



## TOWN OF GROTON

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## TENNESSEE GAS PIPELINE WORKING GROUP COMMITTEE

### Members

*Chair* John Giger, G-D School Committee  
*Vice Chair* Peter Morrison, Cons. Comm.  
*Secretary* John Llodra, Citizen at Large  
Peter Cunningham, Selectman  
John Petropoulos, Selectman  
Kevin Kelly, GELD Manager  
Dennis Eklof, Citizen at Large

### Advisors

Mark Haddad, Town Manager  
Steele McCurdy, Fire Chief  
Takashi Tada (Cons. Comm. Alternate)

Meeting Date:	November 24, 2014
Location:	Town Hall, First Floor Meeting Room, 173 Main Street, Groton
Members:	John Petropoulos, Kevin Kelly, Dennis Eklof, John Llodra, John Giger, Peter Morrison, Peter Cunningham
Advising Member:	Takashi Tada
Others:	Rena Swezey (Town Assessor), Michael Hartnett (Town Treasurer), Robert DeGroot (Chair, Groton Historical Commission), Scott Harker
Handouts:	Agenda Draft minutes November 3, 2014

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Meeting convened at 5:40 pm. John Giger noted that John Llodra had questions relative to a portion of the November 3, 2014 draft minutes. John Llodra will review the minutes and Committee will defer action on the minutes until next week.

John Giger referenced the recent news article from the Manchester Union Leader stating that Kinder Morgan's preferred route is now through New Hampshire. This leaves the Groton route as Kinder Morgan's second choice. Committee members agreed that the company could easily switch back to the previously proposed Groton route if it runs into unforeseen problems with the New Hampshire co-location route.

### **Focus Team Reports**

For the EVALUATE focus team, Dennis Eklof and John Giger spoke about the Statewide Summit Pipeline event held in Fitchburg on November 15<sup>th</sup> that they both attended. John Giger found the presentation interesting and well organized. The example of legal lessons described relative to the Constitution Pipeline in New York was interesting and John Giger has useful notes from the day. Presenting attorney Anne Marie Garti observed that all questions, comments and concerns that are shared during the pre-filing status should be re-iterated in the formal filing review. She noted that pre-filing input does not necessarily carry over to the next stage of the FERC review process. The Conservation Law Foundation presentation by Attorney Shanna Cleveland was good and John Giger has requested for a copy of her presentation on natural gas infrastructure.

Dennis Eklof said that the main focus of the Summit was the directed at stopping the Kinder Morgan NED Direct proposal. Dennis Eklof explained Attorney Garti's view that the pre-filing phase should be a gathering of opposition. Then wait until the formal review process to submit specific objections and requested goals for the company. The information and video prepared specifically on the compressor stations was particularly compelling. First, such compressor stations typically have light pollution and lots of noise pollution. Also, attendees heard of one instance where a pipeline company claimed that there would be only an occasional compressor station along the route and this particular pipeline in Pennsylvania ended up with a compressor station sited every 12 miles.

John Giger said that the Attorney Garti's additional advice was to refuse permission to access your land and rescind permission if you have already granted it. File that refusal with the FERC pre-filing status. Also, Dennis Eklof recommended absolutely refusing to grant a right of way or easement so that the pipeline company will need to obtain court ordered eminent domain. Such a tactic may also prevent the company from conducting needed environmental studies.

Dennis Eklof said that one presenter said that the pipeline should be viewed as a political campaign by each side. He continued, asserting that there are two Kinder Morgan messages (a) we are a good company, and (b) we will save you from extreme electric bills. Dennis Eklof reminded the group that the pipeline will succeed in reducing the spread between the Marcellus Shale fields and the market. Kevin Kelly said that a Kinder Morgan pipeline may equalize the prices between energy costs in the Northeast and energy costs in California. Last winter, Massachusetts' costs were four times California's costs.

John Giger said that the investor owned electricity suppliers cannot raise rates without state commission approval. Kevin Kelley said that the rationale for higher prices is rational and market driven.

For the MITIGATE focus team, Bob DeGroot, Chair of the Groton Historical Commission, addressed the group regarding historical and archaeological assets in the proposed pipeline route. He read a letter composed by the Groton Historical Commission which detailed his commission's efforts to respond to the Pipeline Working Group's request. The Groton Historical Commission looked more broadly, but from the nonconfidential archaeological study only, it is clear that there are significant historical and archaeological assets in the ground along the proposed pipeline route. His commission anticipate adverse impact if the pipeline is sited through that portion of the Town of Groton.

Peter Morrison asked what tribes are connected to Groton's native assets. Robert DeGroot will attempt to collect that information for the Pipeline Working Group. John Petropoulos asked what standard Groton would have to meet to assert protections for Groton's historical/archaeological assets. John Giger says that we might be able to require Kinder Morgan to prove that such assets are not there rather than conducting the full archaeological study ourselves. The Massachusetts Historical Commission letter to FERC regarding the proposed Kinder Morgan pipeline noted that the company would need to comply with Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800). Committee members asked and Robert DeGroot agreed on behalf of his Commission to compose a letter to FERC and Kinder Morgan with notice of these issues and concerns by mid-December.

Dennis Eklof has been involved in the low demand study ordered by the Commonwealth. An early preview was provided to the public. Dennis and lots of other stakeholders offered critiques of that initial preview. One more public stakeholder meeting for the low demand study is planned.

Dennis Eklof suggested with the change of administration, that letters should be sent to the new governor and incoming head of Secretary of Energy (Beaton).

John Petropoulos attended a New Orleans Pipeline Safety Trust conference. He prepared a PDF presentation that is posted on the Town's pipeline page. John Petropoulos said that there are grant opportunities for myriad targets including education and coordination efforts.

For the EDUCATE focus team, Kevin Kelly reported on recent NEPOOL activity. ISO-NE, which only cares about keeping the electricity on, has launched a \$75 million winter reliability program to prevent rolling blackouts. Unclear says Kevin Kelly whether the \$75 million project will be able to meet its goal, if there are multiple consecutive days below 0 degrees. There is a rush to come up with something that will fill the void caused by the closure of Brayton Point. The coal power plants only run three months of the year so they are unwilling to pay the substantial regulatory costs to stay open for just three months of generating activity. The merchant generator who burns coal is priced out by regulatory requirements and cannot compete with low priced natural gas.

John Giger asked members for their view of the Resource 10 materials from Kinder Morgan. Kevin Kelly said that his read is that he can tell that they are experienced and know what FERC wants to see. An alternative is provided by KM because it has been asked for. It may be left to the politicians to decide which route to use. The Southern New Hampshire route would bring natural gas to a location that is presently unserved. Kevin

Kelly hypothesized that Kinder Morgan would not submit more details until February when there has been a public outcry over high electric costs.

John Giger asked what this committee should be doing now. Dennis Eklof wants letters stating Groton positions to be resent to the incoming Charlie Baker administration. John Giger commented that the Selectmen may want to send the two 'no trespass' letters into the FERC pre-filing.

Dennis Eklof asked what could be done for the directly affected residents of Groton. John Llodra answered that it will be important to provide options, not suggestions for particular actions. Peter Cunningham said that as an advisory committee, we have to be careful about the stances that this Committee takes.

Future Pipeline Working Group meetings will be held on:

December 1, 2014,  
December 15, 2014, and  
January 5, 2015.

*Kevin Kelly moved to adjourn the meeting at 6:52 pm. Peter Morrison seconded and the motion carried 7:0.*

Notes by Fran Stanley.