

Next Steps

(This has been edited to delete strategic information.)

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September 23, 2014

FERC's Revised Schedule

FERC will issue FEIS on 10/24/14.

Federal agencies have 90 days to authorize.
1/22/15 deadline may not be enforced.

(PA DEP issued 401 certificate on 9/5/14.)

“If a schedule change becomes necessary, an additional notice will be provided so that the relevant agencies are kept informed of the project's progress.”

Three Major Paths to Follow

1. FERC's Certificate
2. Federal Agency Authorization includes:
NYSDEC's 401 Certificate
USACE's 404 Permit
Each one has a different schedule.
3. Eminent Domain Proceedings

When will FERC issue certificate?

Usually 2-3 months after FEIS.

CP requested FERC certify by 11/25/14.

PELC / STP ask FERC to delay certificate:

1. Reissue a complete DEIS.

Include impacts from TGP's NED.

2. Investigate CP / Need for Project.

3. Excessive use of eminent domain is against FERC's policy.

4. First comply with all federal laws.

NYSDEC – 401 Certificate Schedule

Application for 401 certificate and other permits still may not be not complete.

After FEIS is issued, DEC will hold hearings.

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If DEC denies the 401 certificate, pipeline project cannot proceed.

Eminent Domain Proceedings

CP will file papers, probably in federal court, to get on land and condemn property (valuation). They will do this soon after FERC issues a certificate for public convenience and necessity.

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If CP succeeds in condemning land, landowners can file an appeal.

Possible Schedule for “Constitution”

- FERC issues FEIS by 10/24/14.
- DEC holds hearings in Nov. and / or Dec.
- FERC grants a **conditional** certificate of public convenience and necessity at their December meeting (12/18/14).
- Interveners petition FERC for a rehearing within 30 days.
- CP initiates eminent domain proceedings in Dec. or January. . . .

Petition for Rehearing

- MUST be filed within 30 days of order.
- FERC has 30 days to respond, but usually grants itself an extension.
- When FERC denies the petition for rehearing, or modifies its order, you can appeal the final order, within 60 days, to appropriate Cir. Ct. of Appeals.

Examples of Petitions for Rehearing

Spectra.

FERC order 5/21/12

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14023688

Jersey City - request for rehearing - 6/20/12

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14031952

SC+FWW+ - request for rehearing - 6/20/12

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14032144

Examples of Petitions for Rehearing

Northeast Extension.

5/29/12 – FERC order - 20120529-3049

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14025796

6/28/12 DRN request for rehearing – 20120628-5171

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14034819

7/13/12 Feighner resubmission – 20120713-5198

http://elibrary.ferc.gov/idmws/file_list.asp?document_id=14038423

Better Schedule for “Constitution”

- FERC delays FEIS in order to integrate TGP NED project.

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sign...



and they own you!

Northeast Energy Direct

TGP pre-filed 9/16/14.

Docket Number PF14-22.

Landowners should file their deny /
rescind letters. eSubscribe.

We know the process: proposed dates

1. TGP's open houses: Nov – Feb, 2015
2. FERC's scoping hearings – 2Q, 2015
3. TGP files an application – Sept, 2015

**Our priority is to Stop
the proposed
Unconstitutional Pipeline.**

**Once there's one pipeline,
there will be more
and more . . . and more.**