

## New England States Committee on Electricity

---

December 20, 2013

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

Re: Scoping Comments in *Algonquin Gas Transmission, LLC*  
Docket No. PF13-16-000

Dear Ms. Bose:

The New England States Committee on Electricity (“NESCOE”) respectfully submits these limited comments for consideration by the Federal Energy Regulatory Commission (“Commission” or “FERC”) during this pre-filing review process for the Algonquin Incremental Market Project (“AIM Project”). NESCOE is New England’s Regional State Committee and represents the collective views of the six New England states.<sup>1</sup> NESCOE’s comments concern the scope of the Commission’s National Environmental Policy Act (“NEPA”) analysis and do not take a substantive position on the environmental impact of the AIM Project.

Through these comments, NESCOE provides information on recent collaborative work among the New England states, announced after the comment filing deadline in this proceeding, which is relevant to the scope of environmental review of the AIM Project. NESCOE appreciates Spectra Energy Corp.’s (“Spectra”)<sup>2</sup> commitment to reviewing and responding to comments received after the close of the comment period.<sup>3</sup>

As discussed below, there is a shared understanding among New England states that new investment in natural gas pipeline is needed and a unanimous commitment by states to advocate for new infrastructure. Given this regional cooperation and recent collective state action, NESCOE supports the request in this proceeding made by the Connecticut Department of Energy and Environmental Protection (“CT DEEP”) for the Commission to expand its environmental impact analysis of the AIM Project.<sup>4</sup> Specifically, in addition to consideration of the current project as proposed (i.e., 342,000 Dth/day), the Commission should undertake analysis of a larger-sized project to avoid the inefficiency and delay of a second environmental review in the event Spectra determines that a greater level of capacity is warranted.

---

<sup>1</sup> See *ISO New England Inc.*, 121 FERC ¶ 61,105 (2007).

<sup>2</sup> Spectra Energy Corp. is the parent company of Algonquin Gas Transmission, LLC (“Algonquin”). NESCOE refers to Spectra in these comments as the AIM Project proponent.

<sup>3</sup> Algonquin Gas Transmission, LLC, Response to Scoping Comments, Docket No. PF13-16-000 (Oct. 29, 2013) (“Spectra Response”), at 1.

<sup>4</sup> See Scoping Comments of the Connecticut Department of Energy and Environmental Protection, Docket No. PF13-16-000 (Oct. 11, 2013) (“CT DEEP Comments”), at 2.

### **New England Governors' Statement on Energy Infrastructure**

On December 5, 2013, the six New England Governors issued a joint statement committing to regional cooperation on strategic investments in renewable resources and energy infrastructure.<sup>5</sup> In pertinent part to this proceeding, the Governors highlight the increasing interdependence between New England's electric and natural gas systems. The Governors state that "[t]o ensure a reliable, affordable and diverse energy system, we need investment in additional energy efficiency, renewable generation, natural gas pipelines, and electric transmission." The Governors also commit to continued advocacy for, among other priorities, the "development of new natural gas pipeline infrastructure."

### **Modifying the Scope of Analysis**

In its scoping comments, CT DEEP states that Spectra initially planned the AIM Project as providing the capacity for the transportation of more than 500,000 Dth/day of natural gas into New England.<sup>6</sup> CT DEEP further states that the project was subsequently scaled back following an open season.<sup>7</sup> CT DEEP expresses concern that, given the need for additional natural gas pipeline capacity in the region, "a new pipeline project on new alignment will be urgently needed in the next few years and/or . . . Spectra will have to return to the [FERC] and ask for permission for a second, follow-up project to maximize the capacity of its pipeline."<sup>8</sup> CT DEEP requests that the Commission modify the scope of its NEPA analysis "to consider the environmental consequences of the project both at its current smaller size and for an alternative of permitting the project of larger size such as the 433,000 dekatherms originally conceived by Spectra."<sup>9</sup>

NESCOE supports a modified NEPA analysis that takes into account the potential for an expanded project. In addition to review of the AIM Project at its proposed project size, consistent with CT DEEP's request, the Commission should undertake a concurrent analysis that assumes a materially larger project.<sup>10</sup> NESCOE understands that Spectra disagrees with such an approach, stating in response to CT DEEP's request that FERC's review should "not include an analysis of speculative future Algonquin projects."<sup>11</sup> While NESCOE appreciates Spectra's desire to limit the scope of NEPA analysis, this requested modification would not displace the review sought by Spectra. Rather, it would add to this analysis through a complementary, parallel study. Such an enhanced study is timely and efficient, taking into account potential solutions to an increasing dependence on natural gas-fired generation and regional state

---

<sup>5</sup> The Governors' full statement is *available at* [http://www.nescoc.com/uploads/New\\_England\\_Governors\\_Statement-Energy\\_12-5-13\\_final.pdf](http://www.nescoc.com/uploads/New_England_Governors_Statement-Energy_12-5-13_final.pdf).

<sup>6</sup> CT DEEP Comments at 2.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> Unlike some requests to study cumulative impacts of reasonably foreseeable actions, NESCOE's support for a modified NEPA analysis is based on an effort to *expedite* the Commission's review of Spectra's expansion of its existing pipeline system.

<sup>11</sup> Spectra Response, Appendix A, at 54.

collaboration specific to the development of natural gas pipeline. NESCOE hopes that Spectra will re-assess its view of the modified scope in light of these recent activities. Ultimately, however, in recognition of the acute activity in New England to address constraints to natural gas supply, the Commission should modify the scope of its NEPA review to consider the impacts of an upsized AIM Project.

**Conclusion**

NESCOE appreciates the opportunity to provide these comments out-of-time and the Commission's consideration of its perspective on the scope of NEPA analysis.

Respectfully submitted,

*/s/ Heather Hunt*

Heather Hunt

Executive Director

New England States Committee  
on Electricity

655 Longmeadow Street

Longmeadow, MA 01106

[heatherhunt@nescoe.com](mailto:heatherhunt@nescoe.com)