



The Commonwealth of Massachusetts  
MASSACHUSETTS SENATE

**SENATOR JAMES B. ELDRIDGE**

*Middlesex and Worcester District*

STATE HOUSE, ROOM 218  
BOSTON, MA 02133-1053  
TEL. (617) 722-1120  
FAX (617) 722-1089

JAMES.ELDRIDGE@MASENATE.GOV  
WWW.MASENATE.GOV

*Chairman*  
COMMITTEE ON FINANCIAL SERVICES  
*Vice Chairman*  
COMMITTEE ON STATE ADMINISTRATION  
AND REGULATORY OVERSIGHT  
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SENATE COMMITTEE ON GLOBAL WARMING  
AND CLIMATE CHANGE

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DISTRICT OFFICE  
225 MAIN STREET, ROOM 106  
MARLBOROUGH, MA 01752  
TEL. (978) 460-8564

April 5, 2016

Angela O'Connor, Chairwoman  
Department of Public Utilities  
One South Station, 5<sup>th</sup> Floor  
Boston, MA 02110

**RE: Tennessee Gas Pipeline Site Investigation Request to DPU**

Dear Chairwoman O'Connor,

I am writing to you regarding Kinder Morgan's Tennessee Gas Pipeline L.L.C.'s (KM/TGP) three petitions to the Massachusetts Department of Public Utilities (DPU) for access onto private properties where survey permission has been denied by landowners, Dockets 16-01, 16-02, and 16-03. I respectfully request that you deny survey permission to KM/TGP.

KM/TGP's survey request is premature, at best, and permission should be denied based on the following reasons: there is no current need to access the properties; the list of affected properties is incomplete; and major route shifts are likely to occur.

There is no present need for KM/TGP's requested survey activity. The Federal Energy Regulatory Commission (FERC) requested that KM/TGP explore options outside their preferred routes that would involve fewer human and environmental impacts. Of the 450 properties across the Commonwealth that KM/TGP requested access onto, zero are on alternative routes. Allowing site investigations only on some properties on KM/TGP's preferred route would undermine a fair

and comprehensive FERC alternatives evaluation. In addition, KM/TGP has not identified all the properties that it will likely need access to on its preferred route, nor has it named all the surveys it will require on those properties. I firmly believe that all of this information should be shared with DPU before any survey permission is granted.

Dockets 16-01, 16-02, and 16-03 reveal that KM/TGP does not intend to seriously consider alternatives to their existing pipeline proposal. This is particularly concerning when recent studies, such as Attorney General Maura Healey's **Regional Electric Reliability Options Study**, suggest that we do not need increased gas capacity to meet our electric reliability needs. Upgrading our aging gas infrastructure would allow the Commonwealth to save time and money by avoiding construction in protected lands and private properties. Additionally, repairing gas leaks would lower our greenhouse gas emissions while providing innumerable benefits to public health.

In closing, dozens of my constituents have contacted me to express their complete disapproval of new gas pipeline construction in the Commonwealth. The site investigation requests in Dockets 16-01, 16-02, and 16-03 corroborate my constituents' concerns that Kinder Morgan does not take into consideration the wellbeing of our residents and lush environment in the Commonwealth when designing their pipeline.

The harm caused to residents and wildlife by an unnecessary survey far outweighs any potential harm to KM/TGP. I, therefore, urge DPU to wait until the Massachusetts Environmental Policy Act review process has been completed before making any decisions on whether to grant KM/TGP survey access, or not. Furthermore, this is an important property rights issue that deserves more consideration. I strongly encourage DPU to rule that the proposed activities require a formal eminent domain taking under M.G.L. c. 164. S.75C.

Thank you for your time and consideration. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Jamie Eldridge

**State Senator**

*Middlesex & Worcester District*

**CC: Mark Marini, Secretary, Department of Public Utilities**