UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Northeast Direct Project of: Tennessee Gas Pipeline Company, LLC
A division of Kinder Morgan

Docket No. CP16-21-000

MOTION TO INTERVENE
OF THE NORTHERN MIDDLESEX COUNCIL OF GOVERNMENTS

Pursuant to Sections 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (FERC) promulgated at 18 C.F.R. § 385.212 and 385.214, respectively, the Northern Middlesex Council of Governments (NMCOG) hereby respectively moves to intervene in the above captioned proceeding.

I. Background

On November 20, 2015, the Tennessee Gas Pipeline Company, L.L.C. (Tennessee Gas) filed an application for a certificate of public convenience and necessity (CPCN) for the Northeast Energy Direct interstate gas pipeline project (NED project) pursuant to sections 7(b) and 7(c) of the Natural Gas Act (NGA). On December 7, 2015, FERC issued a Notice of Application for the Tennessee Gas’ CPCN application and set a January 6, 2016 deadline for motions to intervene in this proceeding.

The Market Path for the proposed NED project calls for construction of a 188-mile 30-inch pipeline designed to deliver up to 1.3 billion cubic feet per day (Bcf/day) of natural gas from Wright, New York to Dracut, Massachusetts. As proposed by Tennessee Gas, 64 miles of the main pipeline would be located in Massachusetts, as would many miles of lateral delivery pipeline and newly constructed compressor stations.

II. Statement of Interest and Grounds for Intervention

Northern Middlesex Council of Governments (NMCOG) is the regional planning agency for the Greater Lowell area. NMCOG was created under Chapter 40B of the General Laws of Massachusetts, and is one of thirteen regional planning agencies (RPAs) in the Commonwealth. NMCOG serves its member communities by providing technical assistance in transportation, economic and community development, housing, land use, historic preservation, municipal service delivery, environmental and energy issues, municipal service delivery, emergency management, public safety, hazard mitigation and public health. NMCOG's policy-making body is comprised of three members from each community (a Planning Board member, a Board of Selectmen member or City Councilor, and an alternate), and provides policy guidance to the Council’s professional staff. The
NMCOG planning district includes Billerica, Chelmsford, Dracut, Dunstable, Lowell, Pepperell, Tewksbury, Tyngsborough and Westford.

NMCOG has actively participated in the FERC process and assisted in the formation of the Northeast Municipal Gas Pipeline Coalition (NMGPC). Our agency and the communities that we represent have significant concerns about impacts of the NED pipeline project, including the direct impacts on public and private drinking water supplies, permanently protected open space, farmland, rare and endangered species habitat, public infrastructure, air quality, climate change, noise, public health and safety, and cultural and historic resources. The short- and long-term impacts of this proposed project on our communities and the region are quite profound. Two communities in our region (Dracut and Tewksbury) are on the preferred route, and three others (Dunstable, Pepperell, and Tyngsborough) are located along an alternate route. Through construction of the preferred route, the Town of Dracut would be severely impacted with nine miles of new pipeline, metering stations and a compressor station, as the destination hub for this project.

The taking of properties protected by Article 97 of the Massachusetts Constitution for the construction of the pipeline and associated infrastructure will impact land protection and conservation efforts throughout our region and across the Commonwealth. This project will potentially impact our obligation to protect and preserve lands of great conservation value that were either donated or acquired with taxpayer dollars.

Based on the review of the Resource Reports and other filing documents, it is evident that our communities will potentially be subject to severe long-term impacts that will produce very few, if any, benefits to our residents. Furthermore, a study recently released by the Massachusetts Attorney General entitled Power System Reliability in New England: Meeting Electric Resource Needs in an Era of Growing Dependence on Natural Gas found that the Commonwealth’s energy needs can be met well into the future without this project and its impacts, through renewable energy sources, energy efficiency improvements, LNG and dual fueled plants. Therefore, the NMCOG Council voted unanimously on November 18, 2015 to seek intervenor status and authorized the Executive Director to submit this motion.

NMCOG has important information and perspectives to bring to this process, consideration of which will serve the public interest. It is clear that the region will be impacted by the construction and operation of the natural gas transmission line proposed by Tennessee Gas/Kinder Morgan. Accordingly, NMCOG, and the communities it represents, have a direct and substantial interest in the above docket and will be directly impacted by the outcome of this proceeding. NMCOG cannot be adequately represented by any other party and may be adversely affected or bound without opportunity to present its position unless it is permitted to participate in this matter. Moreover,
NMCOG’s participation in this proceeding is in the public interest. Accordingly, good cause exists to grant NMCOG’s Motion to Intervene.

III. Communications

All correspondence and communications related to this proceeding should be directed to the following individual whose name and address should be placed on the official service list maintained by the Secretary for this proceeding:

Beverly Woods, Executive Director
Northern Middlesex Council of Governments
40 Church Street
Lowell, MA 01852
(978) 454-8021, ext. 120
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IV. Conclusion

Wherefore, for the reasons discussed above, Northern Middlesex Council of Governments respectfully requests that the Commission grant NMCOG’s Motion to Intervene as a party in the above-captioned proceeding with the rights attendant thereto.

Respectfully submitted this 4th day of January 2016,

By: [Signature]
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