

Support Montague's Intervention on Local Gas-Distribution Contract with NED

- **Berkshire Gas – DPU Docket 15-178**

The town of Montague has taken a bold step, receiving status as a full intervenor in Dept. of Public Utilities (DPU) docket 15-178—a regulatory proceeding that will approve or disapprove Berkshire Gas's proposed contract ("precedent agreement") to buy gas transportation on the portion of the NED pipeline that would ship gas from Pennsylvania's fracking fields to Wright, NY. (This is the "supply path" section of NED.)

Challenging such contracts is essential in disputing the claimed "need" for this pipeline.

Being a full intervenor in this docket allows Montague's attorney and gas-industry expert to investigate the pipeline at its roots. Although the Federal Energy Regulatory Commission (FERC) has ultimate approval of the pipeline, FERC representatives have told us repeatedly that a pipeline that has enough contracts in place will be approved.

In three recent major rulings, the FERC Commissioners confirmed that capacity contracts are by far the most important criteria they currently use to decide whether an interstate natural-gas pipeline is needed:

Denial of re-hearing on Algonquin Pipeline:

http://elibrary.ferc.gov/idmws/File_list.asp?document_id=14423084, paragraph 39

Denial of re-hearing on Constitution Pipeline:

http://elibrary.ferc.gov/idmws/File_list.asp?document_id=14422989, paragraphs 21-22

*Denial of approval for the proposed Pacific Connector 157-mile pipeline and its companion Jordan Cove LNG export facility in Oregon. In rejecting **these** projects, the Commissioners said the most important factor was that the developers had **no** firm contracts in place.*

<http://www.ferc.gov/CalendarFiles/20160311154932-CP13-483-000.pdf>, paragraphs 36-40.

For the NED pipeline, local contracts—with gas companies and now (newly allowed by the DPU) with electric companies—make up most of the customer commitments Kinder Morgan has to show FERC. Discrediting any of these contracts at the state level will weaken the NED's ability to win FERC approval.

Montague seeks donations from individuals and businesses, and grants from organizations and other Towns, to sustain the intensive legal and technical work this case demands. A critical evaluation of this Berkshire Gas contract before the DPU should benefit all communities and individuals that would be impacted, at risk from, or are concerned about, the NED pipeline.

DONATE TO THE INTERVENTION:

Checks should be written to Town of Montague, with "pipeline fund" on the memo line.

Mail to: Town of Montague, One Avenue A, Turners Falls, MA 01376; ATTN: Board of Selectmen.

DONATE ONLINE!--Thanks to our wonderful friends at Millers River Watershed Council. At <https://millerswatershed.org/>, look for the 3rd "Donate" button on the right side of the page. While you are there, please get acquainted with MRWC's extensive resources for understanding, enjoying, and protecting everything this watershed provides us.

Donations supporting the intervention are tax-deductible, as they are donations to a municipality for a "public purpose". [IRS Pub. 526, *Charitable Contributions*, p.2]

For Information: BG-Intervention@comcast.net