



TOWN OF AMHERST

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August 10, 2015

Margaret Wood Hassan, Governor
State of New Hampshire
107 North Main Street, Room 208
Concord, NH 03301

Dear Governor Hassan,

Thank you for your letter dated July 7th in response to our letter of June 8th to you and to the Federal Energy Regulatory Commission (FERC) expressing our significant concerns regarding the proposed Northeast Energy Direct (NED) natural gas transmission pipeline project (FERC Docket No. PF14-22) proposed by Kinder Morgan (KM) that is slated to run through our town. While we understand your position that New Hampshire should remain a member of the New England States Committee on Electricity (NESCOE) so that we have a seat at the table at all New England regional power discussions that was not really the main thrust or point of our original letter.

Our letter to the FERC (and to you) laid out a number of cogent and well researched arguments developed by our highly-credentialed, volunteer Pipeline Task Force, who have put in more than a thousand hours of work on the issue, that show the proposed NED pipeline does not actually serve the energy needs of either New Hampshire or of the Town of Amherst. Specifically, they found:

1. Perceived lack of power generation is not a real problem, as New Hampshire is already a substantial net exporter of power — mainly to customers in Massachusetts;
2. The real power problem driving prices for New Hampshire and state power consumers is the need for better distribution through infrastructure improvement and deregulation;
3. An emphasis on improved generation capacity over improved distribution is a very costly distraction from our real capital investment requirements;
4. The enormous capital requirements of the NED pipeline will very possibly require a tax imposed after the project is approved through a tariff on some or all New England power consumers, thus raising not lowering electricity prices;
5. The real beneficiaries of this project will be the residents of Massachusetts who consume the lion's share of power in the region but who, apparently, don't want the pipeline that will meet their future needs to be built through their own backyards (as NED was originally proposed to be);

and therefore

6. Seizing property from our residents to benefit people in another state while imposing other costs on us likely constitutes an unconstitutional taking and we are prepared to litigate on that basis.

The above argument is even more compelling when you consider that New Hampshire does not lie between Pennsylvania and Massachusetts. If the Granite State were on the direct path between the start and the terminus of the pipeline, that would be one thing, and the pipeline would HAVE to pass through New Hampshire. But this is not the case. New Hampshire is not on the direct path between Pennsylvania and Massachusetts. The diversion of 71 miles of gas transmission pipeline from Massachusetts north to New Hampshire appears to be a purely political maneuver by Kinder Morgan to reduce the pressure put on it by the residents and government of a large state with numerous political representatives, by shifting the burden of this proposed pipeline to the residents of a smaller state with far fewer voters and political representatives. Numerous public statements made by Kinder Morgan around the time the change in route was announced support this interpretation.

Shifting this pipeline from Massachusetts to New Hampshire is only made easier by the obliviousness—or complicity—of New Hampshire’s elected representatives. The silence from Concord on this matter has been deafening. One hope we had in copying you on our recent letter to the FERC was that you would be motivated to take a public stand on the proposed NED pipeline. And, if you are for it, that you would detail the reasons why residents of seventeen New Hampshire communities should have their quality of life impaired, their property potentially seized by eminent domain, their public safety budgets strained, their roads damaged by construction equipment, and their environmental resources compromised, all so that Massachusetts voters might avoid these burdens.

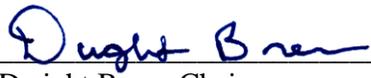
Your recommendation that we take our substantive concerns about the project to the New Hampshire Site Evaluation Committee (NHSEC) suggests that you are willing to accept Kinder Morgan’s proposal to shift the pipeline to New Hampshire, as the NHSEC lacks the authority and jurisdiction to tell Kinder Morgan to shift the route back to Massachusetts and out of New Hampshire. Only the FERC can do that, and the FERC is much less likely to instruct Kinder Morgan to do so if the representatives of the State of New Hampshire are AWOL on the issue during the pre-filing phase of this project.

We are aware that you have made public statements that are generally supportive of this proposed pipeline. We genuinely do not understand your reasoning, and how you believe this taking from the residents of seventeen New Hampshire communities will ever have a commensurate benefit to our state. Please explain. If you believe this pipeline proposal and its route through Amherst are good for the residents of our town and our state, please make the case to your constituents. Better still, please come to Amherst and address the issue directly with our residents in a town hall discussion. As our governor, we hope that you might have answers supported by research of your own that would contradict the volunteer work that our townspeople have put in on this issue, and therefore support this pipeline route through Amherst and New Hampshire.

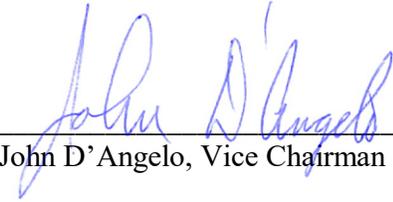
As the duly elected officials responsible for directing the municipal government of the Town of Amherst in line with the wishes of its residents, and as specifically empowered by Warrant Article of the voters to intervene on behalf of the Town and residents in all issues pertaining to the pipeline we take this issue seriously and we are preparing to litigate. On a daily basis, we find more evidence that our arguments are sound and correct. *(Note: for examples of the latest information concerning this pipeline please see our Pipeline resource page for Amherst residents at <http://amherstnh.gov/advisories/tennessee-gas-pipeline-company-l-l-c-tennessee/>)*

Madam Governor, we hope you will take our arguments to heart since this proposed pipeline will profoundly affect, and may endanger hundreds of families and many communities across southern New Hampshire. The populated and powerful eastern half of Massachusetts successfully pushed the pipeline out of their communities even though the residents of those areas stand to gain the most from the project. Forcing New Hampshire residents to accept this pipeline over our strong objections, and over the logical fairness that the costs should accrue most to those who benefit most, is a disservice to our state.

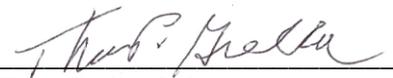
Sincerely,



Dwight Brew, Chairman



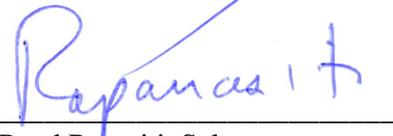
John D'Angelo, Vice Chairman



Tom Grella, Selectman



Nate Jensen, Selectman



Reed Panasiti, Selectman