



PF 14-22

NEW HAMPSHIRE SENATE

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July 30, 2015

Dear FERC representative,

Thank you for the opportunity to speak to you this evening. My name is Gary Daniels. I am a member of the Milford Board of Selectman, and I also serve as the State Senator for New Hampshire District 11, a district whose population exceeds 50,000, and which is comprised of the towns of Amherst, Merrimack, Milford and Wilton. It's in this Senate capacity that I testify, as three of the four towns I represent, Amherst, Merrimack and Milford, are impacted by the proposed Northeast Energy Direct pipeline project.

While each of these three towns assembled task forces to study this project, vetting various aspects, proposals, and concerns, and ultimately all opposing it, I chose to focus primarily in the areas of community need and community benefit. Over the past six months I met with Kinder Morgan and Liberty Utilities numerous times, both formally and informally. In addition I attended briefings involving ISO New England and the New Hampshire Public Utilities Commission.

With the loss of fossil fuel generating stations, natural gas and wind power dominate the new resource proposals in the ISO queue, with natural gas at 63%. I do believe southern New Hampshire and the towns I represent need an alternate source of energy, but I am not convinced it is necessary to construct the Northeast Energy Direct pipeline to achieve this result. There are other transporters and other routes that may fulfill the need without disturbing 71 miles of southern New Hampshire terrain, and impacting numerous residential properties.

While I do believe there is a need, the real problem comes when I ask how this project is going to benefit my communities. From the beginning Kinder Morgan has stated that it is just the transporter of the gas and therefore the pipeline alone offers no benefit to a community without a distributor. That's where Liberty Utilities comes in. Liberty Utilities currently distributes gas in this area from Kinder Morgan's Dracut, Massachusetts to Concord, New Hampshire lateral.

I met with Liberty Utilities representatives numerous times, inquiring each time how the NED pipeline was going to benefit my communities. Beyond the potential that the existing 5301 natural gas customers in my district may see lower prices because the gas would come from the Marcellus shale instead of the Gulf of Mexico, I have been told directly that Liberty Utilities cannot guarantee there would be any benefit to the towns of Amherst, Merrimack and Milford. No guarantee, yet some of my constituents face the prospect that their property could be taken by eminent domain. I do not find it an unreasonable request that Liberty Utilities disclose where they intent to extend their customer base so that those in my communities will know whether or not there will be any benefit derived from this project, or if those communities are just being used as a pass-through, with no public benefit left behind.

I understand that issues of eminent domain need to be addressed now in the process, as it's too late to try to address this issue after a certificate has been granted. My understanding of "eminent domain" has always been that it is only supposed to be used in instances where land is taken for public use or purpose, that is, for the public good. I have already stated that the pipeline, by itself, serves no public good. Liberties Utilities has been and will continue to be the gate keeper to any benefit offered to the communities. What we are being asked to do now is support a pipeline, which, by itself, offers no community benefits, while the entity that holds the key as to whether or not there are any benefits, stands on the sideline in deafening silence. This is not right.

To my point, if Liberty Utilities plans to expand their customer base in the more densely populated communities of Nashua, Manchester or Concord, for instance, there are more direct paths for a pipeline to follow than cutting across 17 southern New Hampshire communities who would experience no benefit.

I respectfully ask that FERC issue a stay of order until such time that (1) all questions asked by the community task forces are answered, (2) Liberty Utilities has made available to the public a detailed plan for expansion that identifies the towns in which expansion will take place, and (3) upon identification of Liberty Utilities expansion area, reassess routes to that expansion area on environmental and personal property impact criteria.

I, again, thank you for your time and respectfully ask that you take these comments under active advisement.

Respectfully submitted,

Senator Gary Daniels

District 11

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