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BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

ROCKIES EXPRESS PIPELINE  
EASTERN PHASE PROJECT

- - -  
PUBLIC HEARING  
- - -

The above public hearing was held on  
Thursday, September 14, 2006, at 7:00 p.m. to 8:00  
p.m., at the Teays Valley High School Auditorium,  
3887 St. Route 752, Ashville, Ohio 43103, before  
Terence M. Holmes, professional court reporter, and  
Notary Public within and for the State of Ohio.

1 APPEARANCES:

2

3

MODERATOR: Alisa M. Lykens

4

Environmental Biologist

5

Environmental Gas Branch I

6

888 First Street, NE

7

Washington, D.C. 20426

8

ALSO: Donald T. Hammer, Principal

9

ICF International

10

9300 Lee Highway

11

Fairfax, Virginia 22031

12

13

ALSO: Harold Winnie, Engineer

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U.S. Department of

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Transportation

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Office of Pipeline Safety

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

2 MS. LYKENS: Good evening and welcome.  
3 I personally want to thank each and everyone of you  
4 for coming out tonight. My name is Alisa Lykens, I  
5 work for the Federal Energy Regulatory Commission. I  
6 am the Commission's Environmental Project Manager for  
7 the Rockies Express Pipeline Eastern Phase Project.

8 As you are aware, Rockies Express  
9 Pipeline LLC is proposing to build as its eastern  
10 phase about 622 miles of 42 inch diameter pipeline,  
11 five new compressor stations, and other pertinent  
12 facilities, in the states of Missouri, Illinois,  
13 Indiana and Ohio.

14 The Rockies Express Eastern Phase is  
15 currently in the preliminary stages of design, and at  
16 this time a formal application has not been filed at  
17 the Commission.

18 For this proposal the Commission is  
19 initiating its National Environmental Policy Act  
20 Review prior to receiving the application. This  
21 allows interested stakeholders to become involved  
22 early in the project planning and to identify and  
23 attempt to resolve issues before an application is  
24 filed with the Commission.

25 The National Environmental Policy Act

1 requires that the Commission take into account the  
2 environmental impacts that could result from an  
3 action whenever it considers issuance of a  
4 certificate of public convenience and necessity under  
5 Section 7 of the National Gas Act. The act also  
6 requires us to identify and address concerns the  
7 public would have about the proposal. An  
8 environmental document, and in this case, an  
9 environmental impact statement for Environmental  
10 Impact Statement will be prepared to disclose what  
11 the environmental impacts would be if the project is  
12 ultimately approved and constructed.

13 That being said, the purpose of  
14 tonight's meeting is to hear from you. We would like  
15 to know what the environmental issues are now so we  
16 can address it now rather than after an application  
17 is filed.

18 Now I'd like to discuss the agenda for  
19 this evening. After my introductory remarks I will  
20 have Rockies Express present a short description of  
21 their project since there may be several attendees  
22 who are here tonight who did not get a chance to  
23 attend any open houses that were held in June. Then  
24 I will go over how the Commission will take your  
25 comments on the record and from there we'll open the

1 record up to you.

2 Now I'd like to introduce a few staff  
3 members who are with me on this environmental review  
4 team, Ellen St. Onge, a staff archeologist, she is  
5 out at the back, and from ICF International I'd like  
6 to introduce Don Hammer, who's to my left, and also  
7 at the sign-in tables we have Jennifer Thomas and  
8 Alexis Castrovinci.

9 ICF team are the Commission's  
10 third-party contractor and they'll be assisting me  
11 and the other agencies with the preparation of the  
12 Environmental Impact Statement.

13 At this time I would like to introduce  
14 to you Harold Winnie from the U.S. Department of  
15 Transportation, Office of Pipeline Safety. Harold is  
16 with the Pipeline and Hazardous Marterials Safety  
17 Administration. I would like to invite Harold to  
18 speak to you about his agency's role regarding the  
19 project.

20 MR. WINNIE: Good evening. My name is  
21 Harold Winnie. I am an Engineer with the Office of  
22 Pipeline Safety, which is a branch of the US  
23 Department of Transportation, Pipeline and Hazardous  
24 Materials Safety Administration, (PHMSA) Pipeline  
25 Safety Program. I would like to thank Alisa Lykens

1 for inviting me to this scoping session.

2           Given the concerns of the public with  
3 respect to pipeline safety, my purpose at this  
4 meeting is to assure you that if the pipeline  
5 receives a favorable review from FERC, the Pipeline  
6 and Hazardous Materials Safety Administration,  
7 through its partnership with the Public Utilities  
8 Commission of Ohio, PUCO, will maintain a continual  
9 regulatory watch over the pipeline from its  
10 construction to its testing for the entire  
11 operational life of the pipeline.

12           This regulatory oversight will consist  
13 of measuring the operator's performance to ensure  
14 that the pipeline is constructed of suitable  
15 materials that it is welded in accordance with  
16 industry standards; that the welders themselves are  
17 qualified to join the pipe; that the pipeline is  
18 installed to the proper depth; that it is coated to  
19 assure effective cathodic protection from corrosion;  
20 that the backfill is suitable and that it is properly  
21 tested upon completion to ensure that it can hold up  
22 to the pressures that the operator requires to  
23 transport this product.

24           Beyond the construction process, the  
25 PHMSA Pipeline Safety Program conducts inspections

1       periodically over all aspects of the operations and  
2       maintenance of the pipeline. The operator must have  
3       a written plan in place to instruct his personnel and  
4       to relate to federal and state inspectors exactly  
5       what testing or monitoring is done and the frequency.  
6       In addition, if testing or monitoring prompts a  
7       response or a corrective action, the operator must  
8       detail his process to address problems. Examples of  
9       the checks that an operator must have in place are:  
10      The adequacy of the cathodic protection. Monitoring  
11      the surface of pipelines exposed to the atmosphere,  
12      annual testing of the pipeline valves, and inspection  
13      of pressure regulation and relief devices to assure  
14      that the pipeline does not exceed its maximum  
15      allowable operating pressure. Periodic patrolling  
16      and leakage survey of the pipeline. Following  
17      allowed procedures for pipeline repair.

18                   Beyond the routine functions that have  
19      for decades been the baseline for operations and  
20      maintenance, PHMSA has in the past few years  
21      implemented new initiatives to ensure pipeline  
22      safety.

23                   At the forefront is the Integrity  
24      Management Program. This program was published in  
25      the Federal Register December 15, 2003. It requires

1 operators to identify high consequence areas (class 3  
2 or class 4 areas or other areas with specified  
3 population density concentrations or buildings of  
4 assembly or buildings housing confined or impaired  
5 persons.

6 IMF mandates that operators rely not  
7 on spot checks, but on a comprehensive understanding  
8 of its pipelines using established risk-assessment  
9 methods combined with emerging technology. The  
10 attempt is to find critical defects and repair them  
11 before a failure occurs. This plan is continual,  
12 implementing up-to-date mapping techniques,  
13 hydrostatic testing, in-line inspection (ILI) of the  
14 pipeline, verification of the ILI, and additional  
15 steps to assure that the pipeline has a real time  
16 file with any anomalies documented and tracked. To  
17 measure the effectiveness of its integrity management  
18 plan, operators are required to measure performance  
19 through a variety of measurements including test  
20 excavations.

21 In addition to the physical pipeline  
22 itself, Congress has mandated that operator personnel  
23 who perform operating, maintenance or emergency  
24 response, be qualified in the performance of those  
25 functions. The aim of this initiative is to minimize

1 operator error as the cause of any pipeline failure.  
2 Beginning in 2001, operators were required to develop  
3 a written plan to qualify every individual performing  
4 a covered task. This has been expensive, not only to  
5 perform the testing, but it has also launched more  
6 intensive training programs for employees and  
7 contractors who operate and maintain the pipeline.

8 The OQ regulation was stacked on top  
9 of the 1988 requirements for operators to perform  
10 mandatory drug and alcohol testing for all employees  
11 who perform operations, maintenance, and emergency  
12 response functions. This was not precipitated by  
13 substance abuse in the pipeline industry, but as a  
14 USDOT initiative on operators of transportation  
15 systems. Drug and alcohol abuse had been discovered  
16 in post-incident investigations in other sectors of  
17 the transportation industry. Presently an operator  
18 must conduct random drug testing of 25 percent of its  
19 employees annually performing covered tasks, as well  
20 as pre-employment testing and post-incident testing.

21 Another initiative, relevant to this  
22 meeting, is Public Awareness. Recently a standard  
23 was adopted as regulation (API RP 1162). This  
24 standard requires operators: to identify persons  
25 along the right-of-way affected by the pipeline; to

1 inform the public about recognizing leaks and taking  
2 appropriate action, and to evaluate the effectiveness  
3 of the program. RP 1162 establishes lines of  
4 communication and information sharing with the  
5 public, excavators, emergency responders, and local  
6 officials. Operators have prepared their written  
7 plans to comply with the standard due June 20, 2006,  
8 and are required to submit their plans to PHMSA by  
9 October 8, 2006, for review.

10 The initiatives that I have described  
11 above are a sampling of what PHMSA's Pipeline Safety  
12 Program does. As I said earlier, PUCO inspects the  
13 interstate natural gas operators in Ohio. If an  
14 operator's procedures are found inadequate or if an  
15 operator is not following its procedures or the  
16 appropriate regulatory requirements, PHMSA is  
17 authorized to seek punitive action in the form of  
18 remedial action, civil penalties (which is a frequent  
19 practice), and even criminal action. The authority  
20 is granted by Congress, and the agency is responsible  
21 to Congress for the execution of its mandates.

22 The other issue that is important to  
23 understand is Damage Prevention. The State of Ohio  
24 has legislation that requires anyone performing  
25 excavating activities to call the one call center in

1 advance of the work and have all underground  
2 utilities located with paint and/or flags. Since,  
3 third-party damage is one of the major causes of  
4 damage to pipelines, it is important for each of us  
5 to utilize the one-call system prior to doing any  
6 excavations, and to make sure that others digging in  
7 our neighborhoods have had the underground utilities  
8 located prior to excavating by looking for the paint  
9 and/or flags marking those facilities around  
10 construction sites.

11 Should you need additional information  
12 you can visit the PHMSA website at [www.phmsa.dot.gov](http://www.phmsa.dot.gov)  
13 or you can contact either Karen Butler or myself at  
14 our Kansas City, Missouri Regional Office at  
15 816-329-3800.

16 I hope that the preceding has been  
17 informative. PHMSA's Pipeline Safety Program's  
18 mission is safety, and we want to assure the public  
19 that its interests' are not ignored in this area.

20 If there are any questions, I will be  
21 around for a short while at the conclusion of the  
22 meeting.

23 MS. LYKENS: Thank you. I would now  
24 like to call Rockies Express to come forward to  
25 present their project, and its presentation is by

1 Alice Weekley.

2 ALICE WEEKLEY: Good evening. My name  
3 is Alice Weekley, I'm the Project Manager for the  
4 Rockies Express Pipeline Project.

5 Before I get started I though, I have  
6 a small confession to make and that is I went to a  
7 little football game this past weekend in Austin,  
8 Texas, and I can assure you I stand very humbly  
9 before you this evening. I mean even your marching  
10 band outperforms the Long Horns.

11 The Rockies Express Pipeline Project  
12 is a major domestic energy infrastructure for the  
13 United States. The purpose of the project is to  
14 transport natural gas supplies from the Rocky  
15 Mountains, to the markets here in the central United  
16 States.

17 One of the benefits of the project is  
18 to provide the State of Ohio with a significant  
19 domestic source of clean burning fuel.

20 The Rockies Express Pipeline Project  
21 is being developed by Rockies Express LLC, which is  
22 an agreement between Kinder Morgan Sempra and Conoco  
23 Phillips.

24 The Rockies Express Pipeline System is  
25 comprised of three distinct projects. The REX

1 Entrega is a pipeline in Colorado and is currently  
2 under construction. Rockies Express West is a  
3 proposed 713 mile pipeline running from Weld County,  
4 Colorado to Audrain County, Missouri.

5 The project I want to talk to you  
6 tonight about though is a proposed project known as  
7 the Rockies Express East Pipeline Project, but we  
8 call it Rex East for shorthand. It's a 42 inch  
9 proposed pipeline running from Audrain County,  
10 Missouri to Monroe County, Ohio.

11 The length of the pipeline is  
12 approximately 622 miles. In addition to the  
13 pipeline, there will be 20 meter stations, and 20 of  
14 those delivery points are here in Ohio.

15 Compressor stations will also be built  
16 in conjunction with Rex East. These compressors will  
17 act -- will compress the gas to move up 2 billion  
18 cubic feet of gas per day of natural gas through the  
19 pipeline system.

20 The pipeline will be buried, and  
21 generally speaking, will have 3 feet of cover from  
22 top of pipe. The pipeline will be made of high-grade  
23 steel that will be approximately half an inch thick.

24 In June of this year Rex East  
25 submitted its pre-filing to FERC. As part of our

1 community outreach program we held 18 open houses in  
2 June for landowners and other interested  
3 stakeholders. In July of this year we began our  
4 civil survey. And just like we, we kicked off our  
5 environmental surveys.

6 We hope to have the majority of the  
7 civil surveys completed this fall, but we will  
8 continue to be out in the field as we complete our --  
9 the other necessary surveys, such as the wetland,  
10 threatened and endangered species surveys, cultural  
11 resource surveys, and water crossings, and other  
12 surveys necessary for the project.

13 In early Spring of 2007 we would like  
14 to file with the FERC our certificate. We'd like to  
15 receive the FERC certificate first quarter 2008 and  
16 actually begin construction of the project second  
17 quarter of 2008.

18 We hope to have the pipeline completed  
19 by the end of the year in 2008, along with the meter  
20 stations and some of the compression. We expect to  
21 commission the three remaining compressor stations by  
22 June of 2009.

23 We have a website and I do encourage  
24 you to utilize the website. The name of the website  
25 is Rexpipeline.com. That's R-e-xpipeline.com. And

1 one of the features about the website, it does have a  
2 frequently asked questions section, which I think  
3 that you will find very informative.

4 Another way that you can contact us is  
5 through our toll free phone number, and that phone  
6 number is 1-866-566-0066. That number once again is  
7 1-866-566-0066.

8 After the conclusion of the formal  
9 presentation of this meeting, we do have  
10 representatives from the various disciplines of the  
11 project. I have -- my environmental manager is here,  
12 right-of-way agents are here, my construction manager  
13 is here, and we would be happy to answer any  
14 questions you may have on an individual basis.

15 Thank you very much for coming out  
16 tonight.

17 MS. LYKENS: Thank you. Now I'd like  
18 to briefly talk about the Commission's pre-filing  
19 process. In June 2006 the Commission staff began the  
20 pre-filing process for this proposal. Many of you  
21 have received the notice of intent brochure, which is  
22 why you are here. This project is still in the  
23 design state. Specific details have not yet been  
24 finalized. A formal application has not yet been  
25 filed with the Commission. The goal of this

1 pre-filing is to process is to help facilitate the  
2 interaction with federal, state, local agencies,  
3 affected property owners, and other interested  
4 stakeholders by preparing a more complete application  
5 for the filing of the Rockies Express Project.

6 The notified stakeholders include all  
7 of you who are present tonight. I also want to state  
8 that the Commission is not a proponent of the Rockies  
9 Express Project, but an advocate for the process  
10 involved in reviewing the project.

11 We are still very early in the process  
12 in project development, and there will be several  
13 opportunities to comment on the project as  
14 information is made available.

15 More information will be made  
16 available on the Commission's E-Library System as  
17 Rockies Express files updates of its project  
18 information.

19 Documents that are filed under the  
20 project docket number will be posted on the  
21 Commission's website, including any written comments  
22 that are filed by you.

23 Instructions on how to access the  
24 Commission's website are addressed in the Notice of  
25 Intent that most of you received. The notice also

1 contains information on how to file written comments,  
2 if you prefer to comment in that manner.

3 Please note the notice states the  
4 comment period expires on September 29th, 2006. We  
5 close the initial comment period to gauge what the  
6 preliminary issues are. However, we are still in  
7 pre-filing process, so we will take comments all  
8 through this pre-filing review for the proceeding,  
9 and there will still be other opportunities for your  
10 participation, if and when Rockies Express files an  
11 application at the Commission.

12 Now let me discuss the Environmental  
13 Impact Statement a little so you can understand it  
14 better. Rockies Express is conducting its  
15 environmental studies on its preferred route, and per  
16 the Commission's regulations and the National  
17 Environmental Policy Act is also studying several  
18 route variations and alternatives.

19 When Rockies files its application it  
20 will file several environmental resource reports for  
21 its preferred route based on its survey results. The  
22 resource reports cover: geology, soils, vegetation  
23 and wild life, including federal invested species,  
24 land use, recreation, cultural resources, pipeline  
25 safety and reliability, air and noise quality, and of

1 course alternatives.

2                   When Rockies files its application it  
3 will include finalized resource reports it is  
4 currently preparing based on its survey results. The  
5 resource reports will be used to develop a draft in  
6 the Environmental Impact Statement. Commission staff  
7 will consider Rockies Express application, together  
8 with the information that is filed by you and other  
9 stakeholders.

10                   To comply with Commission  
11 requirements, Rockies Express is seeking survey  
12 permission of property owners to conduct engineering  
13 and environmental surveys. The surveys will help the  
14 Commission identify sensitive ecological habitats and  
15 features such as cultural resources and engineering  
16 constraints. These surveys are critical to assist  
17 the Commission in assessing Rockies Express Resource  
18 Reports and its application.

19                   Once Rockies files its application, we  
20 will prepare a Draft Environmental Impact Statement  
21 for public review and comment. The Draft  
22 Environmental Impact Statement is the Commission's  
23 independent analysis, based on what is filed in the  
24 environmental proceedings for this proposal.  
25 Commission staff also consults with appropriate

1 resource agencies to verify information before making  
2 any recommendations with the state and federal  
3 agencies.

4 The Draft Environmental Impact  
5 Statement will include any mitigation or  
6 recommendations needed to avoid or reduce impacts as  
7 appropriate. Once the Draft Environmental Impact  
8 Statement is issued for public comment, the public  
9 will have 45 days to provide written comments. We  
10 will also come back here and have another public  
11 meeting to hear your comments on the Draft  
12 Environmental Impact Statement in a meeting similar  
13 to this one.

14 Comments received on the Draft  
15 Environmental Impact Statement will be incorporated  
16 into a final Environmental Impact Statement.  
17 Comments will also be taken on the final  
18 Environmental Impact Statement, which will be  
19 incorporated into the proceeding brought before the  
20 five members of the Federal Energy Regulatory  
21 Commission.

22 Commission staff will also look at  
23 economic issues, the need for the project, the  
24 markets, and the rates, cost of service, and other  
25 non-environmental ssues.

1                   The Commission will use that  
2 information gathered in the proceeding, both in the  
3 environment and the non-environment and will vote to  
4 denigh or approve the project.

5                   We are just about ready to hear from  
6 you. If you do not feel comfortable speaking  
7 tonight, please understand that written comments are  
8 considered equally by the Commission. So I encourage  
9 you to write to the secretary of the Commission.

10                  Now for those of you who are on my  
11 speakers list, please come to the microphone when I  
12 call your name and bear with me on pronunciation.  
13 Please say your name slowly for the court reporter,  
14 spell your name, I'm sorry, spell your last name.  
15 Remember the more specific your comments about the  
16 environment or your property the more useful they'll  
17 be for us.

18                  You may have noticed that we have a  
19 court reporter recording the meeting. A record is  
20 being made of everything that is being said tonight  
21 during this official scoping meeting. If you would  
22 like to purchase a copy of the transcripts, please  
23 see the court reporter after the meeting.

24                  Again, I am looking specifically for  
25 comments on the record. I am not entertaining

1 questions on the record this evening, so please limit  
2 your remarks to concerns or issues that may relate to  
3 your property or the environment.

4 The Commission staff and the other  
5 agencies present tonight are willing to answer your  
6 individual questions you may have following tonight's  
7 meeting.

8 All right. Our first speaker is Dean  
9 Nahrup.

10 DEAN NAHRUP: Good evening, my name is  
11 Dean Nahrup, it's N-a-h-r-u-p, I live at 5493 O'Neal  
12 Road, Waynesville, which is in Warren County.

13 I have some environmental concerns. I  
14 am a property owner, cross which the proposed  
15 pipeline is going to go. We have two parcels in that  
16 area. We have a 24 acre parcel where we have our --  
17 we have a horse farm, we have our barns, and our  
18 home. We have -- And that's closest to the road, and  
19 we have a 22 acre parcel that is in the back of that,  
20 and it's on that parcel that the pipelines will come  
21 across.

22 We have -- We've lived there since  
23 1988. We have three pipes that go across that land  
24 already. For better for worse these are Texas  
25 Eastern and Teco and Tepco lines.

1                   When we bought the property we had  
2 moved back from Canada, from to our home town area,  
3 and I was the manager of King Island, and I was  
4 pretty busy, we paid cash for the property, and where  
5 the markers are on those lines was way in the back of  
6 the property, and believe it or not we didn't know  
7 the lines were on there.

8                   When we had our attorneys do the  
9 property search they did not find easements. So we  
10 have grown to learn what having pipelines on your  
11 property are. We found out when we heard the noises  
12 out there and we walked back, and even though I  
13 walked the whole property, we have a 60 foot ravine,  
14 we found the markers on the other side of that  
15 ravine, on the ends of those properties, and the back  
16 area is overgrown.

17                   One of the concerns that I want to  
18 voice tonight is we first heard about this project in  
19 late June. We were actually like one day before we  
20 were leaving for our vacation. We -- we looked at  
21 the materials that we got and we were still gone when  
22 any of the meetings that everybody is talking about  
23 anywhere close to our area was conducted, those open  
24 houses, so we weren't able to go to any of those  
25 meetings.

1                   When I got back in the early part of  
2 July we were out of the country. We picked up our  
3 mail and we had -- request permission for the survey,  
4 and the next day we had someone come down our  
5 driveway and asked us to sign it. And at the time I  
6 said, look I -- I'm looking at this website, I'm  
7 trying to figure this out, we don't know about this  
8 yet, so we looked into all of that.

9                   This is a 150 mile round trip for us,  
10 because we were had a funeral last night. The way  
11 the meetings are arranged, works well for you all,  
12 but may not work for some of the citizens, especially  
13 Warren County didn't have one of these meetings  
14 tonight at all or in the series, so we loaded up and  
15 came up here.

16                  I have some concerns. Even though  
17 we've learned to work with the Texas Eastern and  
18 Tepco people, we were surprised when we first moved  
19 out. Our first experience was when they came up our  
20 driveway, not across the easement, this was back in  
21 1989, 1988 and started walking past the barns, and we  
22 later checked with attorneys and found out that  
23 everybody is supposed to go across the easements  
24 unless they make other arrangements. These things  
25 have probably changed a lot since, but a lot of times

1 the contractors who work for the pipeline companies  
2 may or may not know the rules. In our particular  
3 area I will say it's gotten a lot better. Through  
4 those 18 years we've had some experiences that relate  
5 to environmental impact that I want to talk to you  
6 about.

7 This past summer they had a major  
8 piece of work done on the existing pipelines in that  
9 large 60 foot ravine, and we got, we started getting  
10 materials like you were talking about the kind that  
11 talk about leaks and how to report leaks, and one of  
12 the things they said is report any exposed pipes  
13 immediately. And so in my travels back into the  
14 woods and back into the ravine I noticed the three  
15 pipes were exposed in the bottom of the ravine,  
16 there's a creek that runs across them.

17 I notified the companies sometime  
18 starting in 1989. Those were covered this past  
19 summer. Those were covered with concrete -- it was a  
20 major project. There were -- I had made several  
21 calls because there was a lot of -- there was a lot  
22 of gun shooting by the neighbors back in that area  
23 and I was worried about those pipes. Maybe it wasn't  
24 necessary, but I had called them many times through  
25 the years. That project was done this past year. So

1 that was 17 years. To the best of my knowledge those  
2 three pipes were put in sometime in the period of  
3 1945 and 1948. I may be wrong, that's the  
4 information I got.

5 We also had an experience sometime  
6 around 1990 where my wife called me and said there's  
7 material flowing down the side of the road that  
8 redish, rainish, they're doing something out by the  
9 road by the pipes and it was flowing towards our  
10 creek. We -- the only water service that we have is  
11 a well in the spring. We're fortunate in our area  
12 which is very rocky to have a good water system to be  
13 able to have a horse farm, to really be able to have  
14 a residence. Most people have cystemns and you see  
15 the trucks running constantly.

16 One of my concerns was during the  
17 construction period, any blasting. This is our --  
18 spring is on the 24 acre portion, it's not  
19 immediately adjacent to the area, but I'm concerned  
20 about blasting or things that may divert the flow of  
21 water.

22 Back to my story with the materials, I  
23 came home and I called -- I saw -- I was raising  
24 Scottish Island Cattle at that time, they were right  
25 in there near the water where this was going into the

1 creek. It just went down the road and kind of  
2 trickled down the driveway into the creek and it was  
3 a flow of water, and what it apparently was is a  
4 flushing incident, which they -- I haven't seen them  
5 do it much lately, but I think that's something that  
6 happens on the pipes every once in a while.

7 I called the local health department,  
8 I called the EPA, I called the company. We got a  
9 call -- the only call we got back really was from a  
10 company who said it's not a problem, it's not  
11 harmful, but we did have a group of people  
12 immediately come to the area in protected suits and  
13 take away a lot of material in plastic bags. So I am  
14 concerned about operational issues that may come back  
15 and affect the delicate water system, because we  
16 don't have the county or municipal water in that  
17 area. And anything that affects the spring or the  
18 well areas -- and my neighbor's well was right in that  
19 area, as well -- would render our property absolutely  
20 worthless.

21 The tree maintenance. The back  
22 portion of our property has -- I have -- my riding --  
23 I have a riding arena and riding areas in the front,  
24 we have pasture in the middle and then woods, and  
25 partially where this pipeline is coming is through

1 the woods.

2                   When I moved into the property in 1989  
3 I built a fence at the top of the hill to just fence  
4 my horses into the flat part of our property and I  
5 made it jog out where there were a lot of trees, and  
6 this past year they ran a smart pig through the lines  
7 and found an anomaly down in that area on the, on one  
8 of the pipes on the outter most side and they had to  
9 do some maintenance work. This -- This was -- Well,  
10 I don't remember the month, but -- I'm gonna put my  
11 comments in writing and I'll be more specific when I  
12 send them to you, but they, they had to cut a lot of  
13 trees right in the proximity of the pipes.

14                   There obviously is -- there has been  
15 relatively good maintenance along the most obvious  
16 part of the lines, but there were trees, and I  
17 pointed out to the guys that were doing the work that  
18 I didn't build a fence out there for any reason. If  
19 we would have had this clear I would have had the  
20 fence going straight across here. So again there's a  
21 -- there is a concern in some of these hard-to-work  
22 areas like these steep ravines and having the ability  
23 to get in there and keep the wood lands open. I'm  
24 not inviting more and more people driving across the  
25 people to do it, but I understand with all of the

1 restrictions that I keep hearing about, don't plant  
2 any trees, if you've got 20 foot trees in some of  
3 those areas, that seems like it probably should have  
4 had -- And I understand it's difficult to get into  
5 some of those areas.

6 One other thing I want to mention is  
7 that there areas in my field that are -- where the  
8 pipes go over that do not grow the same. I'm sure  
9 you've heard this already several times, there's no  
10 question about it, and these pipes have been in there  
11 for years.

12 The construction procedure is critical  
13 in terms of restoring topsoil to these types of  
14 areas. I have put manure on those areas, I have  
15 seeded those areas for years. They are much better  
16 than when I moved in, but they're noticeably  
17 different. In the winter the snow melts where the  
18 pipes run through because of friction and -- I don't  
19 know that the activity in the pipes has anything to  
20 do with the growth. I have always attributed it to  
21 construction, although that was years and years ago.

22 The other concern about construction  
23 is through swales. We have swales, and I know you  
24 will have or already have heard this from people at  
25 all of these meetings. Where this comes across

1       there's a swale in the field.

2                       I've grown up and lived on farms all  
3 my life, it's very dilicate, and if they do not  
4 restore those swales and there are experts in every  
5 county, then the fields become very difficult to  
6 traverse, especially with heavy equipment. We've had  
7 wheat in that field and done hay underneath of it. I  
8 graze it now but I've done hay on it, but the  
9 contruction practices are critical, and you said  
10 construction is important.

11                      I guess loss of value -- This is  
12 something that isn't on the environmental list.  
13 Within a mile and a half of my house in Warren County  
14 which is the second fastest growing county to the  
15 Franklin County up here, there are lots selling for  
16 189,000 for two acres. There is no question this  
17 severely impacts, and the existing pipes I realize  
18 already severely impact, but every time we add to  
19 this line it has an economic impact on the people.  
20 Our particular property is a wonderful and beautiful  
21 home that it was built in 1834 that we will keep and  
22 maybe our kids will have, but it does impact the  
23 value, there's no question, and I say that on behalf  
24 of neighbors. And I think -- I think with modern  
25 construction techniques and attention by the

1 government and more direct communication from the  
2 company, especially through even this process to make  
3 people feel better. I have an unlisted phone number.  
4 When the person finally came and asked me to sign the  
5 thing and I said I can't sign it, I have to do this.  
6 I got on websites, I looked it up, I called to the  
7 Columbus office, they sent somebody out that day. I  
8 took 'em on a gater back into the field to show 'em  
9 the ravine, to show 'em my issues. If these people  
10 can make themselves available in person and come to  
11 the property owners and talk to them in person, I  
12 know that's -- I've been in development and I know  
13 that's not what developers want to do. They want to  
14 compact the process and move it quickly because  
15 somebody is always not happy, but I believe that the  
16 more face-to-face conversations and the more that the  
17 easement and right-of-way people can stay, not just  
18 project people, but be part of the people who will  
19 follow this through for the first couple of years and  
20 bond with the people on these property is the less  
21 fear and concern you'll have. We've lived with these  
22 pipelines and there are clearly issues, and it's not  
23 -- and some of the things don't happen the way you  
24 all probably feel they do, but on the other hand  
25 there's a lot of good effort by a lot of these

1 people, but this process is indicative of the fact  
2 that it's very compacted, and we're at our own  
3 expense running around chasing your meetings and that  
4 doesn't really seem right, but we're doing the best  
5 we can. Thank you.

6 MS. LYKENS: Thank you. Joann Malone.

7 JOANN MALONE: No comment. I prefer  
8 to ask my question individually.

9 MS. LYKENS: Okay. Is there anyone  
10 else would like to speak, please come forward?

11 ROLANDO OLONZO: My name is Rolando  
12 Alonzo, I live at 6671 Darby Road, Circleville, Ohio.  
13 I apologize that I just arrived a little bit ago, so  
14 I'm sure I missed so things, but I'll go ahead with  
15 my comments that I have anyway, and if it's any  
16 issues that have been covered, then you can tell me  
17 so.

18 MS. LYKENS: No, continue.

19 ROLANDO OLONZO: First of all, I  
20 appreciate the opportunity to be able to come and  
21 speak. Let you know a little bit about myself and my  
22 wife, we just moved out here, out to Darby Road 11  
23 months ago. We knew that there were existing gas  
24 lines there, understood that, knew their location,  
25 purchased the property anyway, 14 acres, we wanted to

1 be in the country, and seriously concerned and  
2 troubled by the proposal that is taking place by  
3 Rockies Express.

4 I came to the -- my wife and I both  
5 came to the original meeting that was held here, I  
6 don't know, probably in June or so, I forget the  
7 exact date, but we attended, talked to some of the  
8 folks, asked some questions, and the two main  
9 concerns that I have are, one, the issue with trees  
10 on my property, and, two, with the loss of use and  
11 its affect on, potential affect, I don't know, on my  
12 water well. So I echo the comments of the gentleman  
13 that was just before me on the water issue which --

14 I don't know enough questions to ask,  
15 but I'm also very concerned about that. The area  
16 where the digging would take place on my property is  
17 well below down hill from where my well location is,  
18 and I don't know how that might affect either our  
19 quality or quantity of water.

20 And a question that I have for you  
21 folks, and again like the previous gentleman spoke,  
22 my plan is to write a letter officially to be on  
23 record, but what protection is there for citizens  
24 like us if in fact there is a negative affect on  
25 water quantity or quality with this project, is that

1 a question you can answer now or is that something  
2 that gets answered once I write a letter?

3 MS. LYKENS: I'll go ahead and answer  
4 that now, but the pipeline company is responsible for  
5 repairing any, any damages to your water supply, and  
6 then the alternate -- can provide you an alternate  
7 supply until it's fixed.

8 ROLANDO ALONZO: And for what period  
9 of time would that be, for instance, with the rains  
10 we've had now if that were like when the digging  
11 takes place or blasting or whatever has to happen and  
12 we don't notice changes till later, how long of a  
13 window is there for that kind of situation to occur?

14 MS. LYKENS: Well you would have a  
15 relationship with the local office here in Columbus.  
16 You would have a land agent or person assigned, and  
17 you should let the folks know at Rockies Express  
18 office as soon as possible so they can help you fix  
19 that.

20 ROLANDO ALONZO: Okay. All right.  
21 The other issue that I have and I have met -- I've  
22 had a few of the folks out. At that original meeting  
23 I asked the question as to where that pipeline was  
24 gonna go on my property and had to speak to various  
25 people and finally was able to speak to one person

1       who said he was the one that would somewhat determine  
2       that based on the surveys, and he agreed to come to  
3       my property, well he never came. Long story short, I  
4       kept calling, well, they finally sent two different  
5       people to speak to me about the location of -- the  
6       proposed location.

7                       The bottom line is that the  
8       information I've received is that there's gonna be  
9       some trees that are, mature trees, and again I remind  
10      you that I just moved out to the country to have  
11      trees and to have acreage, not to have my trees cut  
12      down. And I've expressed that to them, and of course  
13      -- Well, they understand and appreciate my concern, I  
14      don't feel that there is much to be done about that  
15      from their standpoint, and I don't know if there is  
16      much that can be done about that from your  
17      standpoint, but that's one of my reasons for being  
18      here.

19                      And naturally they told me that they  
20      would have to wait on the survey to be done, which I  
21      don't even know if it has been done, hasn't been done  
22      yet, but -- so I'm still waiting to find that out.

23                      But the other thing that really just  
24      blows my mind; that I asked the question, okay, so if  
25      some of these mature trees have to go, the fact of

1 the matter that you pay me for the wood value is no  
2 where near the value of that standing tree of a 40,  
3 50, 60 year old tree. If that isn't bad enough, then  
4 I ask the question, so if you go through some of  
5 these areas and you have to remove the trees, are you  
6 going to plant new trees, and the answer is, no, we  
7 can't do that, and so my question to you is: How can  
8 we as residents be expected to accept a stipend for a  
9 mature tree and then on top of that there is no  
10 replacement of trees, because the fact of the matter  
11 is, and the gentleman before me made a somewhat  
12 similar comment, you know, we don't live out here and  
13 we didn't buy the property to have it be, you know, a  
14 piece of flat land with grass on it, and I really  
15 would like to, you know, ask, and again I'll put this  
16 in writing, but to ask that there be some sort of  
17 requirement that they have to repopulate the area  
18 with trees and replant trees. And I will be patient.

19 I've contacted my attorney because I  
20 really am sick about this whole thing happening to my  
21 property, and I don't know where this is gonna go,  
22 but I'm patiently waiting to see where the survey is  
23 gonna go, but from what they have told me, if it goes  
24 toward the road, I lose all the trees along the road  
25 frontage, and if it goes back where they originally

1 had planned it, then I'm gonna lose other mature  
2 trees, neither of which is really acceptable to me.  
3 And apparently part of the problem is that with the  
4 other four pipelines that are already there, there's  
5 an issue as to where exactly they can put them and  
6 where they can put the dirt and where they can put  
7 their equipment. It's just very discouraging to me  
8 after just having bought the property that we're  
9 faced with this problem.

10 And the last issue I'll raise to you  
11 is that, their original location that they've told me  
12 that they have planned to place the pipeline would  
13 literally put it 50 feet closer to my barn, my house,  
14 and basically mean that I have 50 feet less of  
15 useable space to ever do anything with other than  
16 grow grass.

17 And again I'm working through my  
18 attorney to try to figure out how this is gonna work  
19 out for me, because I'm not interested in stipend  
20 money on a one-time basis when in fact that easement  
21 is forever. You know, that's land the width of my  
22 property times the width of the swat that they have  
23 to cut through there is land that I'll never be able  
24 to put anything on, and that also is very  
25 disheartening to me, so --

1                   I'll put these comments in writing. I  
2     don't know -- Once we do that, at what stage do we --  
3     Do we get comments back from your agency or what  
4     happens with these concerns that we as residents  
5     have, how do these get resolved or considered?

6                   MS. LYKENS: They will be evaluated  
7     and discussed in the Environmental Impact Statement  
8     that's being prepared, so that's where we will  
9     respond.

10                  ROLANDO ALONZO: So that'll just be  
11     part of the big packet?

12                  MS. LYKENS: Yes.

13                  ROLANDO ALONZO: So will individual  
14     concerns be answered in that big packet or just  
15     overall concerns?

16                  MS. LYKENS: It depends if it's -- If  
17     you have a specific or a unique issue, then we will  
18     call you out in the document, if it's generalized  
19     then we will add it to the general issues.

20                  ROLANDO ALONZO: Okay. And I believe  
21     the last question I have is that, I understand, I  
22     believe that the closing date for written comments is  
23     September 29th or no?

24                  MS. LYKENS: I had addressed that  
25     earlier, we will be accepting comments all through

1 this pre-filing process, and since people are hung up  
2 on that date, I told the crowds previously, the other  
3 nights that just forget that date. We are in  
4 pre-filing and we will take your comments all the way  
5 up, up until any application is filed, and then after  
6 the application is filed, if it is, we will -- there  
7 will be new opportunities, you can intervene in the  
8 proceeding, you can still participate. So there is  
9 plenty of opportunity to participate.

10 ROLANDO ALONZO: Well I appreciate  
11 that and I think that's important that you do that,  
12 because I really can't give you a lot of my details  
13 until I know from their survey where, what they're  
14 telling me, so I appreciate that, and we will put  
15 that in writing. Thank you.

16 MS. LYKENS: Thank you. Is there  
17 anyone else who would like to speak tonight?

18 BOB LIST: I would like to make one  
19 comment.

20 MS. LYKENS: Why don't you come to the  
21 microphone please, just so the court reporter can  
22 hear you. Please state your name for the court  
23 reporter and if you could spell it, we'd appreciate  
24 that.

25 BOB LIST: My name is Bob List,

1 L-i-s-t. I feel for these two people here that just  
2 talked about, but they're lucky. Our farm has been a  
3 family farm for years. It has -- Texas Eastern goes  
4 through it, Columbia Gas through it with two lines.  
5 Columbia has four -- I mean Texas has four, Columbia  
6 has two, now they're gone put this one through and  
7 they're not even close to each other. So what does  
8 that -- you know, that's dividing my, our family farm  
9 that we can't do anything. Part of it is where they  
10 go through is right on Route 23 and it's -- said that  
11 in time Columbus will be down there. It's gonna be a  
12 valuable land, but I can't sell it. It's valuable  
13 land if that goes through there. So it's gonna make  
14 impact on our farm more than possibly these other  
15 people, and I think we've got enough already. Thank  
16 you.

17 MS. LYKENS: Thank you. Is there  
18 anybody else that would like to speak tonight? All  
19 right. On behalf of the Commission I would like to  
20 thank everyone for coming out tonight. Remember the  
21 company is here, there are maps in the back, please,  
22 we have plenty of time for the building, so please  
23 get all your questions answered and also we'll be  
24 available, as well, to answer any questions you have  
25 to about our agencies. Thank you.

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Let the record show this meeting  
concluded at about approximately 8:00 o'clock.

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(At 8:00 p.m. the meeting was adjourned)

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C E R T I F I C A T E

STATE OF OHIO )  
 ) SS:  
COUNTY OF PICKAWAY )

I, Terence M. Holmes, a duly qualified and commissioned notary public within and for the State of Ohio, do hereby certify that at the time and place stated herein, and in the presence of the persons named, I recorded in stenotypy and tape recorded the proceedings of the within-captioned matter, and that the foregoing pages constitute a true, correct and complete transcript of the said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand at Cincinnati, Ohio, this 22nd day of September, 2006.

My Commission Expires: \_\_\_\_\_  
Terence M. Holmes  
July 28, 2007 Notary Public - State of Ohio