

50 Park Place, Suite 1025 Newark, NJ 07102

ph 973 424 1166 fx 973 710 4653 easternenvironmental.org

August 15, 2017

VIA ELECTRONIC FILING

Chairman Neil Chatterjee Commissioner Cheryl A. LaFleur Commissioner Robert F. Powelson Federal Energy Regulatory Commission 888 First Street, N.E., Room 1A Washington, DC 20426

Re:

Proposed PennEast Pipeline Project FERC Docket No. CP15-558-000

Dear Chairman Chatterjee, Commissioner LaFleur, and Commissioner Powelson:

We are writing on behalf of New Jersey Conservation Foundation and Stony Brook-Millstone Watershed Association to call your attention to PennEast's public misrepresentations of FERC's decision making process and the current status of the docket. PennEast, via its website found at

http://penneastpipeline.com/takeaction/?utm_content=buffer5a3ee&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer, is now attempting to solicit letters containing misleading statements regarding this proceeding, to the above-referenced FERC Docket. The letter invites individuals to state that, "I agree with FERC that this project can be completed to deliver lower cost energy without significant impacts to the environment." See, e.g. FERC CP15-558, Accession #20170815-0026 (individual submission of PennEast's misleading stock letter). This statement misrepresents in at least two different ways. To date, FERC has not released to the public any findings regarding the project's potential effects on the "cost of energy," and data in the docket strongly indicate that natural gas prices from the Marcellus Shale region would rise if this project proceeds. Also, FERC did explicitly limit its environmental "conclusions" to the data before it at the time that its Final Environmental Impact Statement ("FEIS") was released. FERC recognized that the resource agencies had yet to "present their own conclusions and recommendations in their respective record of decision or determination for the project." FEIS at 1.

The PennEast letter also attempts to portray its controversial docket as one in which it has "demonstrated irrefutable demand." Exhibit A. Conclusory statements of this nature, whether they originate from PennEast, or from individuals resubmitting PennEast's conclusory language, could not -- and do not -- constitute factual data demonstrating significant evidence of substantial public benefit and use. Even more insidiously, PennEast asks people to aver that "FERC has determined that the demand for the PennEast pipeline cannot be met by existing pipelines or other proposed pipelines." Exhibit A. FERC, however, has stated that the FEIS "does not determine whether the need for the project exists," and that the Commission will consider "the results of the staff's review of the project's design, market demand, costs, financing and rates" before rendering its decision. FERC Docket CP15-558, Accession #20161103-0023 (emphasis added). The FEIS's preliminary determination that PennEast's private project goals will not be met by existing systems is neither its Natural Gas Act determination that the project is required by public necessity, nor is it any related determination that market demand warrants the significant exercise of eminent domain that PennEast contemplates.

We urge the newly reconvened FERC quorum to demonstrate that it will undertake a searching and extensive review of the actual data contained in this docket, by granting our motion for an evidentiary hearing on public need, and by not allowing PennEast's continuing narrative that it has demonstrated "irrefutable demand" to stand in the face of its administrative record showing otherwise.

Sincerely,

Jennifer Danis, Esq. Senior Staff Attorney

Eastern Environmental Law Center

Susan Kraham, Esq.

Senior Staff Attorney

Columbia University School of Law

Environmental Clinic

Encl. Letter Prepared by PennEast for Individuals to Submit to FERC (Exhibit A).

EXHIBIT A

[Attached letter was downloaded from http://penneastpipeline.com/takeaction/?utm_content=buffer5a3ee&utm_medium=social&utm_s ource=twitter.com&utm_campaign=buffer on August 13, 2017, screenshot included]

			0 -	5	
ACUT PROCESS	LÓ SCHOOL TROKA	PSOFT UPARTS	Pios .	nvä	
D >= CDC0		A STATE OF THE PARTY OF THE PAR	NAME OF TAXABLE PARTY.	CONTRACTOR AND ASSESSMENT	
The PennEast Pipeline Will Deliver Major Benefits For New Jersey Pennsylvania, Including: • Proving adaet deliver of get and for locate and increase; the sign stand increase address of the September of the Sep				Activates Activates Activates Activates Activates Activates Activates Activates Activates Activates	
receptable of	B FEA		\$4000		
-car		Sens.			

Dear Secretary Bose,

I am submitting this letter in support of the PennEast Pipeline (Docket CP15-558-000). I agree with FERC that this project can be completed to deliver lower cost energy without significant impacts to the environment. That makes the decision to approve the PennEast Pipeline straightforward.

FERC's draft Environmental Impact Statement affirms PennEast's commitment to environmental stewardship. PennEast has evaluated more than 80 route alternatives; co-located the route with existing rights-of-way, particularly existing overhead power lines; and is designing the project so that no permanent loss of wetland areas occurs.

PennEast also has demonstrated irrefutable demand. The region's future is dependent on reliable, affordable natural gas. Our power sector is increasingly looking to natural gas for its environmental and economic benefits to meet the electrical needs of families and businesses. FERC has determined that the demand for the PennEast pipeline cannot be met by existing pipelines or other proposed pipelines.

For those reasons and many others, it is time for the PennEast Pipeline to become reality. I look forward to it coming into service. Thank you.