

FEDERAL ENERGY REGULATORY COMMISSION
OFFICE OF ENERGY PROJECTS
AND
UNITED STATES DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY
ADMINISTRATION

- - -

ROCKIES EXPRESS EAST PROJECT
PUBLIC COMMENT MEETING

- - -

January 8, 2008
6:00 p.m.
Greensburg High School
Greensburg, Indiana

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January 8, 2008

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APPEARANCES

Alisa M. Lykens, Chief, Gas Branch 2, Federal Energy
Regulatory Commission, Office of Energy Projects

(Speaker registration list is attached.)

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

2

3 MS. LYKENS: Good evening everybody.
4 Welcome. My name is Alisa Lykens. I am the Branch
5 Chief in the Division of Gas-Engineering and
6 Environment in the Office of Energy Projects at the
7 Federal Energy Regulatory Commission. The
8 Commission office is located in Washington, DC.

9 Tonight I am assisting the
10 environmental project manager, Laura Turner, with
11 the draft environmental impact statement, or EIS
12 public comment meetings for the Rockies Express East
13 Pipeline Project. We are holding a total of nine
14 public meetings this week across the project area,
15 with three separate teams staffed by our Commission
16 staff and our environmental contractor, ICF
17 International and Entrix.

18 This is a public meeting to take
19 comments on the draft EIS issued by the Commission
20 as the lead federal agency for this project. The
21 oral comments we received tonight and any filed
22 written comments received will be addressed in the
23 final Environmental Impact Statement prepared for
24 this proposal.

25 The draft EIS was prepared by FERC

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1 staff, ICF International and Entrix with input from
2 other federal cooperating agencies. We received
3 over 500 comments during the scoping period,
4 including the written and oral comments, received at
5 our scoping meetings. We did our best to evaluate
6 the impacts and address them in the Draft EIS.

7 The principle objectives of the Draft
8 EIS are to: Identify and assess potential impacts
9 on the natural and human environment that would
10 result from the implementation of the proposed
11 action; describe and evaluate reasonable
12 alternatives to the proposed action that would avoid
13 or minimize adverse effects on the environment; and
14 also to identify and recommend specific mitigation
15 measures, as necessary, to minimize environmental
16 impacts.

17 This meeting is intended for you to
18 tell us what you think we got right, what we got
19 wrong, what we missed, or need to re-evaluate for
20 the final EIS.

21 Representatives from ICF and Entrix
22 are helping me tonight. Let me introduce
23 Karen Fadely to my right. Chris Moelter is the
24 young gentleman over at the junior high directing
25 you guys back here. Shaina Farfel and Jennifer Ward

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1 were at the front desk that greeted you. We also
2 have Mr. Harold Winnie from the US Department of
3 Transportation, Pipeline and Hazardous Materials
4 Safety Administration, and Office of Pipeline
5 Safety. Carol, just kind of waive. Harold is going
6 to be attending tonight's meeting and also available
7 after the meeting, as we will, to answer questions.

8 The Federal Energy Regulatory
9 Commission itself is composed up to five
10 commissioners who are appointed by the President.
11 Currently the Commission has five sitting members,
12 with one designated chairman. Our chairman
13 currently is Joseph Kelliher.

14 The Commission itself will decide if
15 authorization of the Rockies Express East Pipeline
16 Project is in the public convenience and necessity
17 and greater public interest. As part of the
18 decision-making process the Commission must consider
19 the environmental impacts of the project and comply
20 with the National Environmental Policy Act or NEPA.
21 In order to comply with NEPA, we produced this draft
22 EIS so the public has the opportunity to review the
23 proposed project.

24 The Rockies Express East Pipeline
25 Project is a joint venture among Kinder Morgan

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1 Energy Partners, Sempra Pipelines and Storage, and
2 Conoco-Phillips . On April 30th, 2007, Rockies
3 Express filed an application under Section 7 of the
4 Natural Gas Act in Docket No. CP07-208 to construct
5 and operate new natural gas facilities, including
6 640 miles of 42-inch-diameter pipeline through
7 Missouri, Illinois, Indiana and Ohio. Seven
8 compressor stations, totaling approximately 225,000
9 horsepower of compression, and ancillary areas are
10 also proposed. The project is covered in more
11 detail in the draft EIS.

12 The draft EIS was issued on November
13 23rd, 2007, with the closing comment date of January
14 14th, 2008. I do encourage you if you are not
15 speaking tonight and would like to provide written
16 comments, you should send them as soon as possible
17 so we may receive them by the 14th. You may also
18 wish to file your comments electronically and those
19 directions are available in the first few pages of
20 the draft EIS, or in the guide that we have, a
21 brochure at the front table entitled Your Guide To
22 Electronic Information at FERC.

23 Because the Commission has a responsibility
24 to treat all parties to a proceeding equally, we
25 must make certain that our process is open and

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1 public. For this reason we at the Commission are
2 constrained by what are known as ex parte rules.
3 This means there can be no off-the-record
4 discussions or correspondences between the FERC
5 staff and interested parties regarding the merits of
6 this case; therefore, I either urge you to speak
7 tonight on the record or put your comments in
8 writing and file them with the Secretary of the
9 Commission so we can evaluate them. Again, the
10 directions to do so are in the draft EIS itself and
11 also the brochure available at the front table.

12 You may have noticed that we have a
13 court reporter, or two, on in training. This is so
14 we can have an accurate record of tonight's meeting.
15 If you would like a copy of the transcript you can
16 make arrangements with the court reporter following
17 the meeting. The transcript will eventually be made
18 available as part of the public record and available
19 at the public reference room.

20 Again, let me emphasize that this is
21 not a hearing on the merits of this proposal. It
22 is, like I said earlier, a meeting to give you an
23 opportunity to comment on the draft EIS. We will
24 address tonight's comments in the final
25 environmental impact statement when it is ready for

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1 issue.

2 All comments filed that are not
3 environmental-related, including project need, will
4 be considered by the Commission when it makes its
5 overall decision on whether to approve or disapprove
6 the project.

7 We will be available after the formal
8 proceedings have concluded to answer any individual
9 questions that you have, and I will attempt to
10 answer any questions you may raise if I feel it can
11 answer it, particularly for those of you who are in
12 attendance tonight. At the same time, I'm also
13 cognizant of your time, so if we have speakers
14 waiting their turn to speak, I might try to keep on
15 course and ask you to hold your questions until
16 after the last person has had the opportunity to
17 speak, this way we can keep the meeting running more
18 productively.

19 I will call up the individuals to
20 speak in the order listed on the sign up sheet. We
21 also brought some forms for you if you would rather
22 submit your comments in writing. You can pick those
23 up at the front desk.

24 When you come up to speak, please
25 spell your last name for the record, speak slowly

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1 and clearly, and identify any organization you may
2 be representing.

3 Our first speaker tonight is
4 Pete King. Mr. King, if you could come up.

5 MR. KING: Thank you,
6 Madam Chairwoman.

7 My name is Peter King, K-I-N-G, and
8 I'm here today on behalf of Hoosier Hills Regional
9 Water District and its customers.

10 Hoosier Hills Regional Water District
11 is one of the 12 well head protection areas which
12 work is identified along the proposed pipeline.
13 Hoosier Hills is a not for profit rural water
14 company providing water to 10,421 people in Ripley,
15 Franklin, Dearborn counties here in Indiana, with a
16 total overall service area of approximately 515
17 square miles.

18 Our water source is the well field
19 located in the White Water River basin just south of
20 the White Water River in Brookville Township in
21 Franklin County, Indiana. The well field is fed
22 from the White Water aquifer.

23 Unfortunately, the way this is set up
24 I'm going to be speaking to the staff and to the
25 court reporter. I would like to speak to the

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1 public, but I want to make sure. This thing keeps
2 cutting out. Yes, that will be fine. Thank you.

3 Our water source is a well field
4 located within the White Water River basin just
5 south of the White Water River in Brookville
6 Township in Franklin County, Indiana. The well
7 field is fed from the White Water aquifer, which is
8 supplied by the White Water River. The total
9 population served by this aquifer, because there are
10 other regional water districts or water companies
11 involved, is approximately 37,024 people.

12 Initially I'd like to provide some
13 background on our facility infrastructure. We
14 currently operate at Hoosier Hills two production
15 wells with a third production well that will be in
16 operation, we hope, by the spring of 2008. With the
17 two wells our output capacity is 1,000 gallons per
18 minute. We also have a water treatment plant that
19 is engineered to remove iron and manganese from the
20 water. It is not engineered to address surface
21 water contaminants such as those posed by a natural
22 gas pipeline, because those are not naturally and
23 traditionally generated in a traditional ground
24 water setting.

25 There are also five storage tanks

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1 pumping and booster stations along the 300 miles or
2 so of transmission lines throughout our service
3 area.

4 Tonight you will hear from Professor
5 Emeritus, Dr. Noel Krothe, an imminent
6 hydrogeologist who has studied this area of the
7 White Water River Basin surrounding our public water
8 supply relatively extensively. He will explain the
9 topography of the area to you and you will learn its
10 topography in terms of its rolling hills. He will
11 talk about the gradient of the flow of water that is
12 towards our aquifer.

13 Generally the water you will find will
14 travel toward us in a south and easterly direction
15 from the north and the west. And this is important
16 because it means contaminants, contaminants that get
17 into the aquifer from the north and the west will
18 flow directly into our well field area. He will
19 explain to you the concept of travel time as it
20 relates to the movement of contaminants through the
21 water and how fast the contaminants will reach
22 public water supply if they were induced and
23 submitted into the aquifer.

24 He will also explain to you how the
25 highly permeable nature of the sandy soil in the

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1 area of the proposed sitting of this pipeline,
2 combined with how the ground water will travel
3 through the gradient process will impact our pumps
4 and what's specifically called -- and he will
5 explain in more technical detail -- our cone of
6 depression, that is once our pumps begin to kick in,
7 so to speak, in an aquifer it sends out an impact
8 into the aquifer, generally in grade of north and
9 west, pulling water towards us, and therefore,
10 unfortunately, potential contaminants.

11 Our well head protection area is based
12 upon the delivery and capacity of our two wells. It
13 is important to note that the current sitting of
14 this pipeline is located within the well head
15 protection area of Hoosier Hills Regional Water
16 District.

17 Hoosier Hills will strenuously object
18 and move to intervene in this matter as to the
19 current location of this line as a result of the
20 unreasonable risk that is now posed by the
21 contamination of the public water supply both during
22 construction and afterward, during operation.

23 Hoosier Hills and its board of directors on behalf
24 of the rate payers of these three counties want to
25 urge you to understand that the risk of

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1 contamination of our public water supply through the
2 location of this gas pipeline poses an unreasonable
3 risk, especially when there are reasonable
4 alternatives that will allow this not to occur.

5 Now, what are those risks of
6 contamination? We know that during the construction
7 process, as outlined in the draft EIS, this will
8 include the Rockies -- the Rockies Express Group --
9 clearing and grading, trenching, evacuation, fuel,
10 hammering, and blasting. There will be Rockies'
11 equipment and traffic. And Rockies' in the draft
12 EIS recognized that those methods, combined with the
13 equipment's affect on the area, could, could
14 adversely affect the ground water resources,
15 including the Hoosier Hills aquifer, our wells, and
16 our well head protection area.

17 The draft EIS notes that the adverse
18 impacts posed by the Rockies' construction in the
19 Hoosier Hills area includes the following:
20 Localized decreases in ground water recharge rates,
21 changes in overland water flow, contamination
22 potential due to hazardous material spills such as
23 diesel and hydraulic fuels, decreased well yields,
24 decreased water quality, interference with well
25 mechanics, and potential for complete disruption of

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1 the well's function. The decrease in water quality
2 is significant as it relates to the responsibility
3 of Hoosier Hills to protect not only the rate payers
4 of the Hoosier Hills Regional Water District, but
5 also the quality of life that we serve as we serve
6 those customers.

7 Turbidity will also become an issue.
8 Turbidity is the lack of clarity in the water of
9 which we do not currently have a problem, but this
10 is something that will occur, we believe, also as
11 results of those construction activities.

12 Interestingly, because we do not have a turbidity
13 problem with our current water, our current
14 treatment plant facilities are not designed to deal
15 with such issues.

16 The draft EIS report listed points on
17 the expected adverse impact of contamination, and
18 that is: Not only will the construction activities
19 be part of the problem, but the direction of
20 drilling of this line will increase and provide for
21 channels of potential contamination for pesticides,
22 herbicides, even ecoli from the surrounding farm
23 surface area.

24 Sewage from the Rockies Express Line
25 damaging drain pipes, neighboring resident's land

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1 can also cause contaminations from septic systems
2 that will move through this very highly permeable
3 soil in the area of our aquifer and the river bed in
4 which this pipeline is to be located. This will
5 compound the ease of the movement of contaminants,
6 it will create a significant risk of public health
7 and safety.

8 According to the draft EIS, the
9 Rockies Express plans to utilize the HDD method
10 under the river -- that is a horizontal directional
11 drilling method under the river -- less than a mile
12 from our well fields. Now, think about it. It is
13 less than a mile to the northwest, and understanding
14 the gradient of the water.

15 However, the draft EIS leaves the
16 public, and in particular Hoosier Hills, uncertain
17 as to the type, nature, and length of the HDD
18 process. And its also important to recognize that
19 the type of drilling that is going to be proposed,
20 according to the engineering analysis that we're
21 receiving, will continue to create unnecessary
22 pathways to the aquifer, increasing, again, the ease
23 of movement of contaminants to our water source.

24 Particularly troubling to Hoosier
25 Hills is the fact that there has not yet been

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1 completed, according to the draft EIS, by Rockies
2 Express -- and this is found in 4-24 of the draft
3 EIS -- a list of locations of all streams, seeps,
4 and wells identified within the 150 feet
5 construction area. And no plan has been provided to
6 prevent those adverse events from occurring. This,
7 again, is an unreasonable risk; failure to identify,
8 failure to outline the areas of which this risk of
9 contamination to our well water source can occur.

10 Now, according to the draft EIS, the
11 Rockies Express plan hydrostatic pressure testing,
12 before launch of operations, that is once in the
13 ground, then to test, will take something like in
14 the order of, according to the draft EIS, 17 million
15 gallons of water from the White Water River. Yet
16 there has not been an understanding or a
17 determination yet as to the method of discharge,
18 whether it will be discharged back into the White
19 Water River or over land.

20 Hoosier Hills has two areas of concern
21 on this issue. One, discharging back into the river
22 could contaminate the river, put pollutants in the
23 river. Two, drawing these significant amounts of
24 water from the area where our aquifer is located
25 will, we believe, adversely impact our water supply.

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1 No information has been provided in
2 the draft EIS as to what chemicals, compounds,
3 elements, or other pollutants may be transferred
4 from the pipeline into the water. And it does not
5 appear yet that the draft EIS has even considered
6 this issue.

7 Further, it is not clear yet as to
8 whether Rockies Express has established within a
9 reasonable degree of engineering certainty what
10 practice it would use at discharging water back into
11 the river and to insure that there will not be
12 pollution.

13 The second concern, as I indicated and
14 underscored is, the large draw of water from the
15 White Water River and how it impacts our aquifer.
16 We need data, we need full disclosure to determine
17 the nature of these kind of activities as it relates
18 to the overall determination of what environmental
19 impact will occur. There are operational risks as
20 well once and if the pipeline is implemented.

21 Now, one of the things that's
22 important, and I'm going to underscore, is the risks
23 of contamination and some of the environmental
24 issues that we've outlined is not conclusive,
25 because once again, we have not yet received or the

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1 draft EIS has not yet outlined several aspects of
2 the operation issues and/or the gas analysis. And
3 that's important.

4 Later you will hear, as well, from the
5 engineer at Hoosier Hills who will talk about the
6 cost and what would occur in terms of the
7 operational issues and/or quality of life issues if
8 and when this gas pipeline is implemented in its
9 current location and if our aquifer is spoiled. It
10 will represent a huge, huge cost to the rate payers
11 of Hoosier Hills and it will impact adversely, in
12 ways in which we do not know yet, the overall
13 quality of life for the three counties we serve,
14 Franklin, Dearborn, and Ripley Counties, let alone
15 the potential for damage in the economical
16 development possibilities for these three counties
17 in southeastern Indiana.

18 Now, it's important, finally, I think
19 that we look to and understand that if there is
20 contamination -- and I will let our engineer discuss
21 this issue -- the ability to actually remediate --
22 the ability to actually remediate this aquifer is
23 unknown and its costs, we believe, are close to
24 astronomical for our rate payers.

25 Therefore, we would ask that this

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1 commission, through its staff, consider not only
2 these comments, but the comments that I will then
3 turn over to Dr. Krothe, Mr. Cutshaw who is our
4 engineer, and then eventually Mr. Greg Dole who is
5 president of Hoosier Hills Water District to
6 essentially do two things:

7 No. 1, understand that from an
8 environmental standpoint we're in a zero margin of
9 error line of business. We cannot afford nor can we
10 tolerate any, any margin of error as it relates to a
11 serious risk of contamination of our water supply.
12 Not only is it important to our rate payers, but
13 it's important to the region as a whole.

14 Secondly, we must ask that Rockies
15 Express be required, before a final environmental
16 statement is issued by this commission, to provide
17 critical information to not only the commission, but
18 to the public, as it relates to identifying what
19 chemical additives in the gas it intends to
20 transport and what contaminants it intends to flush
21 into the White Water River from emptying pipes in
22 order to make this a safe and operational pipeline.

23 And in the final analysis we are
24 asking that the commission and this staff take three
25 steps:

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1 No. 1, take pause, return to the
2 process of an original deliberate pace to allow
3 critical questions to be answered, not after public
4 comment expires on January 14th, but before, so that
5 the public and those folks like Hoosier Hills has
6 the ability to evaluate the science and engineering
7 the important questions that have been raised and
8 unanswered by Rockies.

9 Secondly, I think doing that and
10 providing that process and seeing the significant
11 environmental impact the contaminants will have on
12 Hoosier Hills and the aquifer and potentially the
13 lives of 37,000 citizens in southeastern Indiana,
14 this commission should and will determine that there
15 will be adverse impacts by purposes of the
16 environment and reject the proposed route along
17 southeastern Indiana. And finally, reconsider the
18 substantial merits of the Indy north alternative or
19 any other route that takes this pipeline away, away
20 from public water supply aquifers that are the life
21 blood of our communities.

22 Now, if I may turn this over to
23 Dr. Krothe. Jason, will you be assisting him?

24 JASON KROTHER: Yes.

25 MR. KING: Madam Chairwoman, we

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1 thought there would be a screen here which would
2 allow Dr. Krothe to speak from a power point. We've
3 not been able to determine there is one.

4 Dr. Krothe, how would you like to
5 proceed? Would it be better for -- Hearing Officer,
6 would you mind if we have the laptop up there with
7 you so you can see? Is that all right?

8 And Dr. Krothe, if you like, I know
9 you're very modest by nature, but could you tell the
10 Hearing Officer and others just a general outline of
11 your background as it relates to hydrogeology.

12 DR. KROTHER: I'm a Professor Emeritus
13 from Indiana University and my expertise is
14 hydrogeology, both physical and chemical. And I've
15 done considerable research in those areas, and also
16 consulting. Right now I am the co-owner of
17 Hydrogeology, Inc. in Bloomington, Indiana. And the
18 other owner is my son Jason.

19 And we were asked to come over and
20 take a look at the well field and the problems that
21 might be associated with it. I really have to
22 compliment Pete. He did an extremely elegant job of
23 presenting the case that we're going to try to talk
24 about. So we're going to probably be talking about
25 several things that he's already discussed. And so

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1 I'll let Jason tell you something about his
2 background.

3 JASON KROTHER: I'm Jason Krothe,
4 K-R-O-T-H-E, and the thing that I'm going to talk
5 about first is just the general concerns that we had
6 with the environmental impact statement. And the
7 first thing, and probably the most important is, I
8 guess, the lack of consideration for the Hoosier
9 Hills well head protection area. Another concern
10 that we had is that nowhere in the EIS is there a
11 description of the composition of the gas that will
12 be coming through the pipeline. There's
13 contamination issues during construction and also
14 additional contaminants that will find its way
15 possibly through the aquifer through this pipeline.
16 One of those methods being directional drilling and
17 the other is a phenomena sometimes called urban
18 carse (phonetic), but basically it's altering the
19 natural soil, and this pipeline will do that and
20 will allow preferential pathways for contaminates
21 and water to flow through it.

22 So the first thing I want to talk
23 about is the well head protection area. Currently
24 the pipeline is located within the one and five year
25 time of travel. Which what that means for well head

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1 protection area is you determine how far away the
2 water is, how long will it take to get to your well
3 field. And currently the pipeline will be within
4 the one year and five year time of travel. So
5 that's a big concern for us.

6 Another thing is that the EIS only
7 discusses well heads within 150 feet of the
8 pipeline, which to us, it's an arbitrary number, and
9 especially with regards to Hoosier Hills Water, it's
10 insufficient. The well head is somewhere between
11 eight and 900 feet away from where the pipeline is
12 going to be, and that is definitely within where the
13 wells will be drawing water from.

14 Another point about the current well
15 head protection is that the model had been run to
16 determine it was based on a pumping rate of 600,000
17 gallons per day. The current production is up to
18 1.2 million. And they're currently working on a
19 third well, and when that is complete it could be up
20 to 2.9 million. And the point being with that is as
21 you increase the pumping rate within this well
22 field, you're going to increase the distance that
23 water is going to travel to the well field, and
24 you're also going to decrease the time that
25 contaminants could travel to the well field.

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1 DR. KROTHER: The term called cone
2 depression was raised by Pete and Jason. For those
3 of you that aren't hydrogeologists, if this is the
4 well going down and the water level is it at this
5 position, once they turn the pumps on and start
6 pumping, the water level is going to drop and it's
7 going to drop quicker, of course, in the area of the
8 well itself. And that forms what we call a cone
9 depression. When you draw that down, then it forms
10 a cone which pulls water from all directions into
11 the well field to satisfy that well. And so as
12 Jason was saying, right now it's based on 500
13 gallons per minute, and then 2,000, and it may go up
14 to, what, 5 or 7,000.

15 JASON KROTHER: I think 2,000 once
16 there is a third well.

17 DR. KROTHER: Third well, 2,000. But,
18 Scott, did you say that there was potential for
19 5,000? So in other words, that cone depression will
20 spread out and get larger and it will draw water
21 from greater distances. So this is kind of a an
22 important concept. And since the water is flowing
23 towards the river in that area, White Water aquifer,
24 and is moving beneath the river towards that well
25 field, then any contamination that occurs from

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1 whether it's from construction or whether it's from
2 the pipeline itself if there happens to be a leak,
3 and we don't know very much about the nature of the
4 gas that's going to be carried because we don't have
5 that information, it was never published as far as
6 we can see.

7 And then as Jason was saying there is
8 also possibilities -- Jason's masters thesis was on
9 what we call urban carse, he did that at the
10 University of Texas, where they took a look at all
11 different kinds of things like electrical pipelines,
12 regular pipelines, water lines and what that did to
13 the permeability of the area and how these areas
14 where these pipes were, then they became actual
15 conduits that transported the water, then
16 preferentially along those areas because they were
17 more permeable once they were installed.

18 So this is an important thing, and
19 like I said, there's some tiles out there and if
20 they break the tiles then you can have the septic
21 getting out into the invidious soil, which then, of
22 course, would make its way to the aquifer. And then
23 the directional drilling that they're going to do
24 under the river could create some very, very large
25 what we call conduits that will transport water

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1 faster along those areas than it would normally.
2 Even though the river deposits are very permeable,
3 that would just increase the permeability and move
4 the water faster and towards the well field.

5 So anyway, we're concerned that since
6 there's 37,000 people who are drawing water from
7 that aquifer, to me, it doesn't make much sense to
8 have a pipeline coming that close to a public water
9 supply. But we'll go through some of the things
10 that Pete touched upon and try to elaborate on them.
11 So anyway, back to Jason.

12 JASON KROTHER: Like I said, one of the
13 big questions we have is the composition of the gas
14 coming through it. Usually the natural gas is
15 composed of greater than 80 percent methane. Other
16 components include ethane, propane, CO₂, nitrogen,
17 and hydrogen sulfide. And hydrogen sulfide can be
18 up to 20 percent in some cases. And for us that's a
19 big issue because, first of all, hydrogen sulfide is
20 highly water soluble and can be poisonous to humans.
21 So that's, I guess, one thing that we'd like to have
22 answered is the actual chemical composition of the
23 gas coming through the pipeline.

24 DR. KROTHER: Also, methane is probably
25 80 percent of the natural gas is made up of methane.

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1 Methane is a gas, it's not highly water soluble, but
2 when it escapes into water, in other words, if there
3 was a break in that pipeline that was feeding
4 methane into the river, it would probably have a
5 huge fish kill because it's extremely toxic to fish
6 and other life, other aquatic life. So that's also
7 a consideration.

8 There's a lot of unknowns here and we
9 need some time to really sort out, you know, all the
10 problems that can occur due to these types of
11 pollution.

12 JASON KROTHE: I guess Pete touched on
13 this too. Another concern we had is the
14 contamination that will occur during construction.
15 It's mentioned in the EIS. The big concern for us
16 is that the trench will probably be excavated seven
17 to nine feet deep. There's roughly seven to eight
18 feet of topsoil there before you encounter the
19 permeable sand and gravel unit. So for us it's a
20 big concern meaning you're digging in and giving an
21 easier pathway for any sort of contaminate down into
22 the water bearing sand and gravels.

23 And obviously potential contaminants
24 from construction could be gasoline, oil,
25 antifreeze, and some other contaminants that we

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1 identified, bacteria, including e coli, nitrates,
2 pesticides and herbicides all from the agricultural
3 production that goes on in that area.

4 Real quickly on directional drilling.
5 I guess the big question is where exactly it's going
6 to occur in the White Water River; how far away from
7 the river banks the initial drilling will begin,
8 because that's a big question for us as far as the
9 well head protection area; the deeper the drilling,
10 the more easily contaminants could enter the
11 aquifer. So that's another thing we'd like to know
12 is how deep they plan to go under the river. And
13 another thing that should be addressed is drilling
14 under the river poses a risk of pipe rupture due to
15 bed load scouring of the White Water River.

16 DR. KROTHER: Jason mentioned bed load
17 scouring. And this is a phenomena that during
18 extremely high flows the entire bed load of the
19 stream bottom can actually be picked up and moved.
20 And so if that pipeline is not deep enough and the
21 bed load is scoured away, then that leaves the
22 pipeline vulnerable to breakage from the pressure of
23 the water, but also there will be large fragments of
24 rock and stuff that with a very, very high flow that
25 will move down through and could rupture the

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1 pipeline. So the proper installation of that
2 pipeline underneath the river is extremely
3 important. And I don't know whether they have
4 engineers, and maybe they took all that into
5 consideration, but it's still a risk and I don't
6 think anybody really knows how much of that bed load
7 would be scoured during major rain, which I'm sure
8 you have here. You just came in tonight, so you
9 would know.

10 JASON KROTHER: The last thing that we
11 want to talk about is what I called urban carse,
12 which is basically increasing the permeability
13 around the pipeline through the excavation and
14 backfilling. It's not compacted to the same degree
15 as the original soil is, so water naturally moves
16 easier through the soil around the utility trench.
17 And usually on average it's usually 100 times -- the
18 permeability is usually 100 times greater than the
19 soil around it. So a big concern for us is the well
20 field itself is right along the river, including the
21 well head protection area, so there's a lot of areas
22 that would drain naturally to it anyway. And by
23 putting this pipeline in, they're allowing an easier
24 pathway from areas to the north and northeast of the
25 well head protection area, including the train

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1 tracks that go through there, that's a potential
2 source of contamination and that's a big concern for
3 us. And there is some discussion in the EIS of pipe
4 breakers going in around the pipeline to control
5 this phenomenon, but we feel it was insufficiently
6 addressed in the EIS.

7 DR. KROTHER: Jason was just talking
8 about railroad tracks. In Bloomington, Indiana I've
9 done a fair amount of consulting on the PCP
10 contamination from landfills. And there's a
11 railroad track that runs near this one landfill and
12 one time they just decided well, how will this
13 affect the spring probably half a mile away, which
14 was contaminated. And so they did a test where they
15 just put water, they pumped water onto this old
16 abandon railroad bed. And the permeability was so
17 great that it almost -- in a very, very short period
18 of time this spring responded to that flush of water
19 that's going into it. So any of these pathways that
20 they create by this pipeline, they're going to
21 become preferential pathways.

22 Another consulting thing I did years
23 back was down in Jasper, Indiana where there was a
24 police barracks, state police barracks, that had
25 their own gasoline storage tanks and they were

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1 leaking. And so they called us down and we had to
2 look at it. And the interesting part was that we
3 found gasoline -- I don't know -- probably a mile or
4 more away because there was a storm sewer line that
5 went near where these spills occurred. And this
6 gasoline, of course, made its way down to that area,
7 because that becomes a sump. In other words, if
8 it's more permeable, fluids are going to move
9 through that pipeline, and then, of course, they
10 follow the path of the pipeline. So there's lots of
11 dangers with this type of construction.

12 In the conclusions, the construction
13 of REX in the Hoosier Hills area could result in
14 contamination of the ground water aquifer, that's a
15 given. We don't know exactly what that will be.
16 We'll know a little bit more once we find out what
17 the composition of the gas is. And Hoosier Hills
18 cannot afford even minimal contamination that is
19 acknowledged in the EIS. The pipeline, we believe
20 very strongly, should be moved away from the Hoosier
21 Hills WHPA. And that, to me, is just common sense.
22 Why would you put a pipeline that has a potential
23 for contamination so close to a well field. It
24 makes no sense to me at all. There's no reason why
25 that route of that pipeline can't be moved away from

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1 the river and away from the aquifer so that there's
2 no danger of contamination. Anything else?

3 MR. KING: Madam Chairwoman, can I
4 introduce Mr. Cutshaw. I think he's next. And he
5 is the engineer for Hoosier Hills Regional Water
6 District.

7 MR. CUTSHAW: Thanks. My name is
8 Dan Cutshaw, the name is spelled C-U-T-S-H-A-W. And
9 we've been asked by Hoosier Hills to evaluate this
10 pipeline. We ourselves as engineers do a lot of
11 pipeline work and we're written EISs and engineering
12 reports and we're very familiar with this type of
13 project.

14 We have several concerns regarding the
15 pipeline as it relates to the Hoosier Hills well
16 field and aquifer. One thing, the construction
17 activities as they present themselves in the EIS
18 prove to be very dangerous and critical to the
19 aquifer. Any spill or leak of diesel fuel,
20 hydraulic fluid, drilling mud or anything like that
21 could endanger the aquifer. And as was stated by
22 Dr. Krothe and Pete, these do present pathways into
23 the aquifer.

24 Also, during construction, as stated
25 earlier, the White Water River will be directional

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1 drilled. The static water level in the well field
2 is about 12 or 15 feet. When you drill under the
3 river on this large, a 42 inch pipeline under a
4 river, you're going to go very deep to get under the
5 river bed and possibly entering into that ground
6 water level.

7 Another concern is the potential for
8 leaks after the pipeline has been placed in service.
9 We still don't know what all the constituents or
10 possible contaminants will be in the gas, but as
11 stated in the EIS, since this is going through
12 agricultural areas, there is going to be a thinner
13 gauged pipe being installed, about half the
14 thickness as what it would be if it was going
15 through residential areas. This obviously presents
16 a problem for reverse pressures and leakage and
17 things like. Even the higher gauge steel pipe would
18 not 100 percent make this danger go away.

19 The major concern that we have is that
20 if any of the problems that, as we stated
21 previously, the construction issues, any leaks, or
22 once the pipe is in service, any leaks of
23 contaminants, it is in the one year time of travel
24 of the well head protection area, which means if the
25 contaminate happens, we have one year to react to

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1 that to move our well field and our water treatment
2 plant. Logistically it would be nearly impossible
3 to move that kind of infrastructure in one year. We
4 would have to replace the entire well field, but
5 initially we would have to find a location or a
6 piece of property to put the well field in. That
7 presents problems in and of itself to find property
8 in another location where the contamination is not
9 going to be coming down that direction, we would
10 have to go upstream with that.

11 Finding property could be very, very
12 costly and troublesome. The cost we estimate, and
13 this does not include property acquisition, to
14 replace the well field, the treatment, and the
15 transmission to the existing customers is about 16.8
16 million dollars. And that's a cost to the Hoosier
17 Hills rate payers that would be very detrimental.
18 Of course, this cost estimate depends heavily where
19 the new well field would be located out of the
20 contamination plume, and the availability of land.

21 Contamination will also affect
22 additional water companies in the area. Not only
23 would Hoosier Hills have to find another location,
24 but several other water companies in the White Water
25 River Valley would also have to find other

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1 locations.

2 Also, should the pipeline be located
3 in the present location that it's proposed, Hoosier
4 Hills would also need to perform continuous
5 monitoring to detect any possible contaminants that
6 will come out of the pipeline. We would have to
7 drill monitoring wells, set that up for sampling,
8 which would be very costly for us to do and for
9 Hoosier Hills to pay the operation and maintenance
10 costs for these type of tests are very high. So
11 you're introducing additional operation and
12 maintenance to the system.

13 Another potential problem would be
14 nondetectable contaminants, if they become evident
15 in the ground water supply, there would be
16 significant capital costs to the treatment plant.
17 Right now the treatment plant is basically a gravity
18 sand filter, and it will not remove contaminants,
19 will not remove turbidity which is the cloudiness of
20 the water. Right now the water coming out of the
21 wells is very clear, and very pristine actually. If
22 we had contaminants in the water we would basically
23 have to change the entire treatment plant operation.
24 It is considered right now a well type of plant, we
25 would have to go to a surface water type plant which

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1 would include very expensive, possibly ultra
2 filtration and similar equipment.

3 So in closing, it would be our
4 recommendation that the pipeline would be further
5 considered moving the pipeline to the Indy north two
6 the alternate route. This not only would place the
7 water being 100 percent adjacent to the existing
8 right of way, it would remove the possibility of
9 major contamination of one of the most vital
10 resources in southeastern Indiana. As an engineer
11 we do these type of projects ourselves and we
12 certainly agree that natural gas is a vital resource
13 and essential. We just don't feel that it should be
14 placed that close to the well head protection area
15 and give the expense of possibly contaminating over
16 37,000 people and their water source. Thank you.

17 MR. KING: Madam Chairwoman, can I
18 introduce Greg Dole. Greg Dole is the president of
19 Hoosier Hills Regional District. Greg.

20 MR. DOLE: My name is Greg Dole, like
21 he said, I'm the president. Spelled D-O-L-E.

22 First, I would like to state one of
23 the things that we were never informed until the
24 first notice we received was on -- October 3rd -- of
25 this and it came from the Department of Natural

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1 Resources, State of Indiana. There was nothing from
2 the Federal Energy Department. So I just wanted to
3 make that point first. So I think we would have
4 been a little bit more in depth than we are now, but
5 we've come as quick as we could with our researching
6 and our efforts. I do have a letter here that we're
7 going to submit to the Federal Energy Regulatory
8 Commission. I'm going to read it out loud:

9 To whom it may concern, we Hoosier
10 Hills Regional Water District by and through our
11 undersigned president, a rural water company in
12 Franklin County, Indiana wish to express our concern
13 and objection to the proposed Rockies Express
14 pipeline that is currently slated to be located in
15 Franklin County, Indiana. Our concern stems from
16 our responsibility as stewards for one of
17 southeastern Indiana's most critical natural
18 resource, the White Water aquifer in Franklin
19 County.

20 The four collective rural water
21 companies who use the White Water aquifer in
22 Franklin County serves the interest of over 37,000
23 households. Providing those households with water
24 cannot be secured from any other source in our
25 region.

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1 In short, the contamination of this
2 aquifer by any means is unacceptable for our
3 community and region because of its large scale
4 implications such as: Danger to public health and
5 the overall quality of our life, including, but not
6 limited to, the damage of our economic development.

7 The draft environmental impact
8 statement was erroneously concluded that there will
9 be no contamination of this critical aquifer. Such
10 a conclusion is neither reasonable nor possible. In
11 fact, contamination is highly probable. The
12 currently proposed location of the line places it
13 within the well head production area of the Hoosier
14 Hills Regional Water district as well as north
15 Dearborn Water Corporation well head protection
16 area. See pages 4 through 25 of the draft
17 environmental impact statement.

18 This close proximity places the
19 entirety of our significant investment for the asset
20 of our well field in extreme risk, and therefore
21 represents an unacceptable intrusion into all well
22 field areas. Yet the pipeline's design team failed
23 to account for the potential contamination of this
24 critical aquifer and fails to address the serious
25 implications of the contamination that will most

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1 surely occur. This failure places the entire
2 southeastern region in the State of Indiana at risks
3 that are unacceptable and unreasonable engineering
4 decisions.

5 We are currently in the preliminary
6 stages of calculating the potential economic damage
7 for our company in the event of contamination. As
8 one can imagine, the remediation of an aquifer is
9 tremendously time consuming if remediation is in
10 fact possible. We must also consider the
11 significant cost of interruption of service for our
12 rate payers through the extensive amount of time
13 that the remediation price with which to incur.

14 Based upon the grave magnitude of risk
15 the well established likelihood the contamination of
16 this aquifer should the pipeline be allowed to be
17 located in Franklin County, we strongly urge the
18 commission to reject the draft environmental impact
19 statement. It is imperative to study in a much more
20 careful fashion the proposed route of this line. We
21 request that you reconsider the option of routing
22 the pipeline in the Indy north two alternative as
23 that route does not pose the same risks of certain
24 catastrophic harm to the public health. We thank
25 you.

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1 MR. KING: Thank you. That concludes
2 our comments, Madam Chairwoman.

3 MS. LYKENS: Carolyn Morgan.

4 MS. MORGAN: I'm Carolyn Morgan,
5 M-O-R-G-A-N. I guess I'm speaking for the land
6 owners and the property owners that this pipeline is
7 going to greatly impact. I live just north of
8 Peppertown on Highway 229. I really don't know
9 where to begin, so I'll just start with June the
10 26th of '06, when we had our first meeting with REX
11 at Fairfield Inn here in Greensburg. I spoke with a
12 land agent representing REX who informed me that the
13 pipeline was going to cross my 80-acre farm. I wish
14 I would have gotten his name, but he was the man
15 that was showing us where this pipeline was going by
16 using this map on this big table.

17 I told him that this would ruin my
18 farm and the plans that we had for it. I can't
19 explain the expression on his face except to say
20 that he basically glared at me and said: I'll put
21 it this way, the more problems you give REX about
22 this pipeline, because it's going to go through no
23 matter what you do, the more difficult they will
24 make it for you when it comes time to negotiate.

25 On September the 2nd of '06 I caught

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1 them coming out of my soybean field. To make a very
2 long story short, after trying to look at the
3 document from where they said they had permission to
4 come on our land, I literally took the notebook from
5 Mr. Taylor's hand and finally found the document
6 with our name on it. The document stated I had
7 given them phone permission and that they had given
8 me 24 hours notice. I won't even go into the manner
9 in which I was treated, rude doesn't even come close
10 to it. I told them that the document was a lie.
11 And they knew it. I told them to never step foot on
12 my property again unless they had permission. I
13 filed trespassing charges against them on September
14 the 22nd of '06. Two trial dates have been
15 scheduled and then delayed by REX and rescheduled
16 for January the 15th of '08. I would like to read
17 to you the document I received by mail yesterday.
18 It's addressed to Carolyn and Gary Morgan:

19 Dear Mr. And Mrs. Morgan -- this comes
20 from Melvin Wilhelm, Prosecuting Attorney, Franklin
21 Courthouse in Brookville, Indiana.

22 Dear Mr. And Mrs. Morgan, enclosed
23 please find a copy of the plea agreement that the
24 prosecutor's office has entered in two discussions
25 with the defense counsel in the above named case in

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1 which you are the victim. Please review the
2 enclosed agreement and contact me if you have any
3 comments or questions. Unless we hear otherwise
4 from you, we will assume that the plea agreement
5 that we are discussing with the attorney for the
6 defendant is agreeable with you. The plea hearing
7 is scheduled for January the 15th, 2008 at
8 10:00 a.m. Thank you for your cooperation.

9 Respectfully, Jonathan Cleary (phonetic), Deputy
10 Prosecuting Attorney.

11 It says: The State of Indiana versus
12 John R. Taylor. Recommendation: Comes now the
13 State of Indiana and the Defendant and show the
14 court the following: The Deputy Prosecuting
15 Attorney anticipates that the defendant intends to
16 enter a plea to the charge listed below. The State
17 agrees to the following recommendation for the court
18 for sentencing.

19 Charge, Count 1, Trespass, Class A
20 misdemeanor. 12 months in the Franklin County
21 Security Center, count 12 months suspended; \$250.00
22 fine; \$116.00 court cost; the victim shall have no
23 contact with Gary and Carolyn Morgan as additional
24 condition of probation.

25 Count 2, Mischief, Class D

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1 misdemeanor, dismissed as restitution is already
2 paid -- and that was to the Shram (phonetic) family
3 that farms my land.

4 Trespass, Class A misdemeanor, 12
5 months in the Franklin County Security Center with
6 12 months; \$250.00 fine; \$160.00 court cost;
7 defendant shall have no contact with William
8 Listerman (phonetic) as additional condition of
9 probation.

10 I guess first of all, I look at the
11 time it took me to get that to court, and then I
12 find it very odd that he would go to court the day
13 after the deadline for public comments on the EIS
14 draft. I received information from Joe Rust by
15 e-mail on November the 25th, '07 that there was a
16 new route called the Morgan variance where it would
17 move the pipeline along the existing power line
18 easement that goes through my property. This would
19 make the 42-inch natural gas pipeline approximately
20 500 to 600 feet farther away from my home, my barn,
21 and my well that meets all of my water needs. The
22 original route was approximately 50 feet from the
23 barn, 75 feet from the well, and about 100 feet from
24 our mobile home. I felt much better about this,
25 however, I still did not want this pipeline on my

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1 property.

2 I received a phone call from a REX
3 representative on the 26th of December wanting to
4 come to my property to show me where the line would
5 be going with the Morgan variance route. I answered
6 him that I had trespassing charges against them and
7 that I was not to allow REX on my property as it
8 would be a conflict of interest. I also asked him
9 that if they could give me any information exactly
10 about this variance route. They want the 50 foot
11 permanent easement, you're not going to get that
12 back. And we were told that they wanted 75
13 additional feet to use to run their equipment over
14 that we would get back. But with my property they
15 want 105 feet.

16 The pipeline has turned my life upside
17 down. I'm just going to share with you a little bit
18 about what I have gone through personally. And I
19 know many of you have gone -- I know what you're
20 going through. My husband of 23 years was the
21 president of Arnold Morgan Music Company of Dallas,
22 Texas for 28 years. His father passed away in 1993.
23 We went to the bank and borrowed a large sum of
24 money to buy his brother out. Let's see. In 1985
25 the bank called the note.

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1 The business closed down. My husband
2 was absolutely shattered. He had worked hard all
3 his life. We moved in with his mother. I'm
4 originally from this area and when we found out in
5 1992 that the old Rifle Farm was for sale in
6 Indiana, we bought the farm. It joins the farm that
7 my grandpa owned for -- it was in the family for
8 over 100 years, it joined that farm.

9 We bought the farm. He went to work
10 in the factory. He was what you called a box
11 cutter, he took the big boxes and put them in this
12 machine. He did this eight hours a day. I went to
13 work at the Hampton Inn as assistant manager. We
14 got the farm paid off, we purchased tractors,
15 backhoe, and many other things to build roads and
16 ponds. We were excited because we knew we had a
17 prime piece of property for development and were
18 always getting phone calls to see if we were
19 interested in just selling an acre or two.

20 We're in the Batesville School
21 District, it's a four star rated school. Your
22 property just automatically goes up if you're in
23 Batesville School District, and only six miles from
24 Batesville. And we're right on State Road 229.

25 We had spent hours and money on taking

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1 the necessary steps to start our project. After we
2 found out about REX Pipeline I saw a big change in
3 him. The times I would look outside and just see
4 him walking over the land. I knew he was in deep
5 depression as we both knew that our dreams for
6 developing our farm had come to an end. With REX
7 coming through our property he knew that we would
8 never be able to develop our farm.

9 On October the 17th, '06, my husband
10 left one morning without notice. He's living with
11 his 89-year-old mother in Rockwell, Texas. He
12 simply couldn't face again another loss. The
13 development of our farm was going to be our
14 retirement. We had also built a new foundation for
15 our new home that we had waited so long for. We had
16 been living in a mobile home since buying the farm.

17 I was forced to quit my job at the
18 Hampton Inn where I had been assistant manager for
19 13 years on September the 3rd of '07. I had to quit
20 due to a heart condition discovered in '05. I am to
21 avoid stress as much as possible. I've been trying
22 to sell my farm since March of '07. How many offers
23 do you think I've had? I haven't had any. The
24 realtor told me that the pipeline was the biggest
25 factor as to why I had not gotten any offers. They

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1 were even having difficulty getting an accurate
2 appraisal because there hasn't been any farms in the
3 last several years like my little farm for sale. He
4 said we went down 129 north and south, we went down
5 46 east and west, we went down 229 north and south,
6 there's no farms like yours for sale. So we
7 couldn't even really get an accurate appraisal on
8 it.

9 REX is now trying to go back to the
10 original route. Truly they are keeping their word
11 of June the 26th, '06, you fight REX on this
12 pipeline and in the end you'll wish you hadn't. And
13 I will stand on any witness stand, I'll put my hand
14 on any Bible -- and I'm a Christian -- and, you
15 know, I couldn't pray, God, move this off of my farm
16 because I'm to love my neighbor as myself. And I
17 see that in my neighbors here. And I tell you, it's
18 a sad day in America what is happening because of
19 REX pipeline.

20 This e-mail that I got says Rockies --
21 this is after I didn't play ball with them. Rockies
22 Express has met with the landowner -- I've never met
23 with them except that day they trespassed on my
24 property -- and notes that the landowner does not
25 like the route variation nor the proposed route, the

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1 landowner does not want the pipeline anywhere on
2 their property -- Yeah, they're sure right about
3 that -- because the Morgan property route variance
4 offers no clear environmental damage, Rockies
5 Express is seeking authorization to construct along
6 the proposed pipeline route. Thank you.

7 MS. LYKENS: Thank you.

8 Shirley DeMarco.

9 MS. DEMARCO: I'm with her.

10 MS. LYKENS: Jimmy Brattain.

11 MR. BRATTAIN: My name is Jimmy
12 Brattain, B-R-A-T-T-A-I-N. And I feel about like
13 that lady right there. We have a 65-acre farm and
14 we saved up money to get that. We have it paid for.
15 We sacrificed a lot. I had never heard of REX
16 pipeline until -- I don't know what date it was.
17 But how could they find us, you know, where they
18 started to here.

19 I've got six children and we purchased
20 that piece of ground for our family, you know.

21 There seems to be a lot of problems and I don't know
22 whether REX will put that pipeline through or not.

23 There's a lot of people that find a lot of problems,
24 as I've heard these gentlemen speak.

25 I could have, at one time, subdivided

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1 my land and put about three or four different places
2 for residences on there and probably could have got
3 \$30,000 for each parcel. I've talked to a guy at
4 the courthouse here in Greensburg. And like the
5 lady that was just up here, who would want to come
6 out and pay me \$30,000 for a couple of acres or so
7 to build a residence now? I don't think anybody.

8 I've been looking on the computer a
9 lot about how safe the natural gas pipelines are,
10 and I've been told by some of the people from REX
11 that the pipelines are really safe, they could show
12 me housing developments that's built within 125 feet
13 of the pipeline. So I got my computer and typed in
14 natural gas pipeline accidents, and I set up half of
15 the night reading of all the accidents that's
16 happened from several years back up until recently.
17 There's been thousands of pipeline accidents. So I
18 wouldn't believe anybody that said that pipelines
19 are safe. They can rupture, you know. A lot of
20 them are caused by machinery digging into them.
21 Some of them are corroding. Some of them have been
22 in the ground a long time and they're under high
23 pressure. And many people have been killed. And
24 also, on the pages where I looked on the computer
25 there's a lot of attorneys advertising that they

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1 specialize in pipeline accidents. They're trying to
2 get some business.

3 So I didn't really have any papers or
4 anything here, but I'm about like that lady there.
5 I can't remember your name. I'm sorry. Morgan.
6 But anyway, I've never let the surveyors come on my
7 place, but they did and they got arrested for it
8 too, because a county officer lives just down the
9 road, he knows me very well and I know him and he
10 knew that I didn't want anybody on there surveying.
11 I was called and asked and I told them no. I
12 checked with two attorneys and they said don't let
13 them on your place. So I was going by what the
14 attorneys said.

15 Well, one day he was driving by and
16 there was a guy out there with a tripod and whatever
17 they are using, you know. Went and asked him if he
18 had permission to be on there, and he said I think
19 yes, he did, you know, they had a paper there, but
20 it was falsified. There was several others
21 falsified. I've even got a picture of the guy
22 standing in my little field right there. He even
23 took a picture of him and gave me his picture. So
24 he was given a ticket. And I feel kind of bad for
25 the guy because he's just working, you know, trying

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1 to make a living. As far as I'm concerned, I hope
2 he don't have to pay a fine or anything, really.
3 But I still haven't let them come on my place.

4 I got a call -- I think it was either
5 yesterday morning or day before yesterday, a nice
6 gentleman, he talks really nice, you know, I believe
7 I could really like him, and he's probably here
8 tonight, but I don't know him. If I saw him right
9 now I wouldn't know him. But he asked me if I
10 changed my mind. I said no, not really, I'm still
11 in a group that's opposed to this pipeline. You
12 know it wouldn't be so bad, and you would know this
13 yourself, if somebody called up and said we're going
14 to run a 6-inch water pipeline down the side of your
15 property, would you care? Not really, because water
16 is not that dangerous, you know, unless you're
17 drowning in it.

18 But, you know, this pipeline is
19 dangerous, and everybody should know that, you know.
20 When that sucker blows up, you better not be near
21 it, because I've read all the reports about it. It
22 will blow a hole in the ground 25 foot deep and kill
23 everything around it and kill you deader than
24 anything. So if you want to look on past history on
25 natural gas pipelines, and I know like somebody said

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1 over here, we need the gas, I'm pretty sure.

2 But just like on my place, they come
3 right by several houses when they could have went
4 north a little bit and there's no houses back there
5 at all. But they chose, evidently, to come right
6 through my one neighbor, other neighbor lives across
7 the road, and there's an older lady over here that's
8 across the road, on down another one, and at the end
9 of my property another one. But they're coming
10 right down through my place. And my place is kind
11 of rough, you know, got some valleys and little
12 fields here and there and a couple of streams on it.
13 And it's like a museum piece to me. There's no
14 price on it, you know.

15 And I can imagine REXs negotiator
16 coming to me and telling me what they're going to
17 give me for compensation. And I was trying to think
18 how many people in my life has walked up and give me
19 anything. Two people, and a total of the money they
20 gave me was \$16.00. And there's another story that
21 goes with it, but you don't need to know that. But
22 nobody is coming up and saying, here, I want you to
23 have this because I know how hard you've worked.

24 I've got neighbors that live probably
25 ten miles away. If the pipeline was going through

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1 their place, I wouldn't worry about it because I
2 don't even know those people. I'd feel kind of bad,
3 you know, for them, but I don't even know them, you
4 know. I wouldn't know them if I saw them.

5 So, I don't know. She talked about
6 she has been worried, her husband was worried. I
7 talked to another guy back there, I asked him if
8 he'd ever lost any sleep over this, and he said I
9 sure have, and so have I. I've laid there of a
10 night thinking all the things I could say to change
11 somebody's mind and I realize it's just like a
12 little sound out in the desert someplace.

13 But I do want you to know, and
14 everybody else, that I do oppose that pipeline. And
15 I just hope that things work out for the best for
16 everybody. You cannot satisfy, I'm sure, everybody,
17 because nobody knows what I intended to do with my
18 property. If I had an appraiser come out and
19 appraise the property, he has no knowledge of what
20 my intentions were for that property. One of them
21 was to leave it to my family, because, you know, a
22 lot of people don't have acres, you know it? They
23 live in town, little house. A lot of people don't
24 ever have a few acres. And my whole family, hardly
25 no one has a few acres. They have a house, but no

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1 few acres.

2 And I could see them cutting right
3 through my woods. And I've got some old grandma
4 trees in there, you know, they're not really worth
5 anything because they've got low limbs on them and
6 they're not high quality hardwood, but I wouldn't
7 want them to cut it.

8 Then I got to thinking wonder what
9 they will do with the 75 foot that they're going to
10 take besides the 50 foot. And what are they going
11 to do with the stumps when they cut them off?
12 They'll probably say how about us pushing them over
13 into a ravine, you know, dig them out, push them
14 over to a ravine. And I got to laying there
15 thinking about that, no, I don't want those stumps
16 down in my ravine.

17 We'll haul them off.

18 No, I don't want them hauled off my
19 property.

20 Well, we're going to have to do
21 something with them.

22 Well, don't even come on my property,
23 you won't have to worry. I don't want the stumps
24 hauled away, don't want them dumped in the ravine, I
25 don't want them digging in my ground. So if they

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1 do, they're going to do it anyway, you know, and I
2 won't be able to do nothing.

3 I'm a little over six foot, weigh too
4 much. But who am I against the company that's got
5 -- I read on the computer the other night, one of
6 those companies that we're talking got like
7 158 billion dollars in assets, 158 billion dollars
8 in assets. How much do we have? About \$300.00. I
9 don't know what we got. We're like about everybody
10 else, week to week, month to month, day by day.

11 But as somebody said, we do have our
12 place paid for, and it took a lot of hard work.
13 Now, somebody comes out and appraises it, well, you
14 couldn't sell it to anybody. That pipeline is a
15 dangerous thing.

16 And I'll soon be done. But another
17 thing that really sticks in my mind is that the
18 United States of America, we are at war with
19 terrorists. And I don't know whether the Homeland
20 Security has -- I'm sure they're 100 miles ahead of
21 me, you know, on thinking about things, as you guys
22 are with all those books and stuff up there. That's
23 such a vast area from where it begins to where it
24 will end, there's no way to guard that place, that
25 pipeline. People can blow that up and they could

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1 make us miserable. Because one of these days if
2 that pipeline goes through there, there's going to
3 be a lot of factories hooked onto it, a lot of homes
4 are going to be hooked onto it.

5 In September I was reading about
6 natural gas line accidents and I saw in our news in
7 Indianapolis just one time where gas pipelines were
8 attacked in Mexico. Well, that night I went in and
9 I put gas pipe -- natural gas pipeline accidents
10 Mexico. Here comes a bunch of information back.
11 Sometime in September there was eight charges set on
12 a pipeline it seems like 30 inches, six of them blew
13 up. A Honda plant shut down, a Hershey's plant shut
14 down, and a cereal plant, where they make cereal,
15 had to shut down, had to evacuate like 1,200 people.
16 I got to thinking Indiana, Illinois, have you ever
17 been out through Illinois? I'm not supposed to ask
18 you questions, but there's vast areas out there
19 where there's nothing hardly except fields, you
20 know, and that that pipeline is coming across there
21 someplace.

22 People, we cannot safely secure this
23 pipeline. I don't know what we're going to do
24 though if we really need the gas. And I don't know
25 what else I can think of, but that's just what's in

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1 my head a little bit. And I have lost sleep over it
2 because that's what we have, you know. We don't
3 have a lot of other stuff. I often thought, too,
4 that some of these guys that run these big pipeline
5 companies, they've probably got a mansion on a
6 tropical island with a 5 million dollar yacht
7 sitting out there. And we don't even have a boat, a
8 john boat.

9 I don't know whether any of that makes
10 sense to you guys or not, but as a common, ordinary
11 person, I feel like I have to oppose something like
12 this, because that's all I've got.

13 And this water thing over here, I
14 hadn't thought about that. We use well water too.
15 And I know if something ever got in our well, we'd
16 really be against it, you know. I never dreamed
17 that they would come up with something like this,
18 but I can see it now.

19 Anybody else? I can't, you know,
20 think of too much more that I need to say. I just
21 appreciate it. I think we should have had a lot
22 more people here. This is kind of a bad deal. It
23 wouldn't be right, you know, to have this meeting
24 and change. When was it changed to be out here you
25 reckon? We went to other school awhile ago. There

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1 was a lot of people that should have been here but
2 is not. And it's a bad night, too, to have it, but
3 that's not anybody's fault. But I think more people
4 should have been here, because there is a lot of
5 people opposed to this. If we all don't get
6 together very much, I don't know exactly what all
7 the rest of them are thinking. But we'll just have
8 to wait and see. I want to be right with everybody.
9 Thanks a lot.

10 MS. LYKENS: Thank you.

11 Joe Rust.

12 MR. RUST: I'm Joe Rust and I'm a
13 resident of Decatur County, Indiana. I have
14 followed the REX East Pipeline process since the
15 initial notification we received in June of 2006,
16 inviting me, and my wife, Susan Rust, to an open
17 house at the Fairfield Inn here in Greensburg. It's
18 now been made emphasis by Carolyn Morgan's rendition
19 of what happened there, but I know I've heard other
20 people had similar results from their discussions
21 with the REX land agents that were there.

22 My wife and I have been shocked and
23 dismayed at the way things have developed over the
24 course of the last 18 months. We naively thought
25 that the Federal Government would protect the rights

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1 of citizens and insure the pipeline investigation
2 process would be conducted in an above board and
3 ethical way. Boy, have we learned some lessons in
4 how things really work in Washington, D.C.

5 I will not belabor all the points
6 along the way that told us that we, the people are
7 the problem here, not REX, or the natural gas
8 industry. We're the obstructionists, we're the
9 people who they just have to deal with. Many of the
10 problems are well documented on both of the dockets
11 such as: Flawed mailing lists on the part of REX
12 and FERC in the beginning; inaccurate or nonexistent
13 maps; pipelines dissecting property, rendering them
14 undevelopable, and therefore reduced in value; an
15 unreasonable agricultural mitigation agreement for
16 this part of the United States as it was proposed
17 originally; landowner's property is trespassed on;
18 landowners insulted and lied to and property
19 damaged. If you listened to anything that Carolyn
20 Morgan said you would know the truth.

21 Ordinary citizens have no rights
22 except to some miserly compensation for the right of
23 right of ways that the gas company takes across
24 their properties. The list goes on.

25 Let's jump forward to the application

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1 that REX filed on April 30th of 2007. By FERC's own
2 docket postings it was apparent the application was
3 grossly incomplete. REX filed the document at that
4 point because of economic and time constraints, and
5 FERC accepted it as a valid application. As I
6 stated in a docket posting May, if I filed my taxes
7 in such an incomplete way I would be fined and
8 possibly in jail by now. But, REX met the deadline.
9 FERC complained and told them about all the things
10 that were missing, such as, the minor issue, the
11 plan on how to cross the Mississippi River and an
12 acceptable Ag Mitigation Agreement, to name two.

13 Of course, FERC had asked for many of
14 these things previously and REX didn't supply them,
15 so obviously the application should have been
16 rejected and REX should have been told to come back
17 when things were done correctly. They didn't.

18 On September 7th of 2007, FERC issued
19 a "Notice of Schedule for Environmental Review" on
20 REX East filing. This notice set forth a schedule
21 that I assume FERC staff arrived at knowing how long
22 it would take to complete a thorough environmental
23 review of this massive addition to our country's
24 natural gas infrastructure. The key date was the
25 issuance of the Draft EIS on January 4, 2008. This

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1 notice was signed by Richard R. Hoffman, Director,
2 Division of Gas-Environment and Engineering, Office
3 of Energy Projects, whom I am sure you all know, and
4 I do too. I met him in New Orleans a few weeks ago.
5 I see that Mr. Hoffman now is leaving FERC and
6 joining the staff of the Interstate Natural Gas
7 Association of North America later this month. And
8 I'm sure he will be missed.

9 Anyway, after the schedule in the
10 document there is a statement: "If a schedule
11 change is necessary, an additional notice will be
12 provided so that the relevant agencies are kept
13 informed of the Project's progress." It would seem
14 the public also, in addition to these agencies,
15 would want to know this also.

16 But anyway, on September 18th, 2007,
17 FERC held a teleconference with key cooperating
18 agencies to discuss their concerns with REX East.
19 Agencies such as USDA, Department of Agriculture, US
20 Fish and Wildlife Service, US Environmental
21 Protection Agency and state level environmental and
22 agricultural offices in Indiana, Illinois, Ohio. I
23 don't believe Missouri was represented. But anyway,
24 they were included in the teleconference. Many of
25 the agencies had concerns about how the REX pipeline

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1 would affect their areas of responsibility. I will
2 quote from the meeting summary: "Some agencies
3 expressed concern in terms of conducting a complete
4 and meaningful review within the limited time
5 allotted for cooperating agencies." So, one would
6 presume, this was a pretty tight schedule to get the
7 job done right. And this was going to be done in
8 January.

9 On September 25th, 2007, REX filed a
10 response to FERC's proposed schedule. They were
11 none too pleased with the January DEIS release date
12 and pleaded for FERC to speed up the process so they
13 could get the gas flowing sooner to meet all of
14 their financial needs. They wanted the DEIS
15 released by the end of November.

16 Well, it was released on November
17 23rd, 2007, almost a month and a half early. It
18 appears someone at FERC ignored its own staff and
19 agency recommendations and rushed the DEIS out so
20 that REX could get on with the project. Had they
21 been a little bit longer in the process, they may
22 have heard about the Hoosier Hills Water District
23 and some other things that have come up since then.
24 But the only thing that I could find was a quote by
25 the FERC Commission Chairman, Joseph Kelliher in the

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1 Bloomberg News and picked up by some newspapers
2 around November 16th that stated "Kinder Morgan
3 Energy Partners could get federal approval for it's
4 \$4.4 billion REX pipeline by early spring 'we've
5 been able' -- this is we, this is Joseph Kelliher
6 saying this 'we've been able to rework the schedule
7 and accelerated the timetable' Kelliher said after
8 the commission's open meeting." No mention what
9 changed to allow this to happen. So the question I
10 have, what changed?

11 A record of a November 7, 2007
12 teleconference with some of the cooperating agencies
13 advising of the accelerated schedule was not posted
14 to the FERC docket until December 17, 2007, almost a
15 month and a half after the meeting took place and
16 three weeks after the DEIS was issued. Why the
17 delay in posting this notice? It's a very important
18 document.

19 REX, and probably FERC, wonders why we
20 citizens don't trust this process. We and our local
21 governments are left out of the loop.

22 Mr. Kelliher should come out of his
23 Washington, D.C. office and meet with the landowners
24 instead of the Wall Street investment community. He
25 should explain what happened to move up the DEIS

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1 schedule. After all, the citizens and communities
2 out here are the ones who are losing the rights to
3 large portions of their property and farmers crop
4 yields are going to be reduced, and we are the
5 people who have been lied to and intimidated by REX.
6 He might learn something if he would get away from
7 the J.R. Ewing types who just want their pipeline in
8 the ground at any cost without regards to the
9 environment. He should spend some time listening to
10 those who will have to live with the consequences of
11 the REX pipeline because the whole thing was rushed
12 through for Kinder Morgan to make their money on
13 schedule. Thank you.

14 MS. LYKENS: Betsy Lecher.

15 MS. LECHER: Well, I didn't come
16 prepared with a great big, long speech, so mine will
17 probably be pretty short.

18 My name is Betsy Lecher, L-E-C-H-E-R.
19 And our name was in the environmental statement.
20 And it said that based on the result of the Rockies
21 Express analysis the potential for pipeline exposure
22 in this area, we concluded the potential for erosion
23 and subsequent pipeline exposure in this area was
24 low. Therefore, we did not identify a pipeline
25 reroute.

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1 And I know that we have -- we're in
2 very Rockies and very hilly land, so I got to
3 looking things up. We are the owners of the land
4 where REX plans to cross Walnut Fork Creek. Walnut
5 Fork Creek collects water from Peppertown to Pine
6 Creek, a distance of two-and-a-half miles. On page
7 G 20 and G 21 on the draft environmental impact
8 statement has the pipeline crossing tributaries to
9 Walnut Fork 19 times. A study by Robert C. Rogers,
10 PE with WTH Engineering for the Franklin County
11 Highway Department did a study of Walnut Fork Creek
12 before a bridge replaced a slab crossing in 2004.
13 His report said that the creek has a drainage area
14 of 6.36 miles with a channel length of 4.91 miles.
15 The creek bed is gravel and the banks have very
16 little rocks. When we have heavy rainfalls we have
17 flash floods in the valley. And I've written to
18 FERC many times telling them that I was worried
19 about this crossing.

20 We've had three major floods in the 29
21 years we've owned the property. I have enclosed
22 copies -- I have newspaper clippings of some of the
23 damage the water has done. Incidents were July
24 19th, '81; May of 1989; and July of 2001. And I
25 received pictures from Division of Natural Resources

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1 showing the map. And there have been floods down
2 there. I've got newspaper clippings that shows and
3 talks about these floods. And I am worried that the
4 pipe is going to get exposed because the hills are
5 very steep down in Franklin County, and they're
6 putting this in a flood plain, it shows clearly a
7 flood plain.

8 And this is a project site map by the
9 Rockies Express Pipeline. But they plan to put this
10 pipe through there, and I've even heard they're
11 going to put a safety valve, a shutoff valve, in
12 that valley where it's a flood area. So I am
13 concerned that it's going to wash out and afraid
14 that our soil is going to go with it, because
15 they're going to take all the trees down in this
16 valley where the pipeline is. When the roots are
17 gone, the soil is going to be gone.

18 I don't know that there's anything
19 that they can do, because the velocity of that water
20 is very high. We have flash floods. My husband has
21 seen where the water has come down six inches.
22 There's an offset where the water has come down six
23 inches at a time, it is that swift. So I'm
24 concerned.

25 And in the DES it sounded like they

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1 took Rockies Express Line's word that it would not.
2 But I've got articles here from the local paper that
3 talk about this very area. And it does flood, so I
4 want them to consider that. At least -- at least
5 make sure that there's no erosion. That's all.
6 That's my concern.

7 MS. LYKENS: Thank you. Would you
8 like to have some of those filed for the record for us to
9 consider?

10 MS. LECHER: Yes. This is the
11 picture. In the one article -- here it is right
12 here. It talks about -- this is where it actually
13 washed out two big culverts. And that is right
14 here. Here's where Rockies Express plans to cross
15 it. And in 2001 the water actually went all the way
16 around this house. So there's a lot of water,
17 there's a lot of water that comes down. Yes, you
18 can have that.

19 MS. LYKENS: Thank you, very much.

20 MS. LECHER: And then they plan to go
21 up the hill on our property. And there it says part
22 of it is up to 60 percent slope. I don't know how
23 they can control the erosion on that. That's been
24 my concern because -- let's see -- on page 20 and G
25 21 it said they're going to cross tributaries to

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1 Walnut Fork.

2 MS. LYKENS: Thank you.

3 Monica Yane.

4 MS. YANE: My name is Monica Yane,
5 Y-A-N-E, and I live in Franklin County. My husband
6 and I own land along the route of the proposed
7 pipeline. During the last year and a half I've
8 followed the progress of this project closely and
9 I've written to FERC with my concerns. We're happy
10 to see that the Draft Environmental Impact Statement
11 recommends a route variation on our place that would
12 eliminate the 90 degree turn of the pipeline and
13 place it a little further from our house. Then in a
14 recent letter from REX to FERC, we saw that REX is
15 arguing against the alternative route. Their
16 statement reads, and I want to quote this: "Mr. And
17 Mrs. Yane have indicated in their informal
18 conversations with Rockies Express representatives
19 that the route variations would not shift the
20 pipeline off their property, and therefore, they
21 will continue to oppose the pipeline across their
22 property. Because the Yane property route variation
23 offers no environmental damage, Rockies Express is
24 seeking authorization to construct along the
25 proposed pipeline route."

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1 I have two problems with this
2 statement. The first is that neither my husband nor
3 I have discussed, formally or informally, the route
4 variation with anyone from REX.

5 The second is the threatening tone
6 adopted by REX. They're letting us know that unless
7 we fall into line, they'll put the pipeline anywhere
8 they like. I'm quoting REX because I think their
9 statement typifies REX's attitude toward anyone who
10 they think is obstructing them, not just individual
11 landowners, but local governments and state
12 agencies. I don't think a corporation like this
13 should be granted their certificate prior to meeting
14 all FERC's requirements and then trusted to deliver
15 on their commitments.

16 Reading the REX East docket during the
17 past year has given me the impression that REX was
18 failing to fulfill many of FERC's requirements for a
19 project like this one. I thought that surely FERC
20 would delay the project until all the environmental
21 questions had been answered and agreements reached.
22 I was shocked to learn that when REX requested the
23 schedule to be moved up, the request was granted.

24 The EIS came out earlier than expected
25 and showed that many of the criteria for the project

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1 will not be met prior to issuing the certificate.

2 My request is that FERC slow the
3 process down enough to ensure a safe,
4 environmentally benign result. This is a massive
5 project with massive potential for environmental
6 damage. It seems to me that it calls for stricter
7 regulation rather than less regulation.

8 Apparently REX and Kinder Morgan have
9 powerful connections in Washington, but that
10 shouldn't mean that we citizens are not important,
11 or the protection of our federal agency. In a year
12 the Bush Administration will be gone and new FERC
13 commissioners will be appointed, however, the
14 pipeline they helped to rush into operation will be
15 pumping 1.8 billion cubic feet of natural gas per
16 day through the midwest. As someone who will be
17 living next to it, giving up some peace of mind and
18 not a little of our land, I hope that the FERC
19 employees will be mindful of their obligations to
20 us.

21 MS. LYKENS: Thank you.

22 Mr. Yane? Don't want to speak?

23 That was the last of our speakers. Do
24 we have anyone else who would like to come up at
25 this time? Please come forward. Please identify

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1 yourself for the record. Thank you.

2 MR. CLAPP: Good evening. My name is
3 Donald Clapp, C-L-A-P-P, farm owner. It crosses my
4 farm about maybe a third of a mile from the house, a
5 little closer than I would like.

6 Three things I'd like to mention.

7 One, I suspect if you went the 600-and-some miles
8 one end or the other of this pipeline you'll not
9 find anybody that wants it, but I'm sure it's going
10 to be. That's my first comment.

11 The second thing is, does it concern
12 you that even though they do not have permission to
13 do this yet, about five miles from here they've
14 already unloaded three train loads of pipe. I don't
15 think they plan on taking it back.

16 Next thing is, relative to the water
17 system, something for you guys to think about, if I
18 as a private citizen was farming upstream from your
19 place and I spilled, oh, say, 50 gallons of apozem
20 (phonetic), how quick would I be in front of a judge
21 and you would take everything I had or ever would
22 have to remediate this problem? What are you going
23 to do to REX? My guess is nothing. You're going to
24 be on your own.

25 That's all I've got to say.

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1 MS. LYKENS: Thank you. Would anybody
2 else like to come forward? No other comments at
3 this time? Please come forward. Thank you.

4 MS. LECHER: Just one thing. In that
5 big Bible there it says REX's recommendation. How
6 much teeth was there in that recommendation? Is REX
7 required to do what FERC recommends or what?

8 MS. LYKENS: Thank you for that
9 question. The question is in that big Bible book
10 how much merit do those recommendations have.

11 Basically this is a draft document.
12 And the reason we're out here now is to get your
13 input and we're going to go back and reevaluate and
14 issue a final EIS sometime in the future. So these
15 recommendations will come out because some of them
16 required REX to give us more information by the end
17 of the comment period. Some of them will probably
18 stay in because they're for construction type
19 things, and if REX does not provide that information
20 before the end of the draft EIS period, then they're
21 going to have to provide it before construction.
22 And the other ones will be modified or revisited and
23 might be omitted or put back in.

24 Now, those recommendations are
25 important because once the final EIS is released as

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1 a final document, the commission then gets this
2 document and reads it and they adopt -- they usually
3 adopt those recommendations and turn them into
4 conditions of the certificate if they approve the
5 project.

6 So right now we have 148, I believe,
7 recommendations in here. And it could be more, it
8 could be a lot more, or it could be less. But that
9 would most likely be attached to the FERC
10 certificate. And all recommendations that say prior
11 to construction or prior to the -- let me go back --
12 prior to the end of the comment period if that
13 information is still not available, we're going to
14 condition them to give it to us prior to
15 construction, they won't be able to construct until
16 these conditions are met.

17 UNKNOWN FEMALE SPEAKER: (Inaudible.)

18 MS. LYKENS: She asked if that means
19 that you have to file the recommendation or is that
20 something we would talk about.

21 If that commission issues the orders
22 approving the project and these conditions are
23 attached, they have the option of accepting the
24 certificate in full, which means they'd have to
25 abide by all the certificate conditions or they can

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1 reject it. So those are Rockies Express's two
2 options. They either accept the certificate with
3 the attached conditions or they reject it. They may
4 ask for a rehearing, which is a part of the process,
5 and we could revisit that. But pretty much for them
6 to go forward with construction and plans for
7 construction they would have to accept the
8 certificate with the conditions. Does that answer
9 your question?

10 MS. LECHER: Not going to put the
11 pipeline through.

12 MS. LYKENS: They still have a lot of
13 work to do, that's for sure.

14 Is there anybody else? Anyone else
15 have a question?

16 MS. YANE: Is the schedule a go, you
17 know, on track issued in the spring?

18 MS. LYKENS: Well, I don't know. Some
19 of you follow the docket. Rockies did file a change
20 in the compressor station in Ohio and Hamilton
21 compressor station and it changed the pipeline
22 route. They also filed several landowner lists.
23 So, you know, my feeling is that we will need to
24 still go to the landowners and include them in the
25 process. So I feel -- this is my opinion -- that we

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1 will need to probably revise the schedule again.

2 MR. WILLIAMS: I have a question.

3 MS. LYKENS: Sure.

4 MR. WILLIAMS: This is regarding the
5 safety of the pipe. I understand when it goes
6 through agricultural areas that they use a thinner
7 walled pipe than they do if they go through a
8 residential area. And what I understand is based on
9 density. The pipeline is going within 300 foot of
10 my house, and as other people have mentioned pretty
11 close to their house. How much density does it take
12 to have a thicker pipe going by the property, you
13 know, whether there's one or two families or three
14 or 400 families, I think a life is a life when it
15 comes to safety.

16 I keep hearing about economics that
17 they're only wanting to do this because of economics
18 and that's the reason they only want to go three
19 foot deep because going deeper is economically not
20 feasible.

21 I think we are putting, you know --
22 obviously, they're only doing this for the monetary
23 value that they're going to receive on this. I
24 don't think the American citizens are being
25 considered much. The almighty dollar is coming

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1 first.

2 My question is: Why are they allowed
3 to use a thinner pipe in agricultural areas where
4 there is a residence compared to a densely populated
5 area?

6 MS. LYKENS: Harold Winnie with the
7 USDOT, Office of Pipeline Safety.

8 MR. WINNIE: In answering your
9 question, federal code requires, in part 192, which
10 covers natural gas transmission pipelines, natural
11 gas pipelines, there is a graduated process where
12 you evaluate class locations, Class 1 being the
13 rural areas, and then as the population density
14 increases you have Class 2, 3, and then Class 4 is
15 your multiple four-story structures.

16 Those class locations in the federal
17 code since 1971 have had requirements that you
18 calculate the pressure that's being able to carry in
19 the pipeline based on a percent of SMYS, which is
20 the specified minimum yield strength of the
21 material. So you take the diameter of the pipe and
22 take the strength of the steel, and steel comes in a
23 number of different strengths in today's age. We
24 started years ago, we had an A25 grade A, which was
25 25,000 PSI pipe, steel the pipe was made out of. We

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1 went to Grade B, we've elevated to X42, X60. Today
2 we're in the X80s, X70s and X80s in a number of
3 pipelines that have been made.

4 So you take this specified minimum
5 yield strength and material and then you calculate
6 based on the diameter and the wall thickness that
7 you're using and maximum pressure where that pipe
8 would yield and then that's derated based on class
9 location. And that's how that's calculated and
10 determined, and that's been a standard in code, you
11 know. Is it right? Is it wrong? You know, that's
12 the standard that's been developed and put into the
13 pipeline safety code and has been there for a number
14 of years.

15 MR. PROFFITT: Doesn't answer the
16 question.

17 MR. WINNIE: Do what?

18 MR. PROFFITT: It doesn't answer the
19 question. I understand your specifications and
20 regulations. What this gentleman asked, sir, why
21 are you using a thinner pipe in a rural area such as
22 ours? We went through the standards and we
23 understand the yield strengths you talked about.
24 Essentially because there is less people apt to be
25 hurt if that pipeline ruptures. It sounds more

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1 logical to me.

2 MR. WINNIE: The pipeline is going to
3 operate at a given pressure. Okay? And we can
4 carry this on afterwards if you'd like. No. I mean
5 after we're done here. But you're going to have,
6 based on that derating factor, if you're in a Class
7 3 location -- and I'd have to get the code out to
8 look at it -- let's say it's .5. Okay? So,
9 whatever, when you calculate it if you use an X70
10 pipe and you run the formula, then you've got to
11 calculate, derate it by .5 to whatever that
12 specified minimum yield strength is, what the
13 pressure rating is. So you have to have a certain
14 wall thickness in order to operate at a certain
15 pressure.

16 So when you get into a rural area,
17 you're right, you have a thinner wall thickness, but
18 that doesn't mean that -- that's the federal code
19 and that's what I was saying, that's how it was
20 calculated, and that's how it's determined with the
21 pressure that can be in the pipeline.

22 MR. PROFFITT: Why is a thinner pipe
23 used in rural areas? That's the question, please,
24 sir.

25 MR. WINNIE: Why is a thinner pipe

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1 used in a rural area? Because that's the way it's
2 calculated and that's the derating factor that was
3 put to the federal code.

4 MR. PROFFITT: Why?

5 MR. WINNIE: I do not know why it's
6 used. I know that that's the way the federal code
7 is written and that's the calculation that is made
8 in order to determine what the pressure is in the
9 pipeline.

10 MR. PROFFITT: Sir, you obviously are
11 familiar with federal codes, but we're merely trying
12 to determine -- there's a thicker pipe in the heavy
13 residential area and a thinner pipe in a rural area
14 and we're asking why are you using a thinner pipe in
15 a rural area?

16 MR. WINNIE: You're asking me to make
17 a determination of something, explain something that
18 was determined and calculated years ago, and I don't
19 know the foundation of how that was put together.
20 Okay?

21 MR. PROFFITT: Nor are you going to
22 project a possible logical reason for it?

23 MR. WINNIE: I'm here to talk about
24 pipeline safety. And, you know, the federal code
25 has evolved and changed over the years to address

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1 federal safety and pipeline safety. And, you know,
2 we've implemented many new standards over the last
3 five years to make pipelines safer and make them
4 better and to look after the public. So, you know,
5 I don't know what you want me to eject. You want me
6 to make some speculation that I can't make. I'm
7 sorry.

8 MR. PROFFITT: I think the whole point
9 is, the bigger the number of people, the more
10 protection they're going to get. Whether it's in
11 the rural areas they would rupture, it's going to
12 rupture over a bigger area and the density is not as
13 great. In the 70s that would have been true. Now
14 the rural areas more people are coming out in the
15 rural areas and it's denser. And based on back in
16 the 70s it's somewhat outdated, it's still not
17 keeping the public safety --

18 MS. RUST: I'm Susan Rust. Back in
19 2005 before REX East was applied for FEMSA received
20 a request for waivers that covered both REX West and
21 REX East projects. The waiver requested was for
22 even a more thinner wall pipeline than is in the
23 federal code, I believe, and also that the pressure
24 per square inch could be higher than that size of a
25 pipe would be allowed to handle.

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1 And I had some questions about that in
2 my conversations with Harold. One, of course, is
3 why would you let this happen? But the other
4 question is: Why weren't the people of Illinois,
5 Indiana, and Ohio given the opportunity to comment
6 on this? FEMSA said, oh, they didn't receive any
7 adverse comments. Well, that's because nobody here
8 knew about it, we didn't have the opportunity to
9 comment. I had the opportunity to speak to
10 Stacy Gerard with FEMSA when we were at a conference
11 in New Orleans in November and she was shocked, she
12 didn't make the correlation between REX West and REX
13 East. She said all these comments, they were all
14 from the west side, we on the east got the waiver
15 process.

16 And here again, this is our federal
17 government not taking care of our interests as
18 citizens of the United States.

19 MR. RUST: Can I ask you a question?

20 MR. WINNIE: Susan, are you aware that
21 there is a notice out to revamp the special permit
22 process?

23 MS. RUST: Well, we talked about that
24 in New Orleans, actually, that if you're going to
25 have regulations, let's have the regulations be

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1 right, let's not be passing on waivers. Let's have
2 the public know what they're dealing with up front
3 rather than the pipeline -- we want to change what
4 the regulations are, because basically that's what
5 you allowed to happen.

6 MR. WINNIE: And there are instances
7 where regulations do receive special permits to do
8 things and that's where technologies have developed
9 and proven, or beginning to prove, that there is a
10 reason to do that, to provide more economical energy
11 to America. And, you know, those are needs. That's
12 definitely a need.

13 Now, we can debate whether that's the
14 right thing to do or not. But that is a process
15 that is done, and it is recognized that there are
16 times when that special permit is necessary in
17 emergency situations and also in developing
18 technologies to do a better job.

19 MR. BRATTAIN: Where is the pipe
20 coming from? What country? Anybody know? And is
21 there more than one grade of pipe and are there more
22 than one company that's going to make the pipe?

23 MS. WEEKLY: And primarily we have
24 three different pipe suppliers for the pipe: Oregon
25 Steel Mill in Portland, Oregon. They also have a

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1 sister company in Canada. Some of the pipe is
2 coming from Germany, and some of the pipe will be
3 coming from India.

4 MR. PROFFITT: My name is Rob Proffitt
5 and I'm from Franklin County, Indiana. And I think
6 I'd like to note a couple of things. I'm sorry that
7 that gentleman didn't really answer my question. I
8 suppose, for example, one wants to talk about
9 pipeline safety. I recall several years ago when
10 the Alaskan Pipeline ruptured and I believe it was
11 owned by BP, at least that section, and when it
12 ruptured BP later admitted, after some 15 years,
13 they had never inspected that pipeline. And I
14 believe it's a matter of public record and the
15 pipeline safety commission was asked why hadn't they
16 checked it. They admitted that as well.

17 So, let's talk about pipeline safety
18 for a moment. Through Franklin County we have very
19 pristine areas and I happen to own a large amount of
20 land in that particular area. And my home is in the
21 area of vast woodlands around me, very beautiful
22 woodlands. And we've read a lot about the
23 California fires. Now, it seems like every summer,
24 particularly this past summer when we had a draught
25 condition, our county commissioners very wisely put

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1 on, for example, a fire safety ban. They said this
2 woodland, it's a tinderbox, nobody is allowed to
3 hardly do anything. That proposed pipeline is going
4 to go through a great amount, not only on my place,
5 but my adjoining neighbors, through this timberland
6 area.

7 If that pipeline were to rupture, and
8 there may be a frictional possibility that it would
9 ignite when it does rupture, it could create a mass
10 fire hazard like none of us can even contemplate.

11 What's interesting, I contacted our
12 governor's office here in Indiana. I wanted to talk
13 with the governor's office about it, but the
14 governor, of course, is a very busy man, and so I
15 talked to one of his assistants, and I talked about
16 this particular situation. And she said well,
17 Mr. Proffitt, I can see where you're coming from,
18 but -- now, this is her, almost, quote -- the
19 governor doesn't consider this a state problem, he
20 considers it more of a local matter of concern. I
21 said, a local matter of concern?

22 If that woodland area -- and there's a
23 lot of woodland area there, a lot of us even sell,
24 occasionally, timber off of those areas. I said if
25 that pipeline were to rupture and if it would cause

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1 a fire hazard -- and assuming many of us who live
2 close by weren't incinerated instantly, do you think
3 my Brookville Volunteer Fire Department is going to
4 be able to deal with a hazard like that?

5 And she said well, probably not.

6 I said then therefore, how could you
7 possibly consider it a local matter?

8 Well, I will relay your feelings and
9 comments onto the governor. And that's a typical
10 bureaucratic maze, I suppose.

11 So that left me wondering about, you
12 know, really how much security do we have for this
13 particular situation? I guess aside from all the
14 many very interesting comments I've heard tonight,
15 and some of them were, obviously, very well
16 documented. The thing that really angers us as
17 landowners -- and I know this is not a problem of
18 the FERC commission -- is that it seems this whole
19 proposal is REX's all take and no give.

20 And I mean that, for example, in my
21 home I have been offered upwards of \$300,000 for my
22 home and approximately five acres where my home
23 sits, you know. That's not too bad, I suppose, as
24 prices go. I've had three unsolicited offers for my
25 home within the past year or so. And I think what's

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1 interesting, as this pipeline issue became more
2 publicized one of the people came back to me and
3 said, you know, I think I'm -- and there was nothing
4 written, we were just discussing this -- I think I'm
5 going to have to retract that offer, I don't believe
6 that I would want to live anywhere near that
7 pipeline.

8 And I said I can understand that. I
9 said just as a matter of interest, if you were
10 seriously interested in buying it, what would you
11 offer me? And remember, here's a guy that offered
12 me close to 300,000.

13 He said I would probably, even if I
14 wanted to live near it, I would give you maybe less
15 than half of that amount.

16 Now, think about it. If we're taking
17 -- and that's what a lot of these homeowners are
18 saying -- we're taking tremendous losses no matter
19 -- and I'm not an attorney, but I suppose how they
20 could contest it in court is to reimburse me for
21 some of my loss in potential land value, but we're
22 taking a definite loss in the value of our property.
23 Many of us look very good on paper, you know, when
24 we list our asset values we put down our farmland
25 and maybe some other things. Wow, we do look good

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1 on paper.

2 But when we come along and have
3 someone cutting into this value like that, offering
4 us nothing by way of reimbursement for that, that
5 just somehow doesn't seem to be fair. It just
6 doesn't seem to be the American way.

7 And I think the other that's
8 interesting, when FERC comes along a lot of us
9 thought well, if they're going to go through the
10 acres of my land, they're going to reimburse me for
11 ten acres to my land. That's not true guys. What
12 they're going to do is figure this out
13 mathematically and they're going to pay you just for
14 that little trench that's going through. Now it
15 doesn't matter, but that's maybe going to cut right
16 smack through the middle of your land.

17 I have a neighbor, for example, that
18 has developmental property. We're talking about the
19 land intended use here. This neighbor had to go get
20 certification that this land that was being proposed
21 is prime building property land. It's beautiful
22 homes being built there. REX is proposing to come
23 right through the center of this property. And I
24 believe, and I don't think she would mind, and I'm
25 not telling who she is anyway, so there is no

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1 confidence broken here, but REX had made an initial
2 offer of coming through some 10 or 13 acres of her
3 land at \$4,300. That land is conservatively
4 estimated to be anywhere worth from 7,800 to \$10,000
5 an acre as building property land. That's the kind
6 of people we're dealing with. And so consequently
7 we are greatly annoyed about it.

8 I've written to -- I'm like Joe Rust
9 here. I've written more letters, I have made more
10 phone calls, I have written to my Congressman, I've
11 written to my governor, I've written to my state
12 legislatures. You name it, and I have certainly
13 written to FERC. And I have written to everybody
14 that's anybody and I keep getting back these nice,
15 well, we see where you're coming from and we'll keep
16 your valuable comments under consideration. But all
17 we do, we keep getting beat down and beat down and
18 beat down.

19 You know, maybe some of the partisan
20 candidates in New Hampshire tonight have got it
21 right, and I'm not going to be partisan, it's time
22 for a change. It's really time for a serious
23 change. And I think it's interesting how -- and
24 again, I'm not casting any aspersions, but isn't it
25 interesting how we want to get this all done right

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1 away. Boy, we want to get this done, wow, before we
2 run out of time. Because I think that when we get a
3 new president, regardless of who or she is, there's
4 going to be a lot of changes in a lot of committees
5 who may take a different attitude on this. And we
6 don't have to be too naive to know that our present
7 administration -- and that's my right as an American
8 to stay here and say there's certain things about my
9 government and people that I don't like. Thank God
10 I still have that right. And there's a lot of brave
11 boys and girls out there who are fighting around
12 this world tonight that I have and you have that
13 right. And I appreciate for the opportunity of
14 being here tonight.

15 But isn't it interesting that our
16 current administration is known as the energy
17 administration. I'm paying -- I stopped and filled
18 up tonight -- \$3.19 for a gallon of gasoline. And
19 let me deal one thing, I won't digress too much.
20 One time when I was talking -- by the way, last
21 summer I had FERC on my property. I had Indiana
22 State people on my property. You name it and I was
23 having me a real convention. And I did pass out
24 lemonade, by the way. I had them on there and REX
25 said to me Proffitt, Proffitt, how could you be --

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1 how could you be so selfish about this. I said I
2 beg your pardon? He said America needs energy and
3 they need it now, we need this gas. I said listen
4 to me mister, that's like telling me you want to put
5 an oil pump on the edge of my field there and you're
6 still going to charge me \$3.00 and some for a gallon
7 of gasoline. Well, he says -- I said no, listen,
8 you're interested only in one thing and that's
9 making money. My job is to make sure as an
10 individual property owner that you don't just
11 steamroll over me and the others around here.

12 Here's the idea guys, and I'm not
13 going to moralize here. I feel that when all is
14 said and done in this world of monetarism that we
15 deal with, you have a responsibility to look out for
16 you, nobody else is going to do it for you, but you
17 have to do it on the basis that you will not break
18 any moral, legal, ethical, or spiritual guidelines
19 in doing so. So I encourage you, I beg you, I pray
20 for you, fight with every ounce of breath you've got
21 in you, encourage your neighbors to make phone
22 calls, write letters in spite of these deadlines
23 that everybody talks about. And maybe we will lose,
24 maybe we'll have to live with this thing, but
25 wouldn't it be better to be able to go to bed at

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1 night and say, God, I've lost fighting, than to win
2 doing nothing. Please, stand up for who you are.
3 Don't let these people buffalo you around. I've had
4 too many encounters with them, and I'm not six feet
5 tall, but boy, I'll tell you one thing, I am an
6 American, this is my country and that's my land, and
7 by George, I intend to fight for every inch of it.
8 I hope you do the same thing.

9 Thank you for your time.

10 MS. LYKENS: Thank you.

11 MS. YANE: I have a question for
12 Mr. Winnie. I read the waiver that allowed REX to
13 use cheaper pipe and up their pressure. And the way
14 this states several times that this was acceptable,
15 in fact, I think this was greeted, you know, with
16 pleasure by the impacted states and that there was a
17 public comment period and that no comments were
18 received. Since then we've found out that this
19 waiver applied to REX West and evidently those
20 states knew that the pipeline was coming through.
21 Because I know Indiana didn't. I've talked to all
22 kinds of Indiana officials. They were not aware.
23 Those states had a public comment period and no one
24 decided to comment, but we didn't. So really the
25 process for REX East has not been completed, and I'm

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1 wondering if FEMSA is going to go back and make sure
2 that there is a comment period for REX East and, you
3 know, belatedly FEMSA contacts the states that the
4 pipeline will be going through.

5 MR. WINNIE: First, I'm not sure where
6 you got your information, because I'm not aware that
7 the comment filing was only for REX West. I will
8 look and see because I'm not sure that that's true.

9 As far as the comment period, there
10 was, and we do have a process that was filed in
11 headquarters in D.C. where there was public notice
12 and the comment period and contact made. In fact,
13 we did go back and find an e-mail where one of the
14 engineers out of our office called each of the state
15 program managers to make sure that they were aware
16 of it and make sure to talk to them about it prior
17 to the presentation that was given to the technical
18 committee, advisory committee that we also run these
19 types of things in front of and discuss it there as
20 well. So it was presented to that technical
21 committee as well.

22 So I'm not -- to say that FEMSA is
23 going to go back and have a public comment period,
24 I've not heard any discussion about that or any
25 indications that that's going to happen.

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1 MS. MORGAN: You know, when
2 Mr. Underwood called me December the 26th, I told
3 him, I said, you know, this pipeline being laid,
4 it's all about money. It's all about the money.
5 They don't care anything about us. And I said, you
6 know, they can get more gas -- more money on the
7 east coast for this gas than they can out in the
8 Rockies, and that's what it's all about. I said
9 what do you have to say about that, Mr. Underwood?
10 And I'll go to court and I'll swear to tell the
11 truth and nothing but the truth, and you know what
12 he said? He said I can't argue with the truth.
13 That's what Mr. Underwood said that lives in
14 Westport, Indiana.

15 MS. LYKENS: Thank you. Is there
16 anybody?

17 MR. ROBINSON: I'm Don Robinson. I'm
18 from Mooresville, Indiana. There's two things that
19 I wanted to mention and I want to make sure we've
20 got on the record. I'm very strongly in favor of
21 the five foot cover over agriculture land. It
22 appears in some literature and people say no, that's
23 not going to happen. And I'm very much in favor of
24 the pipeline that goes across my land having five
25 foot of cover over it. Nobody knows what kind of

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1 farming techniques we're going to have within the
2 next 50 years, and we may be reaching down there for
3 some good land.

4 We haven't been getting a very good
5 answer on safety factor. At Rockville last night we
6 talked about 72 percent versus 80 percent capacity
7 on a pipeline. I'm not a civil engineer, but I did
8 a little work on Allison transmissions and I could
9 tell you that when you move from 72 to 80, it's kind
10 of like running your car at three-quarter throttle
11 or 80 percent throttle. All of the safety factor is
12 being used up as far as it can go. The problem that
13 you have, sometimes, at least in transmission
14 shafting, is that somebody put a little nick on it
15 and you needed that extra safety factor to keep from
16 breaking it under stress.

17 So I think most of us understand the
18 difference between 72 percent capacity and 80
19 percent capacity of failure.

20 MS. LYKENS: Thank you. Anybody else
21 have a question or a comment they'd like to do at
22 this time?

23 MS. LECHER: Right now they're putting
24 this pipe according to how many people are there.
25 Ten years from now when there's a bunch of houses

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1 over there we've got to dig that pipe up and build a
2 stronger one.

3 MS. LYKENS: I can try to take a stab
4 at that. That goes back to the class locations. If
5 ten years from now, I'll let Harold address it, but
6 my understanding is ten years from now they would
7 need to go back and dig it up and replace it.

8 MR. WINNIE: There are situations
9 across the country where pipelines are operating in
10 class 1 locations and now are in Class 2 or Class 3
11 locations and operators have made the choice either
12 to go back and replace the pipe with heavier pipe or
13 lower the pressure to reach the right operating
14 pressure, calculations and pressure.

15 Now, there is some conditions, and I'm
16 going to address a couple of things. There are some
17 conditions in the waiver, in the special permit that
18 was granted, and I'd have to look at those to see
19 exactly how those are addressed as the population
20 changes. There's also -- you've got to remember
21 that there are 46 conditions that were added to
22 requirements over and above pipeline safety standard
23 regulations starting with the, manufacture of the
24 plate steel to make the pipe all the way through the
25 corrosion, the operation, construction, and

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1 installation and the life of the pipeline, they're
2 required to do additional things in order to have
3 the 80 percent special permit. So there are
4 requirements that were built into putting extra
5 requirements on the operator in order to do the
6 special permit that we're talking about. So those
7 are, hopefully, to catch what you're talking about,
8 the nick in the transmission that might cause the
9 transmission not to last too long. These additional
10 requirements are there to help catch those nicks and
11 try to prevent them from being a problem.

12 MR. CLAPP don't want to buy that from
13 somebody coming from India.

14 MS. LYKENS: Anybody else?

15 MR. RUST: I'd like to just go back to
16 this pipeline depth issue. Where does the three
17 foot depth come from. The requirement that REX
18 initially proposed was a three foot deep topsoil,
19 where did that come from?

20 MR. WINNIE: That's an easy one.
21 That's federal code. That's where that comes from,
22 out of part 192.

23 MR. RUST: Now, with that answer, why
24 would federal code require only a depth of three
25 feet in agricultural areas east of the Mississippi

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1 River. Obviously that three foot code is defective.

2 MR. WINNIE: That's not just east of
3 the Mississippi, that's nation wide is the federal
4 code. That's the standard depth that's required.
5 If you get into heavy rock there's a different depth
6 that's required, which is less, because the rock
7 helps protect it. But that's a minimum depth to
8 protect the pipeline or help protect the pipeline.

9 MR. RUST: And with that, then I would
10 ask is there anything in the code about agricultural
11 land that has drainage tiles in it?

12 MR. WINNIE: I'd have to go look, Joe.
13 It's not there.

14 MR. RUST: And what I'm asking is,
15 we're all talking about we're meeting the minimums
16 and going for the waivers and all of that. It would
17 have appeared to me that somebody at FEMSA, if they
18 know about drainage tiles and how farming is done
19 east of the Mississippi River, would have required
20 from day one that this pipeline be buried at least
21 five foot depth, at least five foot depth, and we
22 would have not have been going through this
23 aggravation about the mitigation agreement.

24 And everybody in this room, I think,
25 understands what has happened. In the original

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1 proposal REX proposed a three foot deep pipeline.
2 In agricultural areas -- it didn't really matter
3 where, I don't believe, except in rock areas it
4 could be two feet, I believe. So when the
5 mitigation all started, the argument started, REX
6 firmly held to the belief that three feet was the
7 way to go. And it's only recently that I believe
8 that they've come off of that three foot and agreed
9 to a minimum of topsoil depth of five feet.

10 But the Department of Natural
11 Resources posted this letter on the dockets, it's
12 dated December the 10th, it was posted on the 19th,
13 where the Ohio Department of Natural Resources is
14 still concerned that REX is still fighting this. So
15 what he said in here, and I believe he quotes a
16 representative of REX, inform OD and R and DSWC
17 which is the Ohio Department of Natural Resources
18 that burying the pipeline at a depth of five feet
19 would be cost prohibited.

20 Now, this is dated December 10th,
21 posted December 19th. But in the Draft EIS it
22 states that FERC recommends a five foot depth of
23 pipeline. And what I'm asking is: I want FERC to
24 state here and I want REX to state here, if they
25 would, that they're absolutely going to adhere to a

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1 minimum of five foot depth, because it's unclear in
2 the Draft EIS whether this is a recommendation or
3 this is something that once they get out in fields
4 they negotiate with each farmer. Is that a fair
5 question?

6 MS. LYKENS: That is a fair question.
7 The clarification, FERC believes that we -- we do
8 agree that five feet is probably necessary in areas
9 of drain tiles, condition is to negotiate if the
10 landowner wants five feet, REX should in good faith
11 negotiate that five feet. That's what that is. And
12 this clarification for the draft at final, we will
13 clarify that for the final.

14 Any other questions?

15 MS. LECHER: If FERC recommends five
16 foot, why don't they just amend it for agriculture,
17 because a lot of farmers aren't aware that they've
18 got this choice.

19 MS. LYKENS: That's a good comment and
20 we'll consider that. Thank you. That's a good
21 clarification for us to make.

22 Anybody else like to speak tonight? I
23 hope it has stopped raining out. And, again, I
24 apologize for what happened. We definitely had it
25 confirmed here and somehow our notice got issued

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with the wrong address. I understand they're doing some renovations at the junior high. That might not have been communicated to us. So I apologize. I'm glad you all were able to make it and I hope you have a nice evening. We are going to be available afterwards to talk to you individually. REX is here and they have some maps. So thanks again for coming out tonight. I appreciate it. Thank you.

(Meeting concluded at 9:07 p.m.)