

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
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General Counsel

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Acting Secretary

July 1, 2013

SENT VIA ELECTRONIC FILING
Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Room 1-A209
888 First Street, N.E.
Washington, D.C. 20426

Re: Docket No. CP13-499-000
Constitution Pipeline Company, LLC

Dear Ms. Bose:

Attached please find the Notice of Intervention and Comments of the New York Public Service Commission in the above-entitled proceeding. Should you have any questions, please feel free to contact me at (518) 474-1585.

Very truly yours,

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

**NOTICE OF INTERVENTION AND COMMENTS
OF THE NEW YORK PUBLIC SERVICE COMMISSION**

Pursuant to Rules 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (FERC or the Commission), 18 CFR 385.214 (2006), and in accordance with the Regulations under the Natural Gas Act (NGA) 18 CFR 157.10, the New York Public Service Commission (NYPSC) hereby submits its notice of intervention and comments in the above-captioned proceeding.

I. INTRODUCTION

Constitution Pipeline Company, LLC (Constitution or the Company) seeks a certificate of public convenience and necessity for a gas pipeline and related facilities. According to the Company's application, if granted authorization, it will create a new 122-mile interstate transmission pipeline (the Project) designed to provide 650,000 dekatherms per day of firm transportation service.

II. BACKGROUND

On June 13, 2013, Constitution filed an application under Section 7(c) of the NGA and Part 157 of the Commission's Rules and Regulations requesting authorization to construct and operate the Project. This matter has been initially reviewed in the pre-filing process (PF12-9-000), which commenced on April 5, 2012, when the Company filed its request to initiate a National Environmental Policy Act Pre-Filing review of the Project pursuant to Section 157.21(b) of the Commission's regulations under the NGA. On April 16, 2012, FERC Staff

granted Constitution's request to utilize the pre-filing process. Numerous comments were presented and recommendations made under the pre-filing docket. On June 26, 2013, the Commission issued its Notice of Application, and stated that the Pre-Filing Process ended, and the proceeding shall be conducted under the Docket Number noted above.

In its request for pre-filing review, Constitution describes the Project as approximately 121 miles of 30-inch diameter pipeline and related facilities beginning from Susquehanna County, Pennsylvania to points of interconnection with Iroquois Gas Transmission at the Wright Compressor Station and with Tennessee Gas Pipeline, both located in Schoharie County, New York. In addition, the Project calls for the construction of one Greenfield compressor station, four meter stations, valves, piping, and associated appurtenant facilities.

III. NOTICE OF INTERVENTION

The NYPSC is a regulatory body established under the laws of the State of New York with jurisdiction to regulate rates or charges for the sale of natural gas to consumers within the State. It is, therefore, a State Commission as defined in section 2(8) of the NGA, 15 U.S.C. §717a(8), and 18 C.F.R. § 1.101(k). Accordingly, NYPSC hereby provides its notice of intervention pursuant to Rule 214(a)(2), 18 C.F.R. § 385.214(a)(2) (2006).

Copies of all documents and correspondence in this proceeding should be sent to:

Cynthia McCarran
Chief, Office of Electric, Gas & Water
–Gas Policy and Supply
New York State Public Service
Commission
3 Empire State Plaza, 12th Floor
Albany, NY 12223
Cynthia.McCarran@dps.ny.gov

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IV. DISCUSSION

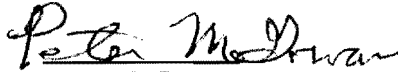
As proposed, the Project would provide transportation of 650,000 dekatherms per day of natural gas production from Susquehanna County, Pennsylvania to the Iroquois Gas Transmission and Tennessee Gas Pipeline systems in Schoharie County, New York. However, before accepting the benefits to be gained by the proposed Project, the NYPSC fully supports the Commission's public process of review. The Commission must first determine whether any adverse economic impacts on existing customers, competing pipelines, and landowners and the surrounding community are minimal. Then, FERC will provide a thorough review of the impact on human health and the environment.

It is anticipated that the Commission will ask the Company to take into careful consideration the comments presented during the pre-filing proceeding (PF12-9-000). Not only did FERC Staff receive many comments from the public, but it also received comments from municipalities, and federal and state agencies, including the Army Corps of Engineers and the New York State Office of Parks, Recreation and Historic Preservation. If it has not done so already, the Company must acknowledge the comments presented, and make amendments to the proposal or otherwise respond accordingly.

V. CONCLUSION

Based on the foregoing, NYPSC provides its notice of intervention in this proceeding, and looks forward to participating in this matter. NYPSC anticipates a continued robust review of the filing and materials submitted in the pre-filing stage, and consideration given to public comments and the environmental review. Provided, after its thorough review, the Commission finds that the benefits outweigh any economic and environmental burdens created by this Project, NYPSC would expect enhanced reliability and competition as a result of adding an additional interstate pipeline carrying 650,000 dekatherms per day of capacity.

Respectfully submitted,



Peter McGowan
General Counsel
Public Service Commission
of the State of New York

By: Alan T. Michaels
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3 Empire State Plaza, 17th Floor
Albany, NY 12223
518-474-1585 (phone)

July 1, 2013
Albany, New York

CERTIFICATE OF SERVICE

I, Alan T. Michaels, do hereby certify that I will serve on July 1, 2013, the foregoing Notice of Intervention and Comments of the New York Public Service Commission upon each of the parties of record indicated on the official service list compiled by the Secretary in this proceeding.

Dated: July 1, 2013
Albany, New York


Alan T. Michaels