

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

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IN THE MATTER OF THE APPLICATION OF
DUNKIRK GAS CORPORATION FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR THE:
DUNKIRK NATURAL GAS PIPELINE PROJECT,
APPROXIMATELY 11.3 MILES OF 16-INCH
DIAMETER BURIED PIPELINE IN THE CITY OF
DUNKIRK, TOWN OF DUNKIRK, AND TOWN
OF POMFRET IN CHAUTAUQUA COUNTY,
NEW YORK

CASE NO. 14-_____

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APPLICATION

Pursuant to Public Service Law § 122 and its implementing regulations at 16 NYCRR § 85-2.8, Dunkirk Gas Corporation (“Dunkirk” or the “Applicant”) hereby files the instant application under Article VII of the Public Service Law for a Certificate of Environmental Compatibility and Public Need to construct approximately 11.3 miles of new 16-inch buried pipeline and associated facilities to transport natural gas from the Tennessee Gas Transmission Pipeline Mainline in the Town of Pomfret to the Dunkirk Generating Station in the City of Dunkirk (the “Dunkirk Natural Gas Pipeline Project” or “Project”).

Description of the Proposed Project. The Dunkirk Natural Gas Pipeline Project consists of the construction of 11.3 miles of 16-inch buried natural gas pipeline and associated facilities in the City of Dunkirk, Town of Dunkirk and Town of Pomfret, Chautauqua County. The proposed pipeline will be 16-inch coated steel with a Maximum Allowable Operating Pressure (“MAOP”) of 760 pounds per square inch (“psi”), and will connect to the Tennessee Gas Transmission Mainline via a new tap to be installed by the operator of their Federal Energy Regulatory Commission (“FERC”)-regulated pipeline.

A new regulating station will be constructed within the existing property fence line of the Dunkirk Generating Station to reduce the pressure of the gas to 100 psi as required to add natural gas firing capability. A new metering station will be located at the new tap with the Tennessee Gas Transmission Mainline Pipeline in the Town of Pomfret. Two mainline isolation valves will be installed along the proposed pipeline in accordance with U.S. Department of Transportation (“USDOT”) regulations to be able to shut down flow for maintenance and in emergency situations, one in the Town of Dunkirk and the second in the Town of Pomfret.

Statement of the location of the proposed site or right-of-way. The Applicant seeks authority to construct a new natural gas pipeline and associated facilities in Chautauqua County, New York. A detailed description of the proposed route of the Project is set forth in Exhibit 2 of this Application. The new natural gas pipeline will be located in newly acquired rights-of-way; however, approximately 7.4 miles of the 11.3 mile route will be located adjacent to and parallel to existing utility corridors, including railroad rights-of-way and an existing National Grid electric transmission line right-of-way.

The new regulating station will be constructed within the existing property of the Dunkirk Generating Station in the City of Dunkirk owned by Dunkirk Power LLC, an affiliate of the Applicant. The new metering station located at the connection point with the Tennessee Gas Transmission Mainline Pipeline in the Town of Pomfret will be located on private land which Dunkirk Gas Corporation will secure through easement or land purchase. The two mainline isolation valves will be constructed within the pipeline permanent right-of-way, one in the Town of Dunkirk and the second in the Town of Pomfret.

Summary and description of the Project’s environmental impact studies. TRC Environmental Corporation (“TRC”) conducted environmental studies and impact assessments

related to the Project's routing evaluations well as the Project's construction and operation on behalf of the Applicant. The subject matters covered include land uses, visual resources, cultural resources, terrestrial ecology and wetlands, topography and soils; water resources, traffic, noise, and public health. The findings of these studies are presented in Exhibit 4 of the Application. The studies demonstrate that the Project's construction and operation will have minimal impact on the environment and to residents of Chautauqua County, the City of Dunkirk and the Towns of Dunkirk and Pomfret.

Need for the proposed Project. The Dunkirk Natural Gas Pipeline Project represents a critical improvement to the regional and local electricity infrastructure. The NYSPSC approved the contractual terms governing an agreement between National Grid and Dunkirk Power LLC regarding natural gas addition at the Dunkirk Generation Station in June 2014 (NYSPSC Case Docket No. 12-E-0577). The proposed pipeline will transport natural gas to the Dunkirk Generating Station and is therefore an essential element of the Dunkirk Generating Station natural gas addition plan which will help maintain safe and reliable power generation in the Region. The NYSPSC Order in Case No. 12-E-0577 determined that the natural gas addition at the Dunkirk Generating Station will help meet reliability needs, reduce emissions, relieve Western New York congestion, reduce costs for consumers, retain local jobs, create temporary construction jobs, stabilize the local property tax base, and improve the local economy.

Description of any reasonable alternate locations or routes for the Project. A detailed discussion of the alternatives to the Project considered by the Applicant is provided in Exhibit 3 of the Application. Exhibit 3 provides a description of the comparative merits of alternative pipeline routes considered and alternative construction methods. Factors considered in siting the route were proximity to residences, potential impacts to vineyards and wetland areas; number and extent of road and waterway crossings, proximity to existing utilities and utility rights-of-

way, compatibility with existing land uses and constructability. Exhibit 3 establishes a detailed basis for the determination that the selected route of the pipeline is best-suited for the Project.

Other relevant information. Exhibit 7 of the Application provides information on local ordinances and requests the Commission to refuse to apply specified provisions of those local ordinances, which the Applicant believes would be unreasonably restrictive if applied to the Project.

WHEREFORE, Dunkirk Gas Corporation respectfully requests that the Public Service Commission issue an order pursuant to Article VII of the Public Service Law granting:

1. A Certificate of Environmental Compatibility and Public Need for the proposed Dunkirk Natural Gas Pipeline Project as herein described; and
2. Such other and further authorizations, consents, permission, and approvals as may be necessary for the construction, operation, and maintenance of the facilities herein proposed.

Dated: August 11, 2014

Respectfully submitted,

DUNKIRK GAS CORPORATION

By: _____

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