foot for  
11 safety's sake. But for operating issues and just for  
12 constructability issues.

13 JACK MARREN: Second question, to someone.

14 The 170 letters sent out to Victor town  
15 residents, were these residents who are possibly  
16 identified in the area where you may need a temporary  
17 easement, and is that why?

18 MR. KRAEMER: I think the letters were  
19 actually sent by FERC; is that right?

20 MS. CROSLY: We sent out a Notice of  
21 Intent to affected landowners that -- the list of  
22 landowners was provided to us by the company.

23 MR. KRAEMER: Right.

24 MS. CROSLY: Now, the Notice of Intent  
25 also went to federal, state, local agencies, you know,

1 any public officials we could identify, newspapers,  
2 libraries, in an effort to, you know, widen the window  
3 of notification.

4 JACK MARREN: Excellent.

5 MR. KRAEMER: But as far as the landowners  
6 themselves -- and I can be corrected on this, but I  
7 believe what it is, is it goes to everybody that  
8 literally has the pipeline on their property and  
9 abutters that are within a -- I don't know what the  
10 cut-off is, but some reasonable distance of the  
11 pipeline.

12 If it's a big farm and the pipeline is in  
13 the middle of it, the abutter may not get it. But if  
14 it's within some reasonable distance, you want to make  
15 sure, because there's construction activity on the  
16 next-door neighbor's property, basically. So they get  
17 the notice as well.

18 So it's on the property and the abutters  
19 that generally get the notification. And then on a  
20 measurement site, I think it's a half-mile.

21 MR. GRICE: On the measurement site it's  
22 the affected property and also the same situation.

23 MR. KRAEMER: Oh, it is? Okay. It's  
24 compression, I think is a half a mile.

25 JACK MARREN: Thank you.

1 BOB COBOS: Bob Cobos, from the  
2 Canandaigua Hopewell Town Line Road.

3 Most of my questions here I guess were  
4 answered by Mr. Marren's questions.

5 So the Town of Hopewell was notified of  
6 this meeting or of this project officially from FERC,  
7 the town that -- and in my case I'm asking about the  
8 interconnected TGP. The Town of Hopewell received the  
9 same paperwork?

10 MS. CROSLY: They should have. Now, I  
11 would have to go back to my office and actually look  
12 at the list to give you names and addresses, which I  
13 can do. Yeah, I can get back to you.

14 BOB COBOS: In the first meeting at the  
15 Victor High School, they indicated that they didn't  
16 know anything about it. And I thought that was odd,  
17 but I thought maybe that's just the way that it goes.

18 MS. CROSLY: Now, the first meeting would  
19 have been Empire's open house.

20 BOB COBOS: Oh, okay. All right.

21 MS. CROSLY: So that's different.

22 Empire does provide us with the list of  
23 affected landowners, but the only mailing that we've  
24 sent out is this last one, which is the Notice of  
25 Intent.

1                   So we had this meeting tonight, which is a  
2                   scoping meeting, and then last night we had a scoping  
3                   meeting in Corning. But the previous meetings were  
4                   Empire's open houses.

5                   BOB COBOS: And then any noise concerns  
6                   fall within environmental impact; right?

7                   MS. CROSLY: Yes. Sometimes when people  
8                   hear, you know, environmental assessments or  
9                   environmental resources, they think wildlife and  
10                  water, you know. But in this case it's  
11                  all-encompassing: Noise, air, safety, you know, in  
12                  addition to the water and the wildlife, but also  
13                  landowners, residential areas, commercial development.

14                  TROY PAIGE: Troy Paige, Town of Victor  
15                  Highway Department.

16                  I think the question I asked before about  
17                  the road crossing on High Street, you were going to  
18                  use the existing pipe and then push through the new  
19                  pipe within the same -- okay. Just asking a question  
20                  about that.

21                  MR. KRAEMER: Do you want that on the  
22                  record, that answer? I mean, I'm happy to do that if  
23                  you want to have me to explain it.

24                  TROY PAIGE: Sure.

25                  MR. KRAEMER: The intention is -- and it

1       hasn't been designed yet, but our intention would  
2       be -- and we'd certainly be talking to the Town about  
3       this -- was the -- or the request was to make sure we  
4       weren't open cutting. I think that's the specific  
5       issue, open cutting the road.

6               Our intention is, since there's an  
7       existing line there, is to open that up outside the  
8       roadway, attach the new pipeline to the old pipeline  
9       and push the assembly of the old line and the new line  
10      through until the new line completely covers the  
11      roadway. So there would not be any open cut of the  
12      road at all, but there would also not be a casing. I  
13      believe there's a casing in there now, and there  
14      wouldn't be a casing in there later.

15              TROY PAIGE: I've just got one other  
16      question, too.

17              Your highway work permits and your  
18      requests for temporary easements, is that all going  
19      to...

20              MR. KRAEMER: Yes. We'll have an  
21      engineering firm -- we have not selected yet, but  
22      we'll have an engineering firm, and they'll be  
23      responsible for all of the highway permits and  
24      driveway cuts or access permits as well.

25              MS. CROSLY: Any other questions? Yes.

1                   LOUIS BUCCINI: Louis Buccini. I live on  
2 4271 Schutt Road, right across the street from where  
3 you're going to build the road for this.

4                   I was just wondering if there's going to  
5 be any power lines, overhead power lines constructed  
6 to supply the electricity to it.

7                   MR. KRAEMER: I don't know if there's --  
8 it's underground -- is there underground there now, or  
9 is it on a pole line now, but it will probably go  
10 underground back to the new station site.

11                  MR. GRICE: Yes, we've got issues with the  
12 Hopewell -- the airport there. There's a full stop on  
13 either end, so we're going to have to work our way  
14 around that.

15                  LOUIS BUCCINI: That's the concern I had,  
16 is the planes usually take right over cars there.

17                  MR. KRAEMER: Okay.

18                  MS. CROSLY: All right. Any other  
19 questions?

20                  (There was no response.)

21                  MS. CROSLY: Like I said, we're available  
22 after, you know, this formal part of the meeting  
23 concludes. You can also submit any comments you want  
24 to after this meeting. You can send them to us  
25 written or electronically, and all the information for

1 doing that is at the table in the back.

2 Along those lines, I wanted to mention  
3 something called e-subscriptions on our Web site,  
4 which is [www.ferc.gov](http://www.ferc.gov), G-O-V. There is a link to  
5 e-Library. Now, e-Library is our electronic filing  
6 system, and all of the documents on this project are  
7 available on e-Library. Everything is public, from  
8 the company's resource reports, which outlines all of  
9 this information with, you know, the air, noise, and  
10 then also anything we issue is on this e-Library.

11 And there's an option to e-subscribe, and  
12 if you go in and you e-subscribe to this docket, which  
13 is PF10-5, you'll get an e-mail sent to your e-mail  
14 address which includes a link to the document. So it  
15 won't block, it won't fill up your e-mail address; it  
16 will just send you a link to the document. If you are  
17 interested in looking at it, you click on the link and  
18 it takes you to our system. It's just an easy way to  
19 keep track of what's going on.

20 BOB COBOS: Will that transfer when it  
21 goes to CP?

22 MS. CROSLY: It does. It does transfer.  
23 You should receive a notification.

24 Now, this is something we've been trying  
25 to improve at FERC, because previously it just stopped

1 and you would have no idea what happened. But you  
2 should get a notification in that e-subscription that  
3 says "PF10-5 has now transferred to CP" such-and-such.  
4 And then you would have to go in and e-subscribe again  
5 to the new docket number, which would be the new CP  
6 docket number.

7 BOB COBOS: Will the mailing list that was  
8 for today from FERC notify us when and if the filing  
9 takes place; the 7C, I guess it's called?

10 MS. CROSLY: You won't get a mailing in  
11 your mailbox; you won't get a hard mailing. But if  
12 you e-subscribe or check our e-Library system, there  
13 will be something that says -- when it transfers, when  
14 that changes to that CP docket, that means an  
15 application has been filed. Yes.

16 BOB COBOS: Okay.

17 MS. CROSLY: Those are good questions,  
18 though.

19 Any other questions?

20 (There was no response.)

21 MS. CROSLY: Well, on behalf of FERC, I  
22 would like to thank you all for coming here tonight.  
23 We appreciate it.

24 (The meeting adjourned at 7:31 p.m.)

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