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August 20, 2010

VIA FEDERAL EXPRESS
AND ELECTRONIC MAIL

Hon. Jaclyn A. Brillling
Secretary
New York State Department of Public Service
NYS Public Service Commission
Three Empire State Plaza
20th Floor
Albany, NY 12223-1350

Re: *Case 10-T-0154 – Application of St. Lawrence Gas Company, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the PSL for the Construction, Operation and Maintenance of a New 8, 6 and 4-inch Steel, High Pressure Natural Gas Transmission Line and Related Land and Equipment from the Town of Norfolk, St. Lawrence County to the Town of Chateaugay, Franklin County.*

Case 10-G-0295 – St. Lawrence Gas Company, Inc. – Verified Petition for a Certificate of Public Convenience and Necessity under Section 68 of the Public Service Law for the Exercise of Gas Franchises

Dear Secretary Brillling:

On April 7, 2010, St. Lawrence Gas Company, Inc. (“SLG” or the “Company”) filed with the Secretary an Application (“Application”) pursuant to Article VII of the Public Service Law (PSL) for the construction, operation and maintenance of a new approximately 48-mile 8, 6 and 4-inch steel, high pressure natural gas Transmission Line from the Town of Norfolk, St. Lawrence County to the Town of Chateaugay, Franklin County. The Application was determined to be in compliance with Section 122 of the Public Service Law on July 15, 2010. Public Statement Hearings will occur on August 24, 2010 and a Preliminary Conference will be held on August 27, 2010.

On June 16, 2010, SLG filed with the Secretary a Verified Petition (“Petition”) for a Certificate of Public Convenience and Necessity under Section 68 of the Public Service Law for the

Hon. Jaclyn A. Brillling
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Page 2

Exercise of Gas Franchises in numerous municipalities in Franklin and St. Lawrence Counties in connection with the distribution lines to be constructed for the above-referenced transmission line.

Since the filing of the Application and Petition, DPS Staff and others have engaged in informal and formal discovery. In connection with certain responses provided to Staff and pursuant to Staff's suggestion, enclosed for filing are the following plans that are being implemented or will be implemented during construction of the transmission and distribution lines which are the subject of the proceedings referenced above:


- Phase IB Archaeological Investigation Protocol dated July 28, 2010, revised August 19, 2010 (incorporating SHPO's recent comments); and
- Plan for Constructing Transmission, Distribution and Service Lines In or Near Known Areas of Contamination.

An affidavit of service evidencing that this letter and the accompanying plans have been served on all parties on the Article VII and Section 68 Service Lists, respectively, is also attached. This filing will also be provided to the document repositories identified on the Service List.

Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC



Kevin M. Bernstein

Enclosure

cc: *(w/enclosure) via first class mail*

Service Lists
St. Lawrence Gas Company, Inc.
Environmental Design & Research, P.C.

**St. Lawrence Pipeline/Frontier Rebuild Project,
Franklin and St. Lawrence Counties, New York.
Phase IB Archaeological Investigation Protocol
10 PR03717**

Prepared by Robert J. Hanley, M.A., RPA
Michael A. Cinquino, Ph.D, RPA
Panamerican Consultants, Inc.
July 28, 2010,
Revised August 19, 2010

Purpose and General Procedure. The purpose of the Phase IB archaeological investigation for the St. Lawrence Pipeline project is to determine the presence or absence of buried cultural resources within the 50-ft (15-m) wide and 47.5-mile long APE. The width of the APE is decreased along some portions of the route (e.g., following County Roads [see page 2 below]). Standard shovel testing is recommended for all archaeologically sensitive areas (e.g., undisturbed, no standing water, less than 15 percent slope). This includes approximately 24 miles of the survey corridor. Some close-interval shovel testing (e.g., 25-ft [7.5-m]) could be necessary for undisturbed areas in proximity to rivers and streams and where there is a high sensitivity for historic archaeological sites. Disturbed locations will be photo-documented and recorded. Some subsurface verification (shovel testing) will be needed per request of the State Historic Preservation Office (SHPO).

Protocol for Pipeline Locations Relative to Various Settings/Conditions. The proposed pipeline survey corridor (i.e., temporary easement; the Area of Potential Effect [APE]) is 50 ft (15 m) wide and the permanent easement is 35 ft (10.7 m) wide. However, this pipeline corridor crosses six settings that affect the width and in some cases the depth of the APE:

- 1) Along County Road right-of-ways (ROW) in St. Lawrence County. The pipeline trench is confined to being 10 ft (3m) from the edge of pavement in the backside of the ditch.

Survey Method. It is assumed much of this setting is disturbed. Reconnaissance and photo-documentation of disturbances are planned. Opportunistic (sporadic sampling) shovel testing is planned to verify soil disturbance where it is not apparent from above ground. The OPRHP concurs that an area is likely disturbed "if the APE is along the edge of a road between the road berm and another existing utility" (June 28, 2010).

- 2) On private or county parcels outside of highway ROWs or railroad corridors.

Survey Method. It is assumed much or all of this setting is not disturbed. Shovel testing at 50 ft (15 m) intervals in a single transect is planned. Disturbances and standing water will be photo-documented.

- 3) Along former railroad corridors within the fill berm (i.e. elevated embankment, ballast).

Survey Method. It is assumed much or all of this setting is disturbed. Reconnaissance and photo-documentation of disturbances (e.g., berm height) are planned. The OPRHP "recommends testing along the railroad berm if the construction impacts (i.e., 36-in APE) will extend below the fill into original soil" (June 28, 2010). Opportunistic shovel testing is planned to verify the depth of soil disturbance or absence of natural soil where it is not readily apparent from above ground (e.g., low berm, large undisturbed locations within the 50 ft APE but off of the berm).

- 4) Along former railroad corridors where the fill berm has been removed.

Survey Method. Much of this setting is likely disturbed. Reconnaissance and photo-documentation of disturbances are planned. Opportunistic shovel testing is planned to verify soil disturbance where it is not apparent from above ground. Shovel testing using the normal 50 ft (15 m) intervals will resume where natural, archaeologically sensitive stratigraphy is identified.

- 5) Along County Road ROWs in Franklin County. The pipeline trench is confined to being 3 ft (1 m) from the edge of pavement.

Survey Method. It is assumed most or all of this setting is disturbed. Reconnaissance and photo-documentation of disturbances are planned. Opportunistic shovel testing is planned to verify soil disturbance where it is not apparent from above ground. The OPRHP concurs that an area is likely disturbed "if the APE is along the edge of a road between the road berm and another existing utility" (June 28, 2010).

- 6) Directional bore locations. Segments of the survey corridor between the entry and exit points of directional borings are not considered to be in danger of construction impacts. However, all work space at the entry and exit points will be tested. It is presently assumed that these points will be within the 50-foot corridor. The borings typically run well below archaeologically sensitive strata (approximately 10ft [3 m]).

Geomorphology Investigation. Approximately 2,235 ft of the pipeline route crosses alluvial soils that will not be avoided using a directional bore. Locations with a potential for deep cultural deposits (e.g. beneath alluvial sediment) will be assessed by a geomorphologist per SHPO request. The depth of the trench will typically be 36 inches, except in active agricultural land where the trench will be 48 inches deep (i.e., the vertical APE). Locations sensitive for archaeological deposits below standard testing depth (i.e., 4 in [10 cm] into subsoil) will be identified and subjected to shovel testing to one meter depth or less as appropriate. Locations sensitive for archaeological deposits below one meter in agricultural fields (where the vertical APE is 48 inches deep [122 cm]) would require a different testing strategy approved in consultation with SHPO (e.g., Large bucket auger, backhoe testing). Locations above directional bores will not need to be shovel tested as the pipe may be buried 10 ft (3 m) deep as the depth of the bored tunnel will be relatively small for pipe which will be 8 inches (20 cm) or less in diameter and will be below any potential for encountering archeological sites.

Areas of standing water and existing wetlands and areas of prior disturbance will be photo-documented but not shovel tested due to low sensitivity. These areas will be excluded from shovel testing even if alluvial soils are present since standing water (i.e., existing wetland) or prior disturbance (e.g., presence of a railroad or highway berm greater than 3 ft) will preclude any need for testing.

Per SHPO request (email from Cynthia Blakemore August 19, 2010) testing may be warranted for directional boring in alluvial settings if there is a potential to contain burials associated with habitation sites. If there is any potential for prehistoric village or hamlet sites or if any prehistoric village or hamlet sites are found alluvial settings will be tested to the depth of the pipe placement or the Company will have the option to boring below any potential for encountering archeological sites. Potential for encountering archaeological sites will be determined by a geomorphologist.

Description of Distribution Areas including locations within towns and villages

The proposed project will consist of the construction of approximately 59 miles (310,790 feet) of natural gas distribution lines in eight distribution areas granted gas franchises. The distribution areas include the Towns of Brasher, Lawrence, and Stockholm in St. Lawrence County and the Towns of Bangor, Burke, Chateaugay, Malone and Moira and Villages of Brushton, Burke Chateaugay, and Malone in Franklin County. These distribution areas encompass approximately 6,219 acres of land in total.

The distribution lines will consist of a flexible plastic pipe and will range in size from one and one-quarter inches to six inches in diameter. Where possible, all mains will be installed within the existing road rights-of-way, between curbs and sidewalks, where available. Typically, the pipe will be installed via direct burial through the use of a vibratory plow, or with a backhoe that will result in an open trench of approximately one to three feet wide dependent on pipe size. The pipe will be buried a minimum of three feet (or 36 inches) deep, unless depth cannot be obtained due to shallow bedrock. In those cases, the minimum depth will be 24 inches. In certain locations, such as protected or steep stream crossings, large street trees, paved roads, sidewalks, driveways, and parking lots or other obstacles in the work area, installation via boring will be used. In these locations, the installed pipe may be deeper. Once the pipe is installed, disturbed areas will be backfilled with project-excavated material, unless large rocks or contaminated soils are encountered, in order to minimize soil removed from the site. In locations where pavement is disturbed, soil will be removed to a depth of at least twelve inches in order to place suitable foundation for the replacement of paving. Along with the pipes there will be buried valves and test stations installed at various points throughout the distribution systems. The buried valves will have a cover that is flush with the existing grade and test stations will be placed close to signposts, utility poles, and other structures that will minimize their visibility. Details concerning the individual proposed distribution areas various pipe lengths and sizes are provided in Table 1.

TABLE 1

Distribution Area	Feet of 6" Pipe	Feet of 4" Pipe	Feet of 2" Pipe	Feet of 1 1/4" Pipe	Total Linear Feet Per Area
Brasher Falls/Winthrop	0	13,818	9,248	17,751	40,817
North Lawrence	0	0	5,120	7,525	12,645
Moira	0	0	10,865	5,815	16,680
Brushton	0	0	10,995	12,420	23,415
Bangor	0	0	11,995	1,680	13,675
Burke	0	0	2,340	4,615	6,955
Chateaugay	1,950	11,150	6,915	5,225	25,240
Malone	11,280	42,890	60,493	56,700	171,363

The affected land is primarily street-side residential (suburban) and rural/agricultural. Portions of the distribution areas also contain forested areas, wetlands, and old fields/shrubland. The existing topography within the town and county road ROWs varies from section to section, but generally consists of a level to moderately side-sloping area consisting of road fill material. Topography within the individual distribution areas has an average elevation range of 70 feet, with the Town of Chateaugay having the largest elevation range (200 feet) and the towns of

North Lawrence and Moira having little to no elevation change. However, steep slopes occur in various locations within the Villages of Malone, Burke, and Chateaugay

Field Testing Strategy within Villages and Towns. The proposed gas pipe placement within the towns and villages is between the edge of the street and the sidewalk. As described above, where possible, all mains will be installed within the existing road rights-of-way, between curbs and sidewalks, where available. Typically, the pipe will be installed via direct burial through the use of a vibratory plow within the villages and if necessary a backhoe will be used in limited situations. Due to the minimal impact from placement by the vibrator plow and prior disturbance in much of this area due, for example, to street and utility construction, no shovel testing is planned in these areas. However, where open trenching is used (instead of direct burial) and there are no existing utilities in place or other obvious previous disturbance, testing will be conducted between the road surface and the sidewalk or ditch. Moreover, locations of any known sites within the ROW will be field inspected and shovel tested at close intervals if the setting is undisturbed. Although there is no plan or need (i.e. vibrator plow) to remove vegetation (e.g., large trees, decorative shrubs or ornamental landscaping), if this becomes necessary the potential impact to any National Register listed or eligible structures or archeological sites will be assessed and appropriate testing performed.

Recent concurrence from SHPO has been received as noted below:

Field Testing Strategy within Villages and Towns

SHPO concurs that no testing is warranted for use of the vibrator plow, except for any location where there is a previously identified site which has the potential for burials. Testing is warranted for these locations.

Testing should be conducted for all locations where open trenching is proposed if there are no existing utilities in place between the road surface and the sidewalk or ditch.

Testing would be needed if any grading or grubbing (removal of vegetation, trees, shrubs) were proposed as part of the project. (Email from Cynthia Blakemore, August 19, 2010).

Plan for Constructing Transmission, Distribution and Service Lines In or Near Known Areas of Contamination

Introduction

St. Lawrence Gas Company's Article VII Application (Exhibit 4, Section 4.3.3, p. 4-14) and Section 68 Petition (Exhibit GG, pp. 26-27) evaluated the potential impacts that the construction of the transmission and distribution lines could have on known contaminated sites. In addition, in a filing dated June 22, 2010, St. Lawrence Gas responded to two requests for additional information (requests numbered 12 and 13) regarding the transmission line crossing of the Salmon River that is near an old landfill containing coal tar deposits in Malone and the York Oil PCB contaminated area near Brushton. It was noted that the York Oil area is approximately 750 feet from the proposed transmission right-of-way. Another location recently identified by DEC, the North Lawrence Oil Dump (DEC Site ID 645013; EPA ID No. NYD981560907), is more than 1 mile from the proposed transmission line and a greater distance from any distribution line. While St. Lawrence Gas indicated that it did not anticipate constructing the pipeline through any contaminated area, it laid out the basic approach to dealing with contaminated soils should they be encountered. This basic approach would require the sampling and appropriate characterization of such soils and then proper disposal based on the characterization.

Plan

The following plan provides more detail for constructing the transmission, distribution and service lines in or near known areas of contamination.

- Prior to construction, mapping and documentation of areas of known soil contamination will be provided to the Construction Supervisor.
- Prior to construction, a qualified soil abatement/remediation environmental consultant shall be retained by St. Lawrence Gas, Inc. The consultant shall be on-call during construction.
- The Construction Supervisor shall perform mandatory 'tailgate training' for all construction personnel regarding the potential presence of contaminated soil. Such training shall include an explanation of the elements of this Plan.
- Personnel shall be advised that indicators of contaminated soil are primarily odor, and secondarily visual factors.
- If Personnel observe indicators of contaminated soil in excavated areas, work shall stop immediately and the Owner or Owners Representative shall be contacted.
- Upon contact to the Owner/Owners Representative, no further excavation or contact with the soil shall occur and any regulatory reporting obligations shall be fulfilled. Any stockpiled soils will be covered or stabilized, and erosion control measures will be implemented as needed and in accordance with approved erosion control plans.
- Within 24 hours, a qualified technician from the soil abatement/remediation environmental consultant shall perform a site visit to verify, measure and characterize the nature of contamination in soils or associated water/dewatering.

**Plan for Constructing Transmission, Distribution and Service Lines
In or Near Known Areas of Contamination**

- If required, the Owner/Owner's Representative shall follow protocols recommended by the environmental consultant with respect to further treatment of disturbed soils or associated water/dewatering.
- If it seems probable that soils encountered by transmission or distribution lines at known remedial sites contain contaminants, an environmental consultant will be present in the field to monitor excavation at these locations.
- Any soils or water from de-watering in contaminated areas, which must be hauled off-site and disposed, shall be disposed of at an approved landfill.
- Standard practices for soil stabilization, water quality protection/sedimentation control, and restoration shall be conducted, per the erosion and sediment control plan, to handle all stockpiled soils on site.

**BEFORE THE
NEW YORK STATE
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)
St. Lawrence Gas Company, Inc. for a)
Certificate of Environmental Compatibility)
and Public Need Pursuant to Article VII of)
the PSL for the Construction, Operation)
and Maintenance of a New 8, 6 and 4-inch)
Steel, High Pressure Natural Gas)
Transmission Line and Related Land and)
Equipment from the Town of Norfolk,)
St. Lawrence County to the Town of)
Chateaugay, Franklin County)
_____)

CASE NO. 10-T-0154

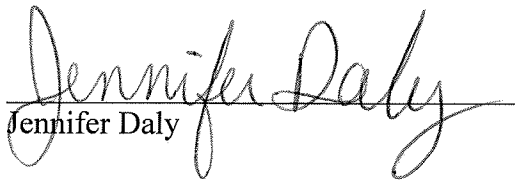
NORFOLK TO CHATEAUGAY GAS
TRANSMISSION LINE

AFFIDAVIT OF SERVICE

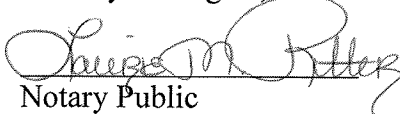
STATE OF NEW YORK)
) ss:
COUNTY OF ONONDAGA)

Jennifer Daly, being duly sworn, deposes and says: that on the 20th day of August, 2010, true and complete paper copies of St. Lawrence Gas Company, Inc.'s (1) Plan for Constructing Transmission, Distribution and Service Lines In or Near Known Areas of Contamination; and (2) Phase IB Archaeological Investigation Protocol have been served upon each party listed on the attached Service List by first class mail.

Date: August 20, 2010


Jennifer Daly

Sworn to before me this
20th day of August, 2010.


Notary Public

LAURIE M. RITTER
Notary Public, State of New York
Qualified in Madison Co. No. 4884308
Commission Expires January 26, 2011

SERVICE LIST

St. Lawrence Gas Company Norfolk to Chateaugay Gas Transmission Project Case No.: 10-T-0154

County and Local Government

Timothy Smith, Chairman
Franklin County of the Board of
Legislators
355 West Main Street
Malone, NY 12953

Howard F. Maneely, Town Supervisor
Town of Malone
27 Airport Road
Malone, NY 12966

Gregory M. Paquin, Chairman
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Canton, NY 13617

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Burke, NY 12917

Charlie Pernice, Town Supervisor
Town of Norfolk
5 West Main Street
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Norfolk, NY 13667

Donald Bilow, Town Supervisor
Town of Chateaugay
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Chateaugay, NY 12920-6012

Lowell Kelsey, Town Supervisor
Town of Stockholm
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Winthrop, NY 13697

Donald Barney, Mayor
Village of Brushton
PO Box 305
Brushton, NY 12916

M. James Dawson, Town Supervisor
Town of Brasher
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Brasher Falls, NY 13613

William Jones, Mayor
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Victor Burnett, Town Supervisor
Town of Lawrence
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Brent Stewart, Mayor
Village of Malone
14 Elm Street
Malone, NY 12920

Cindy Gale, Town Supervisor
Town of Moira
522 County Route 6
Moira, NY 12957

Craig Dumas, Mayor
Village of Burke
613 Finney Road
PO Box 154
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David Muehl, Town Supervisor
Town of Bangor
PO Box 337
N. Bangor, NY 12966

SERVICE LIST

St. Lawrence Gas Company Norfolk to Chateaugay Gas Transmission Project Case No.: 10-T-0154

New York State Assembly

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Suite 210
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Hon. Dede Scozzafava
NY Assemblywoman
122nd District
93 E. Main Street
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Hon. Janet L. Duprey
NY Assemblywoman
114th District
202 U.S. Oval
Plattsburgh, NY 12903

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Hon. Joseph A. Griffo
NY State Senator
47th District
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Hon. Elizabeth Little
NY State Senator
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Commissioner
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Historic Preservation
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Executive Officer
Empire State Development Corporation
Commissioner, New York State
Department of Economic Development
30 South Pearl Street
Albany, NY 12245

SERVICE LIST

St. Lawrence Gas Company Norfolk to Chateaugay Gas Transmission Project Case No.: 10-T-0154

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Betsy Hohenstein
Project Manager
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NYS Department of Agriculture and
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Elizabeth (Betsy) M. Lowe
Regional Director
NYS Department of Environmental
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Region 5
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Ray Brook, NY 12977-0296
Attn: Mike McMurray –Permit
Administrator

Libraries

Hepburn Library of Norfolk
1 Hepburn Street
P.O. Box 530
Norfolk, NY, 13667

Weed Library
64 Elm Street
Malone, NY 12953-1594

Chateaugay Memorial Library
4 John St.
P.O. Box 10
Chateaugay, NY 12920

Other Active Parties

William Wellman
Region 5 Vice President
New York State Council of Trout Unlimited
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Plattsburgh, NY 12901
wellman1985@charter.net

**BEFORE THE
NEW YORK STATE
PUBLIC SERVICE COMMISSION**

In the Matter of the Verified Petition of St. Lawrence)
Gas Company, Inc. for a Certificate of Public Convenience)
and Necessity under Section 68 of the Public Service Law)
for the Exercise of Gas Franchises in the Towns of Brasher,)
Lawrence, and Stockholm in St. Lawrence County, and the)
Towns of Bangor, Burke, Chateaugay, Malone and Moira)
and the Villages of Brushton, Burke, Chateaugay and)
Malone in Franklin County)

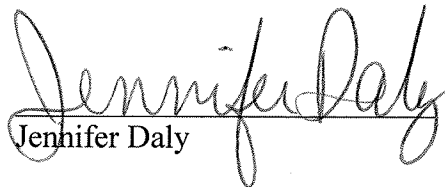
Case 10-G-0295

AFFIDAVIT OF SERVICE

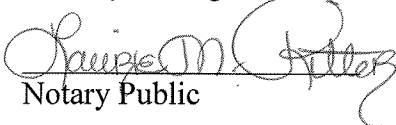
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Date: August 20, 2010


Jennifer Daly

Sworn to before me this
20th day of August, 2010.


Notary Public

LAURIE M. RITTER
Notary Public, State of New York
Qualified in Madison Co. No. 4884308
Commission Expires January 26, 2011

SERVICE LIST

St. Lawrence Gas Company
Section 68 Petition
Case No.: 10-G-0295

LOCAL GOVERNMENT

M. James Dawson, Town Supervisor
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Brasher Falls, NY 13613

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Lowell Kelsey, Town Supervisor
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Town of Bangor
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Albert Johnson, Town Supervisor
Town of Burke
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Donald Bilow, Town Supervisor
Town of Chateaugay
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Chateaugay, NY 12920-6012

Howard F. Maneely, Town Supervisor
Town of Malone
27 Airport Road
Malone, NY 12966

SERVICE LIST

St. Lawrence Gas Company Section 68 Petition Case No.: 10-G-0295

Cindy Gale, Town Supervisor
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522 County Route 6
Moira, NY 12957

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William Jones, Mayor
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NEW YORK STATE AGENCIES

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SERVICE LIST

St. Lawrence Gas Company
Section 68 Petition
Case No.: 10-G-0295

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Project Manager
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