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April 4, 2014

VIA ELECTRONIC FILING

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

Re: Constitution Pipeline Company, LLC Docket No. CP13-499-000
Iroquois Gas Transmission System, L.P. Docket No. CP13-502-000

Dear Ms. Bose:

Attached please find the Comments of the New York Public Service Commission on the Draft Environmental Impact Statement in the proceeding of the Constitution Pipeline Company, LLC, and the Iroquois Gas Transmission System, L.P.

Should you have any questions, please contact me at (518) 474-1585.

Very truly yours,

Handwritten signature of Alan T. Michaels.

Alan T. Michaels
Assistant Counsel

Attachment

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Constitution Pipeline Company, LLC) Docket No. CP13-499-000
Iroquois Gas Transmission System, L.P.) Docket No. CP13-502-000

**COMMENTS OF THE
NEW YORK PUBLIC SERVICE COMMISSION**

The following are comments from the New York Public Service Commission (NYPSC) regarding the Draft Environmental Impact Statement (DEIS) for the proposed Constitution Pipeline and Wright Interconnect Projects to be constructed and operated in New York State. Our comments seek to address areas of interest to NYPSC, including: co-location of pipeline facilities with other utility facilities; protection of critical utility infrastructure; pipeline integrity; potential expansion of gas service in Chenango, Delaware and Otsego County areas; and potential construction and operational impacts on the natural and cultural environment.

INTRODUCTION

NYPSC has oversight responsibilities for the safe and reliable operation of utility infrastructure in New York State, including acting as the agent for the federal Department of Transportation (USDOT) fuel gas transmission pipeline safety

requirements.¹ NYPSC also has extensive experience in siting, construction, operation and long-term maintenance aspects of utility infrastructure, including gas and electric transmission facilities, co-location issues, and environmental impact evaluation, avoidance and mitigation. NYPSC and its Departmental Staff have direct responsibilities for utility siting and construction for intra-state gas transmission pipelines pursuant to New York State Public Service Law (PSL) Article VII. NYPSC offers the following comments on the DEIS developed pursuant to the National Environmental Policy Act² for the Constitution Pipeline and associated Wright Compressor Station.

BACKGROUND

On September 7, 2012, the Federal Energy Regulatory Commission (FERC) issued a Notice of Intent to Prepare an Environmental Impact Statement for the Planned Constitution Pipeline Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings (the Notice and Request).

NYPSC Departmental staff met with Constitution Pipeline representatives in May and July, 2012, and discussed a range of concerns including co-location of pipeline facilities with other utility facilities; protection of critical utility

¹ Natural Gas Pipeline Safety Act of 1968, and Hazardous Liquid Pipeline Safety Act of 1979, 49 U.S.C. §601.

² National Environmental Policy Act of 1969, 42 U.S.C. §4321 et seq.

infrastructure; pipeline integrity; potential expansion of gas service in Chenango, Delaware, and Otsego County areas; and potential construction impacts on public water supply and other resources.

On February 12, 2014, FERC issued a Notice of Availability of the Draft Environmental Impact Statement (DEIS) and Public Comment Meetings for the projects. The DEIS provides basic information about the Constitution Pipeline proposal, which includes the proposed development of: a 120 mile long, 30-inch diameter pipeline from Susquehanna County, Pennsylvania, to Schoharie County, New York; a new compressor station with two 16,000-horsepower turbines at a station in Schoharie County; a pig launcher in Schoharie County; and proposed main line valve assemblies at various locations in New York State.

Subsequent to the issuance of that Notice, Constitution Pipeline has submitted various supplemental documents and additional information regarding details of the project, including financial and rate-related information on February 13, and March 4, 2014; minor modifications to facility routing on March 14, 2014; and identification of the need for eleven communications towers on March 26, 2014.

DISCUSSION

Supplemental Information is Needed to Evaluate Facility Impacts

Constitution Pipeline provided a Supplemental Information filing on March 26, 2014, regarding the need to locate eleven communications towers with attachments, each exceeding 100 feet in height. The submittal included a typical profile design, and a brief description of these project components. However, the submittal does not provide any indication of the proposed locations of the eleven towers, and no supporting documentation as to any potential impacts that may result from siting of the towers.

The DEIS should be supplemented to provide at a minimum the following information:

- Proposed locations of towers;
- Accessibility needs and upgrades;
- Land Use suitability and conformance with zoning regulations applicable to tower location sites, including any applicable height restrictions and setback requirements;
- Potential interference with utility facilities including critical electric transmission infrastructure;
- Potential for interference with communications systems including microwave beam interference;
- Potential interference with airspace use near heliports and landing strips,
- Visibility assessments and viewshed analysis of each tower;
- Historic Resources evaluation of locations within areas of tower visibility.

Also an assessment of potential co-location of new communications equipment with existing communications towers or other facilities may be appropriate to reduce or avoid impacts of the siting of new facilities.

Noise Analysis of the Iroquois Wright Compressor Station

The description and analysis of potential noise impacts due to the addition of facilities at the Iroquois Wright Compressor Station warrants more information and analysis. The Iroquois Wright Compressor Station was carefully sited and designed to minimize noise impacts on the surrounding area, during the NYS Siting and Certification Proceeding pursuant to PSL Article VII, and the subsequent Natural Gas Act (NGA) review by FERC. The careful siting and noise mitigation design success is evidenced by comparing the Existing Ambient Noise Ldn levels with the Existing Wright Compressor Station Ldn levels in Table 4.11.2-6: the measured ambient and operating noise levels are reported as identical for each of the measurement locations NSA #4 through #9. Thus, the siting of the original Wright Compressor Station had no impact to surrounding community or noise receptors.

Table 4.11.2-6 of the DEIS reports that the projected potential increase in Ldn noise levels will be 8.9 dB at NSA #4, and 9.4 dB at NSA #7. These are significant increases above ambient levels, and above the existing operational levels of the Wright Station. While the DEIS concludes that the increase is acceptable since it is below the 55 dBA Ldn limit reported as

FERC criteria, it is an increase that is likely to result in regular complaints. Consideration of additional mitigation measures to avoid this significant increase in the level of operational noise is appropriate. Such concerns should be addressed in the final Environmental Impact Study.

Gas Quality Considerations

In comments on the scope of studies appropriate for the DEIS, NYPSC cited to experience in New York State demonstrating that there are risks to end-use equipment associated with moisture content in Marcellus Shale gas. On October 31, 2012, NYPSC filed its Comments in the pre-filing proceeding³ and requested that the EIS address how the transmission facility will be protected from well-field moisture; identify where dehydration and separation equipment will be located; identify how pipelines will be monitored for moisture content; and identify content, volumes, and disposal methods of any emissions or waste products generated by operation of gas treatment or dehydration facilities. The DEIS does not indicate that this information has been addressed or provided. NYPSC reiterates its request to include this information in the final EIS.

Gas Supply Considerations

The proposed Constitution Pipeline presents an opportunity to expand natural gas service franchises in areas currently not

³ Docket No. FP12-9-000.

served by gas utilities. Analysis of routing alternatives should address the potential to provide gas to unserved municipalities, and the extent of secondary pipeline spurs needed to reach areas of potential use, such as villages or industrial areas not presently served by natural gas utilities.

Additional environmental benefits in the nature of reduced greenhouse gas emissions related to fuel switching from oil to gas; and economic benefits in the nature of lower prices for heating or industrial process fuels from oil to gas should be identified in the EIS. Economic development opportunities related to expansion of potential gas service areas should be identified, also.

CONCLUSION

Based on the foregoing, the NYPSC respectfully requests that the Commission take into consideration all of the comments and potential issues noted above during the review of the environmental impact statement for the proposed pipeline.

Respectfully submitted,

Handwritten signature of Kimberly Harriman in cursive script.

Kimberly Harriman
General Counsel

By:

Alan T. Michaels
Assistant Counsel
Public Service Commission
of the State of New York
3 Empire State Plaza
Albany, NY 12223
(518) 474-1585

CERTIFICATE OF SERVICE

I, Alan T. Michaels, do hereby certify that I will serve on April 4, 2014, the foregoing Comments of the New York State Public Service Commission upon each of the parties of record indicated on the official service list compiled by the Secretary in this proceeding.

Dated: April 4, 2014
Albany, New York


Alan T. Michaels