FERC MEETING
Docket No. CP08-6-000
MID-CONTINENT EXPRESS PROJECT

Public Hearing

Tuesday, 7:00 p.m. CDT
March 25, 2008
Quitman Depot
Main Street and Railroad Avenue
Quitman, Mississippi

REPORTED BY:
Harvey J. Rayborn, CSR #1274
APPEARANCES:

Shannon K. Jones
FERC - Project Manager

Wayne Kicklighter
Entrix

Kara Harris
FERC

Chris Janak
Mike Letson
Dennis Egger
for Kinder Morgan

Stacy Atella
Neil Nixon
Shea Cain
Julie Rasmusser
James Fugate
Randolph Perry
G. Otega
for Mid-Continent Express Pipeline

The Public
PROCEEDINGS

SHANNON JONES: Good evening everyone.

Thank you for coming. My name is Shannon Jones, and I work for the Federal Energy Regulatory Commission. I'm an environmental scientist.

This is a public comment meeting on the Draft Environmental Impact Statement that we've prepared for the Mid-Continent Express Pipeline Project. I'm assisting the FERC's environmental project manager, Charlie Brown, who's running a similar series of meetings this week in Texas and western Louisiana.

Wayne Kicklighter is here with me tonight. He's representing Entrix. He's an environmental consultant assisting FERC in preparing our analysis for the project.

We also have Kara Harris. She's FERC staff. She's at the sign-in table. She's got helpful pamphlets and she's generating the speaker's list if you want to sign up to speak, and the mail list, and feel free to see Kara if you have any questions during the meeting or wish to sign up to speak.

We also have some representatives from Mid-Continent here. Just to introduce you to a few
people here in the front, we have Mike Letson, He's from Kinder Morgan, an environmentalist; Chris Janak, Kinder Morgan environmentalist; Stacy Atella with TRC, environmental consultant, and Julie Rasmussner with Kinder Morgan Land Department.

I'd like to start with a little bit of background on the FERC for anyone who wasn't familiar with us. The FERC is an independent federal agency that regulates the interstate transmission of electricity, natural gas and oil. We're located in Washington, DC, and headed by five presidentially appointed commissioners, with about 1,200 staff members. We review proposals and authorize construction interstate natural gas pipelines, storage facilities, liquefied natural gas terminals, and we also have jurisdiction over hydropower projects and electric transmission corridors. The FERC's primary purpose is to protect the public and energy customers, ensuring that regulated energy companies are acting within the law.

The FERC is the lead agency ultimately responsible for approving or denying Mid-Continent's proposal. It's proposed to build approximately 504 miles of 30, 36 and 42-inch diameter pipeline
stretching from Oklahoma to Alabama. The project also includes 1 booster and 4 compressor stations, 13 meter regulated stations, a 4-mile lateral pipeline in Louisiana, and other pertinent facilities that are necessary to safely operate the pipeline, that includes main line valves and pig stations and that sort of thing.

Before the FERC makes any sort of decision on a pipeline proposal, the staff has to conduct an extensive environmental review and that's to comply with the National Environmental Policy Act. So over the past year we've been doing just that. We've been compiling data and analyzing data and comments from the public, all of the letters that we receive. We've been conducting meetings with state, local, and federal resource agencies in individual states. And we've worked in formal cooperation with a number of the agencies, including the Fish and Wildlife Service, the National Park Service, the Natural Resources Conservation Service, the Corp of Engineers, Louisiana Department of Environmental Quality, Texas Parks and Wildlife Department and the Alabama Department of Conservation and Natural Resources, and those agencies have been providing input into our analysis and reviewing our work and
providing comments on it.

We've been doing this now for about a year and now we're at a point where we summarize all of our findings and our recommendations in this formal report for the Draft Environmental Impact Statement, and we're here tonight to take your comments on our work and our recommendations. This was issued February 8th, and mailed to everyone that was on our mailing list. So if you didn't get a copy of it, you're not on our mailing list, and you can get on our mailing list tonight by signing up with Kara, or if you write in a comment. That also puts you on our mailing list and that will ensure that you get a copy of the Final Environmental Impact Statement, which will be a revised version of this that incorporates our responses to any comments that we receive during this 45-day comment period and additional information that we've requested from the applicant.

So, as I mentioned, there's a 45-day public formal comment period and we're nearing the end of that. It actually ends next Monday, March 31st. And there's a couple of ways that we can receive comments on our Draft Environmental Impact Statement. First, you can write verbal comments
tonight, and we ask that you sign up on the speaker's list if you would like to do that. You can also provide us written comments, send them through the mail, or electronically, which we encourage. There are instructions on the first couple of pages that detail how to send us written comments through the mail and there's some pamphlets called The Guide to Electronic Information to FERC, and those outlines are about how you can send us comments electronically if that's easier for you.

Let's see. The formal comment period does end March 31st, which is next week. So if you're going to mail comments, we ask you to try and get them in as soon as possible so we'll have time to receive those and prepare appropriate responses.

In the revised version of this document called the Final EIS, we designate a section and we list all the comments that we've received and provide responses. So all of these comments are carefully considered.

One thing I wanted to note is that our environmental analysis that the staff does is not a decision document. It's prepared to advise the FERC commissioners and to disclose to the public the environmental impact of the proposal by
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Mid-Continent. And once we issue our Final EIS, the
document is published, it's mailed to everyone on
our mailing list and it's forwarded to our
commissioners, and the FERC's commissioners will
independently consider our analysis of the
environmental impacts, along with the
non-environmental issues, that other staff at FERC
work on, including engineering, market, rates, and
individually consider all of that information to
decide whether this project is in the public's
convenience.

So if it is approved, the Commission will
provide Mid-Continent what's called a Certificate of
Public Convenience and Necessity, which is
essentially a permit authorizing the project. The
certificate will require that Mid-Continent meet
certain conditions to limit environmental impact,
and the environmental conditions flow from our
recommendations that are contained in this document.
There are 49 conditions that we have recommended to
minimize environmental impact.

If the project is approved, the FERC will
have inspectors that monitor the project through
construction and restoration. They will perform
daily on-site inspections to ensure environmental
compliance with conditions of the certificate.

That's it in a nutshell how the process works, and we're now at the part of the meeting where we would like to take comments from anyone who would like to speak, who has concerns or questions about this document here. So I would ask that when I call your name if you would come to the front area of the room and please speak your name and spell it, if it's a difficult spelling, for our transcriber here. If you're a landowner on the pipeline, it would be helpful if you could identify the pipeline mile post if you know that, or provide a general location if you don't know. And if you -- when you're providing your comments, if you have any questions that I think we can readily answer for you, we will try to do that. If we can't, if it's specific information that I just can't answer for you right now, it will be addressed when we provide our revision. As I said, we have a section of the document where we list all of the comments received and provide a response.

There is a transcript being prepared tonight so we accurately record everything that was said so that we can address your comments and concerns, and those transcripts will be part of the
public record. They'll be posted on the our web
site and they'll be available for review. Our web
site is www.ferc.gov. At this point, we will get
started.

WAYNE KICKLIGHTER: I guess I would like
to reiterate a couple of things. One is that we're
here to get your comments on the Draft Environment
Impact Statement, and that can be verbal, as Shannon
has indicated. It can also be written, and they're
given equal weight. It's what you're most
comfortable with. So if you want to make verbal
comments tonight, then we'd like to hear them.
If you would like to provide written comments	onight, there are forms over there that you can
disable and provide to us, or you can send them to
us after you've thought about it some more.

Then the other part of this is that there
are Mid-Continent representatives here that --
I guess I want to just highlight that the public
meeting is to discuss the contents of the
Environmental Impact Statement.

Representatives of Mid-Continent are also
here to answer questions you might have in regards
to the non-environmental aspect process, especially
if you're a landowner. And I'd like to -- I mean,
you can make comments for the public record associated with those concerns. But in regard to getting into dialogue on specific locations, it's -- I guess I would ask that you do that informally after we've completed the public part of the meeting. And with that said, we only have one speaker.

SHANNON JONES: Okay. Paul Bergin.

PAUL BERGIN: You got it. No, I was interested in how deep y'all are going to put the line. As far as environmentally, there's always a problem with trucks crossing the line, and they say it's going to be 3-foot. Why not put it on in the ground and get it out of the way?

And these creek crossings, they just want to throw the dirt back up and want bell it and rock it. I don't think they're treating the landowners quite properly there.

I think it ought to be done in a way better fashion than what I've seen some of it done. Thank you.

SHANNON JONES: Anybody else who would like to provide a comment or ask a question?

MARTY BERGIN: Why is it 3 feet?

COURT REPORTER: Name, please.
MARTY BERGIN: Marty Bergin.

SHANNON JONES: Three feet is the standard cover. It might be a DOT requirement. It is generally 3 feet below creeks, road beds and that sort of thing. Sometimes it is provided deeper. Those kind of things.

FREDDIE BERGIN: Freddie Bergin. We've got one pipeline going through his property and my property and his property. That's Marty Bergin, Freddie Bergin and Paul Bergin. And every time we want a truck to go across the line, you get a load of timber, y'all make us the Plantation makes what you ramp up. Put more dirt on it at our expenses. You put it deep enough it would be good enough, won't it? Just going to keep saying 3-foot deep.

MARTY BERGIN: It's not deep enough.

SHANNON JONES: Okay. We'll certainly note your concern about the depth cover and we'll prepare and look into that and prepare a response for you. Yes, sir.

GREG JACKSON: Greg Jackson. I don't know if this is a question for the environmental side or Mid-Continent, but I'd like to know more about the hydrotesting procedures in terms of and what pressure pipeline hydrotested and the operating
pressure as well.

SHANNON JONES: I don't have those details available to me right now. It may be contained within the document, but I don't have it right now. I know that a number -- do you guys have it at the moment?

DENNIS EGGER: The operating pressure is going to be 1480, and the minimum test pressure will be 1.25 times the operating pressure. There's going to be water before we ever introduce gas. So, we hydro test it. We test it with water at a minimum of 1.25 times, and then once that fluid holds with a minimum of eight hours with no leaks.

GREG JACKSON: What schedule is that pipe?

DENNIS EGGER: Seventy-seven.

GREG JACKSON: Then what are you going to displace it with after the hydro test?

DENNIS EGGER: We push it with pigs, compressed air.

GREG JACKSON: Compressed air. And then you purge it again right before the gas?

DENNIS EGGER: Once it's hydro tested, we tie all the sections together and they've all been hydro tested, and then we push out any remaining residual water and dry the pipeline first. And then
once it's dry, then it's ready for completion.

GREG JACKSON: How do you know it's dry?
DENNIS EGGER: With dryers, just dry air, the pigs and dry air.

GREG JACKSON: Seams or seamless?
DENNIS EGGER: What's that?
GREG JACKSON: The pipes?
DENNIS EGGER: What's that?
GREG JACKSON: Seams or seamless pipe?
DENNIS EGGER: It's spiral, most all the large pipelines are spiral.

GREG JACKSON: And how far between connection points?
DENNIS EGGER: They're originally 40-foot joints, but we're double jointing them, 80-foot joints.

GREG JACKSON: 80-foot.
DENNIS EGGER: Is that it?
GREG JACKSON: No, I've got more, but I don't want to get in the environmental side.

SHANNON JONES: Thank you.
GREG JACKSON: Well -- Greg Jackson still. What is your emergency protocol if there is a leak?
DENNIS EGGER: During operation?
GREG JACKSON: If it's only going to be
buried three feet, what happens if you get a leak?

DENNIS EGGER: Operations would have to answer that.

GREG JACKSON: How do you know if you've got a leak?

DENNIS EGGER: We have a leak detection system with a monitor and it'll automatically shut down if there's a drop in pressure. That's why we've got valves. If there's a drop in pressure, it'll automatically shut down.

GREG JACKSON: Smart Pigging.

DENNIS EGGER: Smart pigging as required via a computer. It's not every year, but every three years. Three years. We have requirements that we have to follow for that. The government sets up a requirement. That comes over our operations.

GREG JACKSON: Corrosion?

MR. ORTEGA: That's required --

COURT REPORTER: You have to speak up over there.

MR. ORTEGA: I said the pipeline will be coded -- (Inaudible) -- corrosion.

MARTY BERGIN: When y'all get that right of way for one line and one line only, don't come
back two or three years later and say that, well,
we've got the right of way, we want to run another
one through here. Negative. One line and one line
only.

SHANNON JONES: Any other questions or
comments?

PAUL MOSELEY: I'm Paul Moseley with
Clarke County Board of Supervisors.

SHANNON JONES: Yes, sir.

PAUL MOSELEY: When you actually start
construction, who's going to be in charge of the
construction on our roads? Who do we need to talk
to on construction?

DENNIS EGGER: I can meet with you
afterward and give you my card. We will be boring
all the county roads. We won't be open-cutting any
road. They'll all be bored.

PAUL MOSELEY: Below the pavement?

DENNIS EGGER: Well, it's -- it's
generally 5-foot below the lowest point. If you've
got a ditch 5-foot, below the bottom of the ditch.

SHANNON JONES: Okay. Well, we'll all
still be here. What I think I will do at this point
is conclude the formal portion of the meeting, and
we will remain and be available to talk with you
further, and the Kinder Morgan folks will stay a bit
so we can answer any questions you might have off
line. Unless there are anymore comments for the
record --

PAUL BERGIN: I'd like to make a comment.

What -- what can the land be used for after the
pipeline has been dug; the landowner, what can he
use if for?

SHANNON JONES: What can the landowner use
the land for?

PAUL BERGIN: (Nods head affirmatively.)

SHANNON JONES: There are certain
restrictions within the Department of Easement for
permit structures and those sort of things. The
pipeline company needs to maintain --

PAUL BERGIN: Grass -- (Inaudible) --

COURT REPORTER: Speak up, please.

DENNIS EGGER: -- (Inaudible) --

SHANNON JONES: Yeah, pasture and
agricultural. That generally goes back to previous
land use.

PAUL BERGIN: No fruit trues or nothing of
that type?

SHANNON JONES: The FERC allows to have a
plan for vegetation maintenance that we require most
companies to follow and that provides for annual
mowing of a 15-foot corridor over the center of the
pipeline and then the entire 50-foot permanent right
of way can be cleared every three years. So there
will be ongoing annual vegetation maintenance.

PAUL BERGIN: Just grass basically.

GREG JACKSON: Once the pipeline is there,
if you don't have any valve stations or anything
else on your property, if you just have pipe, what
do you envision as the frequency of having someone
on your property within that permanent easement, or
what do you view as a requirement to checking that
right of way after the pipe's in place?

MR. ORTEGA: We have to go and mow the
glass at least once a year --

(Numerous speakers at one time.)

COURT REPORTER: Speak one at a time.

DENNIS EGGER: -- aerial observation and
road crossings and things like that.

COURT REPORTER: Speak one at a time.

PAUL BERGIN: What are you going to do
about the topsoil?

SHANNON JONES: The topsoil?

PAUL BERGIN: On your right of way now.

SHANNON JONES: Generally, the topsoil
stripping will be stripped by some nature and agricultural and residential area.

PAUL BERGIN: I didn't understand you.

SHANNON JONES: The topsoil will be stripped and replaced on the right of way during restoration of the land.

Anymore questions?

TONY FLEMMING: Tony Flemming, Clarke County Supervisor. How big of a right of way is this pipeline are they requiring as far as easement?

SHANNON JONES: We've recommended that the construction right of way be limited to a hundred feet wide during construction and permanent easement limited to 50 feet wide.

TONY FLEMMING: Fifty feet wide?

SHANNON JONES: Yes.

TONY FLEMMING: With all that's happening with pipelines nowadays, we've had some situations with pipelines, anything talked, as far as on FERC's end, as far as buffer zones on these pipeline as far as how close someone can come back to that pipeline and build a structure?

SHANNON JONES: We don't have any established buffer zones as long as structures are off of that. They just cannot be on top of that
50-foot right of way. They can be adjacent to it, but we don't have any established buffers.

Yes, sir.

PAUL BERGIN: Since you'll got that 50-foot, see, there's no more use to the landowner except to grow grass. You can't grow timber. What are you going to get in 20 years? 10 years? But, yet, y'all don't want to pay very much for any existing operation that will be there in 15, 20 years. In other words, the landowner has a piece of land that we're paying taxes on that holds one side to the other side. That's all it amounts to. It's just a big void there. Really, what it all boils down to is we're paying taxes for a void area that we can't use. I think we ought to be compensated for some of that also in mind when they buy that easement.

SHANNON JONES: I understand your concerns there, and I can only mention that when the FERC authorizes the projects we try to ensure they're cited in such a way that they minimize impact to the landowner. But when it comes to compensation, it's a completely private matter between you and the company and we generally do not intervene in that. A fair compensation, that would be a negotiation.
between you and the company.

TONY FLEMING: In Clarke County, is there any structures in the path of the right of way?

DENNIS EGGER: No.

SHANNON JONES: Structures? I don't know that information offhand. That's something we would have to look into.

WAYNE KICKLIGHTER: I believe there's only about seven in the State of Mississippi that would be within 50 feet of the pipeline center line, most of those are along the Mississippi.

SHANNON JONES: Any other questions?

(No responses.)

SHANNON JONES: I think at this point we'll conclude the formal portion of the meeting. And, as I said, we'll still be here to speak with anyone who wishes to speak with us.

I thank you all for coming tonight, and at this point we will conclude the formal portion.

(End of Proceedings.)
CERTIFICATE OF COURT REPORTER

I, Harvey J. Rayborn, Court Reporter and Notary Public in and for the County of Hinds, State of Mississippi, hereby certify that the foregoing 22 pages, and including this page, contain a true and correct transcript of the above-styled public hearing, as taken by me in the aforementioned matter at the time and place heretofore stated, as taken by stenotype and later reduced to typewritten form under my supervision by means of computer-aided transcription.

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

Witness, my signature and seal this 7th day of April, 2008.

Harvey J. Rayborn, CSR #1274

My commission expires: 10/25/2008