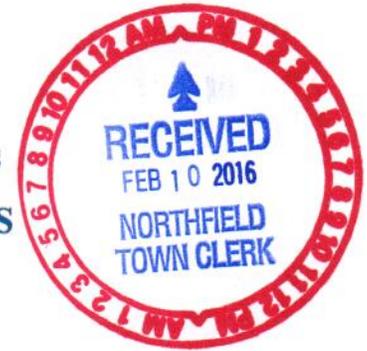


THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES



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NOTICE OF PUBLIC COMMENT HEARING

**D.P.U. 16-02 Petition of Tennessee Gas Pipeline Company, L.L.C.
before the Department of Public Utilities pursuant to
G.L. c. 164, §§ 72A, 75B and 75D for Authority to Perform
Vernal Pool and Other Surveys on Certain Private Properties**

Notice is hereby given that Tennessee Gas Pipeline Company, L.L.C. ("Company") has filed a petition ("Petition") with the Department of Public Utilities ("Department") requesting that the Department grant the Company the authority to enter upon land owned by eighteen (18) private landowners (the landowners and property addresses are identified hereinafter as "Vernal Pool Survey Properties"), who have not previously granted access to the Company to conduct surveys on their land for the purpose of performing vernal pool surveys ("Vernal Pool Surveys"). The Petition has been docketed as D.P.U. 16-02. The Department will review the Petition to determine whether the requested surveys should be granted.

The Vernal Pool Survey Properties are located within two hundred feet of the proposed Northeast Energy Direct Project (the "Project"). The Project is currently pending before the Federal Energy Regulatory Commission ("FERC") (Tennessee Gas Pipeline Company, L.L.C., FERC Docket No. CP16-21-000). As set forth in more detail in the Petition, the Company maintains that the surveys are needed to gather information required for FERC's environmental review of the Project. For purposes of efficiency, and to minimize disruption and inconvenience, the Company also seeks authority to perform civil, archeological, cultural resources, wetlands and endangered/rare species surveys at the same time it enters the Vernal Pool Properties to perform Vernal Pool Surveys.

The Department will conduct six public comment hearings to receive public comments on the Company's Petition, as follows:

Schedule of Public Comment Hearings for D.P.U. 16-02*

Tuesday, March 29 7:00 p.m.	Berkshire Community College, Boland Theater 1350 West Street Pittsfield, MA 01201
Wednesday, March 30 7:00 p.m.	Greenfield Middle School Auditorium 195 Federal Street Greenfield, MA 01301
Tuesday, April 5 7:00 p.m.	Lunenburg High School Auditorium 1079 Massachusetts Avenue Lunenburg, MA 01426
Wednesday, April 6 7:00 p.m.	Lynnfield Middle School Auditorium 505 Main Street Lynnfield, MA 01940
Wednesday, April 13 7:00 p.m.	Dracut Senior High School Auditorium 1540 Lakeview Avenue Dracut, MA 01826
Thursday, April 14 7:00 p.m.	Andover High School Auditorium 80 Shawsheen Road Andover, MA 01810

* The Department will conduct these public comment hearings jointly for three closely related survey petitions filed by the Company: D.P.U. 16-01, D.P.U. 16-02, and D.P.U. 16-03.

The Company has been directed to serve this Notice, and a copy of the Petition and property sketches for your property (but not the property sketches for the other properties in the Petition). A copy of the Company's Petition, and a complete set of exhibits is available on the Department's Website <http://web1.env.state.ma.us/DPU/FileRoom/> (Please be sure to use one of the recommended browsers). Click on "Dockets/Filings." Select "Docket by Number." Enter docket number "16-02." The Company's Petition is also available in hard-copy format for public inspection at the offices of the Department, One South Station, Boston, Massachusetts. A copy will also be available for public viewing at the public libraries of each city or town where the Vernal Survey Properties are located no later than February 15, 2016. You may also obtain a complete copy of the Petition (with all exhibits and property sketch documents) by contacting the Company's attorney (see contact information below).

Any person who desires to submit written comments on the Company's Petition may do so by filing an original and two copies of such comments with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5th Floor, Boston, MA 02110. An electronic copy of all comments should also be sent by email to each of the following: (1) the Company's attorney, James L. Messenger, Esq. at jmessenger@gordonrees.com; (2) the Department at dpu.efiling@state.ma.us; and (3) the Department's Hearing Officer in this

proceeding, Stephen August, at stephen.august@state.ma.us. Written comments should be submitted no later than May 6, 2016.

Oral comments presented at the hearing and written comments submitted are given equal weight by the Department in its review of the Petition. Written comments should specify the property location, identify any concerns about the survey, and request any relevant conditions to be placed on the pipeline company to protect property and/or to ensure the opportunity for the landowner to be present during the survey. Commenters should not submit petitions to intervene or petitions for limited participant status because the Department will not be conducting adjudicatory proceedings in this case, but will instead be issuing its Order based on the oral and written comments received from affected landowners and the general public and responses from the Company to any written questions posed by the Department.

Any person who wishes to communicate directly with the Company should contact Attorney James L. Messenger, Gordon & Rees, LLP, 745 Atlantic Avenue, 4th Floor, Boston, MA 02111; email address: jmessenger@gordonrees.com; and phone: (617) 902-0098.

Any person desiring further information regarding this Notice may contact the Hearing Officer using the contact information below:

Stephen August, Siting Division
Massachusetts Department of Public Utilities
One South Station, 5th Floor
Boston, MA 02110
617-305-3622
stephen.august@state.ma.us

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

TENNESSEE GAS PIPELINE COMPANY, L.L.C.,)

Petitioner)

) D.P.U. No. 16-02
)
)
)
)

PETITION FOR AN ORDER AUTHORIZING TENNESSEE GAS PIPELINE COMPANY,
L.L.C. TO PERFORM VERNAL POOL SURVEYS AND OTHER SURVEYS ON CERTAIN
PROPERTIES OF THE NORTHEAST ENERGY DIRECT PROJECT

I. INTRODUCTION AND REQUEST FOR RULING BY MARCH 1, 2016

1. Pursuant to G.L. c. 164, §§ 72A, 75B and 75D, Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”) requests that, for the reasons set forth below, the Department of Public Utilities (“DPU”) issue an order authorizing Tennessee to enter upon land owned by eighteen (18) private landowners (the landowners and addresses are listed on Exhibit A and are identified here in as “Vernal Pool Survey Properties”) whose properties are located within two-hundred feet of the proposed pipeline centerline and are likely to contain vernal pools, for the purpose of making required vernal pool and other surveys in support of an application for the construction of a natural gas pipeline and appurtenant facilities filed with the Federal Energy Regulatory Commission (“FERC”).¹ To minimize disruption and inconvenience, Tennessee also seeks permission to perform civil, archeological, cultural resource, wetlands and endangered/rare species surveys (hereinafter referred to collectively as the “Surveys”) at the same time it enters the Vernal Pool Survey Properties. Tennessee does not seek permission to conduct geotechnical surveys on the Vernal Pool Survey Properties.

¹ Some of the landowners on Exhibit A own more than one parcel of property for which Tennessee is seeking survey permission related to the Project. This petition seeks only survey permission for the specific parcel(s) identified herein as Vernal Pool Survey Properties.

2. Tennessee requests a ruling by DPU on or before March 1, 2016 because the optimal time to conduct vernal pool surveys is limited to a small window in early spring (typically, between March 30 and April 15). See Natural Heritage & Endangered Species Program's Guidelines for the Certification of Vernal Pool Habitat (2009). Tennessee will conduct vernal pool surveys on all properties along the route, but the Vernal Pool Survey Properties have been determined the most likely to contain vernal pools.

3. Attached as Exhibit B are property sketches for the Vernal Pool Survey Properties depicting the survey corridor for the Surveys.² Attached as Exhibit C is a list of addresses for the Vernal Pool Survey Property landowners.

4. Tennessee is simultaneously filing two other survey permission petitions: (a) a Petition for an Order Authorizing Tennessee to Perform Geotechnical Surveys and Other Surveys on Certain Properties of the Northeast Direct Project; and (b) a Petition for an Order Authorizing Tennessee to Perform Surveys on Certain Properties of the Northeast Energy Direct Project.

II. SUMMARY OF THE PROJECT

5. Tennessee is a limited liability company organized under the laws of Delaware with its principal place of business in Houston, Texas. Tennessee is a natural gas company, as that term is defined by the Natural Gas Act ("NGA"), 15 U.S.C. § 717a(6), because it is engaged in the interstate transportation of natural gas. As a natural gas pipeline company under the NGA and subject to FERC jurisdiction, Tennessee is entitled to petition the DPU for pre-condemnation survey access. See *Town of Carlisle v. Dep't of Pub. Utilities*, 353 Mass. 722, 723 (1968) ("Tennessee is a natural gas pipeline company as defined by G.L. ch. 164, § 75B, authorized to

² The property sketches are numbered to correspond with the list of landowners on Exhibit A.

transmit and distribute gas...”) See also *In re Tennessee Gas Pipeline Company, L.L.C.*, D.P.U. 13-166, Order Issued by Commission, at n. 1 (Feb. 18, 2014) (“[Tennessee] is a natural gas pipeline company to which [G.L. c. 164, §§ 72A and 75D] apply.”).³ Tennessee has operated pipelines in Massachusetts as part of its interstate pipeline network for more than sixty years.

6. Tennessee is proposing an approximately 420-mile expansion of this pipeline network that will involve construction of pipelines and related facilities in five states: Pennsylvania, New York, Massachusetts, Connecticut, and New Hampshire. In Massachusetts, the Project encompasses a 63.7-mile mainline running from Hancock, MA to Warwick, MA and from the Massachusetts/New Hampshire border to Dracut, MA, as well as five (5) lateral extensions. Ninety-nine percent of the proposed mainline route in Massachusetts is located adjacent to or within existing utility corridor rights-of-way. Sixty-three percent of the proposed laterals in Massachusetts are located adjacent to or within existing utility corridor rights-of-way.

III. BENEFITS OF THE PROJECT⁴

A. *The Project Will Expand the Supply and Capacity of Natural Gas and Reduce Price Spikes Caused by Excess Demand.*

7. The Project will benefit the public by, among other things, expanding the supply of natural gas for New England residents and businesses. Upon completion, the Project will provide new natural gas transportation capacity to meet the growing energy needs in the northeast United States, particularly in New England. The Supply Path Component (extending from Pennsylvania to Wright, New York) will transport up to 1.2 billion cubic feet per day

³ Additionally, any company that has filed for a Certificate of Public Convenience and Necessity may file a petition seeking the authority to enter land to conduct surveys. See *In re Mill River Pipeline, L.L.C.*, D.T.E. 04-26, Order Issued by Commissioners Afonso, Connelly, Keating, Manning Sullivan, at 4 (Apr. 26, 2004).

⁴ A more comprehensive discussion of the purpose of and need for the Project is set forth in Section IX, Public Convenience and Necessity and Compliance with Certificate Policy Statement (pp. 57-100), of Tennessee’s certificate application for the Project, filed with FERC on November 20, 2015 in Docket No. CP16-21-000. The certificate application is available through the FERC website, www.ferc.gov, eLibrary, as well as through Tennessee’s website for the Project, www.kindermorgan.com/business/gas_pipelines/east/neenergydirect.

("Bcf/d") of natural gas, and the Market Path Component (extending from Wright, New York to Dracut, Massachusetts) will transport up to 1.3 Bcf/d of natural gas.

8. New England's need for additional supplies of natural gas is particularly acute because peak-day demand can exceed the capacity of the region's existing pipelines, and without either expanding pipeline capacity or reducing demand, there will be volatility in natural gas prices.⁵ State efforts in New England to reduce demand account for less than one percent (1%) of the total gas sendout of local distributors in New England, and additional gas pipeline capacity is therefore needed to meet the demand.⁶ As a result of the fact that current natural gas transportation infrastructure is inadequate to meet the growing demand in the New England region, gas prices in New England are the highest in the U.S.⁷ Limited natural gas transportation infrastructure also has led to extremely high electricity prices in the northeast U.S., and threatens the reliability of the region's electric grid.⁸ Construction of the Project will improve this situation by increasing pipeline capacity. The Governors of New England have recognized the importance of increasing the supply of natural gas in the region.⁹ The increased supply of

⁵ ICF International, *Implications of Demand-Side Management Programs for Natural Gas Use in New England*, at 5 (November 18, 2013), available at http://www.iso-ne.com/committees/comm_wkgrps/prtcpnts_comm/pac/mtrls/2013/nov202013/icf_natural_gas_dsm_in_new_england_white_paper_11-18-2013.pdf ("[The] trend of growing gas demands in New England means that without either expanding pipeline capacity or reducing gas demands during peak days, available pipeline capacity for power generation will decline and gas price volatility during winter peak season will continue, even in the face of the historic and sustained drop in U.S. average natural gas prices.").

⁶ *Id.* at 29. ("[O]verall reduction of gas consumption in 2013 through gas DSM [demand side management] programs is less than one percent of the total gas sendout of LDCs in New England...It is unlikely that gas DSM programs can eliminate the need for additional pipeline capacity given the incentives for fuel switching from oil to gas, partially as a result of vigorous DSM programs to introduce more efficient gas equipment.").

⁷ See ISO New England, 2013 Wholesale Electricity Prices in New England Rose on Higher Natural Gas Prices: Pipeline Constraints and Higher Demand Pushed Up Prices for Both Natural Gas and Power at 1 (Mar. 18, 2014), available at http://www.iso-ne.com/nwsiss/pr/2014/2013_price%20release_03182014_final.pdf ("Pipeline constraints, particularly in winter when home heating needs raise demand for natural gas, have pushed up the average spot price for natural gas in New England to the highest in the country.").

⁸ *Id.* at 2 ("However, the limited pipeline capacity coming into New England means that sometimes natural-gas-fire generators have difficulty getting fuel, and that not only pushes up prices, it also creates a risk to reliable operation of the power system.") (internal quotation omitted).

⁹ See *New England Governors' Commitment to Regional Cooperation on Energy Infrastructure Issues* (December 2013), available at http://nescoc.com/uploads/New_England_Governors_Statement-Energy_12-5-13_final.pdf ("To

natural gas will also provide individuals and companies with a cost-effective, efficient and secure alternative for meeting their current and future energy requirements.¹⁰

9. In addition to the substantial savings that the Project is expected to generate for gas consumers in New England, because natural gas is the primary fuel for the generation of electricity in New England and sets the price of electricity for the majority of the year, all residents in New England are expected to benefit from lower electricity prices when the Project is placed in service. In 2008, New England began experiencing natural gas prices near \$3 per million British thermal units (“MMBtu”) during the shoulder and summer months, leading to low and stable electricity prices of around \$40 per megawatt hour (“MWh”).¹¹ The region managed relatively small winter gas price spikes to around \$7 per MMBtu, with corresponding electricity spikes to roughly \$65 per MWh.¹² However, the situation changed dramatically in 2012.

10. In the summer of 2012, New England enjoyed then-record-low gas and electricity prices, followed by extreme price spikes during the winter of 2012-13. Monthly average gas prices reached nearly \$18 per MMBtu, while monthly average electricity prices reached about \$100 per MWh.¹³ During the winter of 2013-14, monthly average natural gas prices topped \$24 per MMBtu, driving monthly average electricity prices to over \$160 per MWh.¹⁴ Winter 2014-15 offered little reprieve, as monthly average gas prices reached \$17 per MMBtu.¹⁵ Throughout

ensure a reliable, affordable and diverse energy system, we need investments in additional energy efficiency, renewable generation, natural gas pipelines, and electric transmission.”).

¹⁰ Ernest J. Moniz (Chair), *The Future of Natural Gas, An Interdisciplinary MIT Study*, at 73 (June 6, 2011), available at http://mitei.mit.edu/system/files/NaturalGas_Report.pdf (“The low-carbon emissions and low capital cost of natural gas generation...combined with abundant gas supplies and current relatively low prices, make natural gas an attractive option...”).

¹¹ See Gordon van Welie, ISO New England, *Challenges Facing the New England Power System, Northeast Forum on Regional Energy Solutions*, at slide 6 (Apr. 23, 2015), available at http://www.iso-ne.com/static-assets/documents/2015/04/northeast_forum_on_regional_energy_solutions_van_welie_remarks_and_slides_04232015.pdf.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

the entire 2014-15 winter, spot natural gas prices for Algonquin Gas Transmission's ("AGT") pipeline system (near Boston) and Tennessee's system (near Dracut, Massachusetts) averaged \$9.387 per MMBtu and \$9.014 per MMBtu respectively, while approximately 300 miles southwest at the Tennessee pricing point near production in Pennsylvania, prices averaged \$1.733 per MMBtu.¹⁶ Monthly average electricity prices in February 2015 reached the third highest level at over \$125 per MWh.¹⁷

B. Natural Gas is Less Expensive and Cleaner than Other Energy Alternatives.

11. Natural gas is less expensive than other alternatives, such as fuel oil and liquefied petroleum gas.¹⁸ In addition, the price of natural gas nationally *decreased* by 36% for manufacturers between 2006 and 2010, while the price of all other energy sources *increased* during the same period.¹⁹ It is expected that nation-wide, the consumption of natural gas will grow by 0.8% per year from 2012 to 2040 and that the price will stay below 2005 to 2008 levels through 2038.²⁰ An increased supply of natural gas will reduce heating costs for both residents and businesses in the Commonwealth of Massachusetts.

12. Natural gas is a clean-burning alternative energy source compared to any other

¹⁶ ISO New England, 2015 Regional System Plan, at 132 (Nov. 5, 2015), *available at* http://www.iso-ne.com/static-assets/documents/2015/11/rsp15_final_110515.docx.

¹⁷ ISO New England, *Wholesale electricity prices and demand in New England*, ISO Newswire (July 15, 2015), *available at* <http://isonewswire.com/updates/2015/7/15/wholesale-electricity-prices-and-demand-in-new-england.html>.

¹⁸ ENERGY INFORMATION ADMINISTRATION, ANNUAL ENERGY REVIEW, Table 3.3 – Consumer Price Estimates for Energy by Source (September 27, 2012), *available at* <http://www.eia.gov/totalenergy/data/annual/showtext.cfm?t=ptb0303>.

¹⁹ U.S. ENERGY INFORMATION ADMINISTRATION, MANUFACTURING ENERGY CONSUMPTION SURVEY (MECS) 2010 (September 6, 2013), Analysis and Projections, *available at* http://www.eia.gov/consumption/manufacturing/reports/2010/ng_cost/?src=Natural-f8 ("Natural gas has been an important exception to the trend of rising prices for energy sources used by manufacturers.").

²⁰ U.S. ENERGY INFORMATION ADMINISTRATION, Annual Energy Outlook 2014 with Projections to 2040, at 91 MT-6 (April 2014), *available at* [http://www.eia.gov/forecasts/aeo/pdf/0383\(2014\).pdf](http://www.eia.gov/forecasts/aeo/pdf/0383(2014).pdf) ("Natural gas consumption grows by about 0.8%/year from 2012 to 2040, led by increases in natural gas use for electricity generation and in the industrial sector.").

fossil fuel. “Natural gas possesses remarkable qualities. Among the fossil fuels, it has the lowest carbon intensity, emitting less CO₂ per unit of energy generated than other fossil fuels. It burns cleanly and efficiently, with very few non-carbon emissions.” Ernest J. Moniz (Chair), *The Future of Natural Gas, An Interdisciplinary MIT Study*, at 3 (June 6, 2011). If the power sector chose to substitute gas-fired power for coal-fired power, it would effectively reduce its carbon emissions at relatively low cost and in the short-term.²¹

IV. SURVEYS ARE NECESSARY TO THE FERC PROCESS

13. Pursuant to the NGA and Part 157 of FERC’s regulations, 18 C.F.R., Part 157, Tennessee filed an application for a Certificate of Public Convenience and Necessity (“FERC Certificate”) for the Project with FERC on November 20, 2015 in Docket No. CP16-21-000 to construct, operate and maintain the Project (the “FERC Filing Process”). Tennessee is pursuing the procurement of other federal and state permitting processes concurrent with the FERC Filing Process.

14. As part of the FERC and permitting approval processes, and before it can obtain authorization to commence construction from FERC, Tennessee must enter onto properties that will be traversed by the Project in order to perform surveys. The information gathered during these surveys will be submitted to FERC and other federal, state, and/or local agencies.²²

15. Pursuant to FERC’s regulations, 18 C.F.R. § 380.12, Tennessee is required to gather certain information regarding the proposed Project facilities through surveys on all properties affected by the proposed Project. This information was and will continue to be provided to FERC by Tennessee in the FERC Filing Process to build the record upon which the

²¹ Ernest J. Moniz (Chair), *The Future of Natural Gas, An Interdisciplinary MIT Study*, at 2, 10 (June 6, 2011), available at http://mitei.mit.edu/system/files/NaturalGas_Report.pdf.

²² Tennessee anticipates also providing the information obtained in the surveys in conjunction with state and local permitting applications.

environmental review for the Project is based. Reports of survey results are also provided to other regulatory agencies as part of the permitting processes, and are reviewed before permits are issued and construction can commence. Tennessee needs to perform the following surveys: (1) civil surveys, designed to locate the potential centerline for the pipeline boundaries and angles, among other things, *see* 18 C.F.R. § 380.12(b) and (c) (describing mapping requirements); (2) archaeological or cultural resources surveys, to identify the location of cultural and historic resources, *see* 18 C.F.R. §§ 380.12(f)(1)(ii), 380.12(f)(2) (requiring overview and survey reports for cultural resource reports); (3) wetlands and waterbody delineation surveys, to identify locations of wetlands, *see* 18 C.F.R. § 380.12(d)(1)-(9) (requiring disclosure of identification and description of all wetland areas the proposed pipeline will cross); and (4) endangered/rare species surveys, to identify the locations of endangered/rare species and their habitats, *see* 18 C.F.R. § 380.12(e)(1)-(8) (requiring various surveys be conducted to determine specific impacts of the proposed project on endangered or threatened species). Additionally, Tennessee will perform Geotechnical Surveys on properties located on or near a major waterbody, railroad crossing or road crossing which may require installation of pipeline by HDD method. *See* 18 C.F.R. § 380.12(b).

16. All surveys will be conducted in accordance with the procedures and protocols set forth in various federal and state regulations and guidelines, and as may be required by applicable regulatory agencies.²³

²³ *See, e.g.*, FED. ENERGY REG. COMM'N, OFFICE OF ENERGY PROJECTS, *Guidelines for Reporting on Cultural Resources Investigations for Pipeline Projects* (setting forth survey compliance requirements for pipeline project, including how archaeological testing and methods must occur); FED. ENERGY REG. COMM'N, OFFICE OF ENERGY PROJECTS, *Wetland and Waterbody Construction and Mitigation Procedures* (requiring applicant conduct "wetland delineation using current federal methodology"); FED. ENERGY REG. COMM'N, OFFICE OF ENERGY PROJECTS, *Upland Erosion Control, Revegetation and Maintenance Plan* (contemplating conducting surveys to provide information necessary for submission in preconstruction planning phase); U.S. ARMY CORPS OF ENGINEERS, WETLANDS RESEARCH PROGRAM, *The Corps of Engineers Wetland Delineation Manual* (January 1987) (setting

V. **TENNESSEE HAS TAKEN STEPS TO GAIN SURVEY PERMISSION FOR THE VERNAL POOL SURVEY PROPERTIES**

17. Tennessee has in good faith made efforts to obtain survey permission from owners of the Vernal Survey Properties, including sending at least two letters (one from a land agent and one from outside counsel) requesting survey permission. Additionally, land agents have attempted to discuss the request in person or via telephone. (See Exhibit A)²⁴ Many Vernal Pool Survey Property landowners have granted Tennessee permission to conduct the Surveys. However, eighteen (18) landowners of the Vernal Survey Properties have either expressly refused to grant Tennessee survey permission or not granted Tennessee permission to conduct the Surveys. Accordingly, Tennessee requests an order to survey the properties of the eighteen (18) private landowners who have not granted Tennessee survey permission and who are identified in Exhibit A.

VI. **DESCRIPTION OF SURVEYS**

18. Tennessee's survey activities will be largely confined to a study corridor that extends approximately two hundred feet (200') from either side of the proposed centerline of the survey corridor. Although Tennessee anticipates the Project's pipelines will be installed within a new fifty-foot-wide (50') permanent right-of-way, together with temporary working space for

forth technical guidelines and approved methods for inspection and data gathering to determine existence and location of wetlands in conjunction with federal projects); U.S. ARMY CORPS OF ENGINEERS, WETLANDS REGULATORY ASSISTANCE PROGRAM, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Northcentral and Northeast Region* (January 2012) (setting forth technical guidelines and approved methods for inspection and data gathering while highlighting specific characteristics native to Northcentral and Northeast regions, including Massachusetts); MASS. DEP'T OF ENV. PROT., DIV. OF WETLANDS AND WATERWAYS, *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (setting forth requirements for surveys delineating wetlands).

²⁴ The legal letters were sent to the landowner's residential address and identified the property location which was the subject of the survey requests by (a) landline number, (b) map-block-lot number, (c) street, and (d) town. In some instances, the letter also identified the street number. Tennessee was able to identify the street number for some properties only identified by street name after the legal letter was sent. For properties identified in the previous sentence, Exhibit A identifies the property locations with street numbers. Exhibit A also identifies the few instances where Tennessee had to correct the street name after the legal letter was sent or where map-block-lot numbers were corrected.

construction purposes only, the study corridor is wider to allow surveying of adjacent areas. The wider study corridor allows Tennessee to fully delineate resource areas, endangered/rare species, and cultural resource areas, and to evaluate potential impacts to such areas in the event that the proposed pipeline route or temporary workspace must be modified. Tennessee agents will not get closer than twenty-five feet (25') to a house in the course of performing the Surveys.

19. During civil surveys, Tennessee agents will place stakes at intervals along the proposed pipeline centerline and at certain other locations to mark features such as angles and property boundaries. In connection with civil surveys, Tennessee may also locate boundaries outside of where the four hundred foot survey corridor may be located. Civil surveys typically take between one (1) and three (3) days to complete depending on numerous factors, including property size and weather conditions. There will be no removal of soil in connection with the civil surveys. After the civil surveys are completed, surveyors will return to the property for less than a day to pick up markers.

20. During endangered/rare species surveys, Tennessee agents will visually inspect the properties. Endangered/rare species surveys typically take less than one (1) day to complete. There will be no disturbance of soil in connection with the endangered/rare species surveys.

21. The Vernal Pool Surveys and other wetlands and waterbody delineation surveys will involve a visual check of the property and limited soil probes of no more than twenty inches in depth. The soil will be examined on site. Tennessee will not remove any soil from the property and will immediately return soil from the soil probes to the earth. Wetlands and waterbody delineation surveys typically take less than one (1) day to complete.

22. The archaeological or "cultural resources" surveys will be conducted in consultation with both the State Historical Preservation Offices and the Tribal Historical

Preservation Offices, along with Native American tribes and other state and local agencies. Archaeological surveys involve a pedestrian survey and limited “shovel tests” to determine the existence of artifacts or cultural resources. Pedestrian surveys will be conducted over the locations of above-ground resources to determine the nature of the physical and environmental aspects of the proposed Project area. Shovel tests will be used to expose the soil surface in areas identified by the archaeologists, which can be located within fields, meadows or forests, to locate the cultural resources. The surveyor will not remove any soil from the property, and will immediately return all soil from the shovel tests to the earth. If the surveyor removes any artifacts or historical items, Tennessee will comply with any permit requirement for disposition of artifacts to the landowner and/or permitting agency. Archeological or cultural resource surveys typically take less than one (1) day to complete.

23. Survey activities should take only a minimal amount of time and should not result in any inconvenience to the property owner. During surveying in densely vegetated areas, no branches larger than two inches (2”) in diameter will be trimmed.

24. Because certain surveys are limited to discrete parts of the calendar year, Tennessee requests permission to conduct the Surveys for a one-year period after an order authorizing the performance of surveys.

VII. A CONDEMNATION ORDER IS NOT REQUIRED FOR DPU TO AUTHORIZE THE SURVEYS

25. G.L. c. 164, §§ 72, 72A, 75B and 75D authorize DPU to grant natural gas pipeline companies and electric companies the authority to survey properties “preliminary to eminent domain proceedings.” G.L. c. 164, §§ 72A, 75D. *See also Town of Carlisle*, 353 Mass. at 723-24 (DPU may order natural gas company authority to enter upon “lands of any person or corporation for the purpose of making a survey preliminary to eminent domain proceedings” and

“[t]he validity of the preliminary survey order under § 75D is not contingent upon previous grant of power to make a taking.”²⁵ *In re Tennessee Gas Pipeline Co., LLC*, D.P.U. 13-166, Order Issued by Commission, at 4 (Feb. 8, 2014) (“Considerations of and findings regarding the Project are reserved for the federal and state permitting processes and for any eminent domain proceedings that may be filed at a future date.”); *In re Tennessee Gas Pipeline Co., LLC*, D.T.E. 05-83, Order Issued by Commissioners Judson, Connelly, Keating, Afonso, Golden, at 2 (Mar. 29, 2006) (“General laws c. 164, §§ 72A and 75D authorize the Department to grant a petitioner such as Tennessee the authority to enter private lands for the purpose of making a survey preliminary to eminent domain proceedings.”).

VIII. DPU HAS AUTHORITY TO ISSUE THE ORDER IN CONJUNCTION WITH INFORMATION NEEDED AS PART OF FERC PROCEEDINGS

26. Massachusetts law empowers DPU to grant Tennessee permission to conduct the surveys sought herein before Tennessee receives its FERC Certificate. *See* G.L. c. 164, § 75D (“Section 75D”). G.L. c. 164, §§ 72, 72A and 75D are intended to, and permit, DPU to authorize surveys needed by electric utility companies or natural gas pipeline companies before they can obtain regulatory approval and commence construction. The surveys Tennessee seeks herein are needed to secure permits and commence construction. DPU has, on at least five separate occasions, interpreted Section 75D to hold that it has the authority to order landowners to submit to natural gas pipeline companies conducting the same surveys Tennessee seeks to perform for the Project in conjunction with FERC proceedings and before the FERC Certificate is issued. *See, e.g., In re Maritimes Northeast Pipeline LLC*, D.T.E. 01-48, Order Issued by

²⁵ The surveys to be performed are preliminary to eminent domain proceedings because the property owners have not responded to Tennessee’s requests to enter the property to perform the required surveys, or have denied Tennessee survey permission, it is very likely that they will not be willing to sell Tennessee the easement or other rights that Tennessee will need to construct the pipeline on the property. Thus, Tennessee will have to institute eminent domain proceedings under either 15 U.S.C. 717f(h), G.L. c. 164, § 75C, or G.L. c. 79, § 1 in order to construct the pipeline.

Commissioners Connelly, Keating, Manning, Sullivan, Vasington, at 1-2, 6 (Aug. 1, 2001) (granting applicant permission to conduct civil, environmental, archaeological and geotechnical surveys prior to FERC Certificate); *In re Algonquin Transmission Co.*, D.P.U. 07-62, Order Issued by Commissioners Hibbard, Keating, Woolf, at 1, 4-6 (Sept. 18, 2007) (granting petitioner permission to conduct civil, environmental and archaeological surveys “in conjunction with pre-filing process at the Federal Energy Regulatory Commission...”). *In re Mill River Pipeline, L.L.C.*, D.T.E. 04-26, Order Issued by Commissioners Afonso, Connelly, Keating, Manning Sullivan, at 7 (Apr. 26, 2004) (granting applicant permission to conduct civil, environmental and archaeological surveys “preliminary to [] an application to the Federal Energy Regulatory Commission (“FERC”) to obtain a Certificate of Public Convenience and Necessity...”); *In re Tennessee Gas Pipeline Company, L.L.C.*, D.P.U. 13-166, Order Issued by Commission, at 4 (Feb. 18, 2014) (granting Tennessee permission to conduct civil, environmental and archaeological surveys prior to FERC Certificate); *In re Tennessee Gas Pipeline Co., L.L.C.*, D.T.E. 05-83, Order Issued by Commissioners Judson, Connelly, Keating, Afonso, Golden, at 1, 4 (Mar. 29, 2006) (granting Tennessee permission to conduct civil, wetlands and archaeological surveys and “[t]he Department finds that additional survey work is necessary to provide FERC with the information it needs to evaluate various routing alternatives for the Essex Middlesex Project.”). *See generally City Council of Agawam v. Energy Facilities Siting Bd.*, 437 Mass. 821, 828 (2002) (citing *Gateley's Case*, 415 Mass. 397, 399 (1993)) (“In general, we have given agencies broad discretion to interpret statutes that they enforce, lending ‘substantial deference’ to their interpretations.”).

IX. PROJECT SITING, SAFETY AND ENVIRONMENTAL ISSUES ARE BEYOND THE SCOPE OF DPU’S AUTHORITY

27. DPU’s jurisdiction under G.L. c. 164, §§ 72, 75B and 75D is limited to rendering

a decision on the petition to perform pre-construction surveys and it lacks jurisdiction over the routing of the Project. DPU has previously held:

The Department's jurisdiction in this proceeding is limited to rendering a decision on the petition to survey the proposed route(s) as described in the Company's Petition. FERC possesses jurisdiction over the designation of primary and alternative pipeline routes. The Department finds that the routing, safety, and any other environmental concerns that the Commenters raise relative to the proposed pipeline are within FERC's jurisdiction, not the jurisdiction of the Department.

In re Algonquin Transmission Co., D.P.U. 07-62, Order Issued by Commissioners Hibbard, Keating, Woolf, at 4 (Sept. 18, 2007).²⁶ See also *In re Mill River Pipeline, L.L.C.*, D.T.E. 04-26, Order Issued by Commissioners Afonso, Connelly, Keating, Manning Sullivan, at 7 (Apr. 26, 2004) ("The Department's jurisdiction in this proceeding is limited to rendering a decision on [the pipeline company]'s request to survey the routes of the proposed pipelines described in the petition. FERC possesses jurisdiction over the designation of any primary and alternative pipeline routes.").

X. THE SURVEYS DO NOT REQUIRE STATE OR LOCAL PERMITS

28. Tennessee has reviewed applicable state regulations and determined that no state permits are required to perform the Surveys. In particular, the Massachusetts Wetlands Protection Act Regulations specifically exempt surveying activities from permit requirements. 310 CMR § 10.02 ("The following minor activities. . . are not otherwise subject to regulation under G.L. c. 131, § 40 [the Massachusetts Wetland Protection Act]: ...g. Activities that are temporary in nature, have negligible impacts, and are necessary for planning and design purposes (e.g., installation of monitoring wells, exploratory borings, sediment sampling and *surveying* and percolation tests for septic systems provided that resource areas are not crossed for site access)")

²⁶ Accordingly, Tennessee has not addressed herein issues regarding whether FERC should authorize the construction of the pipeline or other issues related to the siting of the Project.

(emphasis added).

29. Tennessee has also researched the regulations for all towns in which Survey Properties are located (“Survey Towns”)²⁷ Only one of the Survey Towns – Dracut – has permitting regulations for certain activities near wetland or natural resource areas (“Permit Survey Towns”). Specifically, this town requires permits for certain activities within fifty feet (100’) of a wetland or natural resource area (“Regulated Area”).²⁸ None of the surveys involve regulated activities within Regulated Areas.

XI. NOTIFICATION

30. DPU may grant survey permission without notice and hearing. *See Town of Carlisle*, 353 Mass. 722. *See also In re Tennessee Gas Pipeline Co., LLC*, D.T.E. 05-83, Order Issued by Commissioners Judson, Connelly, Keating, Afonso, Golden, at 2 (Mar. 29, 2006) (“The Department may grant such permission without notice and hearing.”). However, DPU, in its discretion, has generally required a petitioner for survey permission under G.L. c. 164, §§ 72, 72A, 75B and 75D to inform all owners of the subject properties about the Petition and to advise them that they may submit written comments to DPU within a certain period of time.

31. A proposed form of Order of Notice and Notice Letter to Landowners are attached as Exhibits D and E, respectively.

32. Tennessee proposes that each landowner receive this Petition and all Exhibits, except Exhibit B. Tennessee proposes that the landowners only receive the property sketch(es) for their property, and not the property sketches for other landowners for whom Tennessee

²⁷ The Survey Towns are West Townsend, Andover, Tewksbury, North Reading, Dracut, Plainfield, Northfield and Warwick.

²⁸ *See Town of Dracut By Laws c. 18* (permit required for “fill[ing], dredg[ing], build[ing] upon, degrad[ing], discharg[ing], or otherwise alter[ing]” land within one hundred feet of a “buffer zone” or wetland resource area).

requests survey permission.

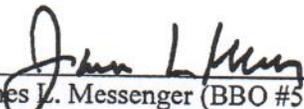
WHEREFORE, Tennessee respectfully requests that DPU:

1. Issue an Order authorizing Tennessee to enter the Vernal Pool Survey Properties for the purpose of making the Surveys needed in support of its application for the construction of natural gas pipelines and appurtenant facilities to be filed with FERC; and
2. Grant such further relief as DPU deems appropriate or necessary.

Respectfully submitted,

TENNESSEE GAS PIPELINE COMPANY, L.L.C.,

By its attorneys,


James L. Messenger (BBO #547236)
jmessenger@gordonrees.com
Brian J. Wall (BBO # 688278)
bwall@gordonrees.com
Gordon & Rees, LLP
745 Atlantic Avenue, 4th Floor
Boston, MA 02111
617-902-0098

Dated: January 14, 2016

VERIFICATION

I, John Scott Long, hereby state that (1) I am presently employed by Tennessee Gas Pipeline Company, L.L.C.; (2) I am authorized to sign this Verification for and on behalf of Tennessee Gas Pipeline Company, L.L.C.; (3) I have read the information contained in paragraphs 1-7 and 16-24; and (4) the information contained in paragraphs 1-7 and 16-24 was obtained from authorized employees, contractors and representatives of Tennessee Gas Pipeline Company, L.L.C. I declare under the penalties of perjury that the information contained in paragraphs 1-7 and 16-24 is true and correct to the best of my knowledge, information and belief.

Executed this 14th day of January, 2016.

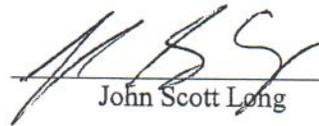

John Scott Long

EXHIBIT A

[Vernal Pool Survey Property Owners and Contact Made by Tennessee]

EXHIBIT A

LANDOWNERS WHO HAVE NOT GRANTED VERNAL POOL SURVEY PERMISSION

	LL #	Name	Property Location	MBL	Written Request Dates
1	17.00	Kevin T. Joy	0 West Meadow Road, West Townsend, MA	4 17 7	9/9/2015; 10/30/2015
2	19.00	Edward C. & Joan L. Dow	529 Main Street, West Townsend, MA	4 14 0	9/9/2015; 10/30/2015
3	19.01	Paul F. & Cynthia M. Boundy	537 Main Street, West Townsend, MA	4 13 0	9/9/2015; 10/30/2015
4	29.01	Philip E. & Janice L. Falzone	0 Pearl Brook Road, West Townsend, MA	3 13 7	9/9/2015; 10/30/2015
5	55.00	Marc P. Ginsburg & Arnold Matel	Ames Pond Drive, Andover & Tewksbury, MA	221-7; 221-7A	9/9/2015; 11/9/2015
6	57.00	Stephen H. Wallingford	0 Jordyn Lane, Andover, MA	222-2J	9/9/2015; 11/9/2015
7	58.00	Navin Patel	0 Jordyn Lane, Andover, MA	222-2K	9/9/2015; 11/9/2015
8	58.02	Robert L. Gorey	33 Brown Street, Andover, MA	212-9	9/9/2015; 11/9/2015
9	59.00	William & Ruth Unger	0 Cardigan Road, Tewksbury, MA	212-10J	9/9/2015; 11/9/2015
10	78.00	OSB Builders, LLC	Behind 510 Pinnacle St., Tewksbury, MA	92-34	9/9/2015; 11/9/2015
11	185.00; 187.00; 189.00	Provident Realty Trust c/o David W. Jackson, Trustee	27 Haverhill Street, North Reading, MA	039-0000-0010	9/9/2015; 11/9/2015
12	18.00; 20.00	John J. & Aline Murphy	90 Wheeler Street, Dracut, MA [^]	22-0-53	12/14/2015; 12/24/2015
13	19.00	Sandra J. Walor, Trustee of the Walor Irrevoc. Family Trust	615 Wheeler Road, Dracut, MA	22-0-38	12/14/2015; 12/24/2015

[^] New or additional property address than that referenced in Survey Permission Letters and Permission Form.

[#] Note that addresses with street name and "0" for number are undeveloped parcels with no postal address. The address listed is the closest available GIS listing.

EXHIBIT A

LANDOWNERS WHO HAVE NOT GRANTED VERNAL POOL SURVEY PERMISSION

	LL #	Name	Property Location	MBL	Written Request Dates
14	21.01	Cheryl Walsh & Doris M. Walsh	89 Horseshoe Road, Dracut, MA	22-0-45	12/14/2015; 12/24/2015
15	144.00	Alice L. Aeschback	229 West Street, Plainfield, MA	024-004.1	9/9/2015; 11/16/2015
16	413.00	Mary Wall Neville	0 Old Warwick Road, Northfield, MA	8 A4 1	9/9/2015; 11/16/2015
17	414.00; 416.00	Northfield-Mount Hermon School	0 Warwick Road, Warwick, MA & Northfield, MA	8 A2 1; 3124010000000050	9/9/2015; 11/16/2015
18	6.00; 433.00	Edward J. Zanni	110 Wheeler Road, Dracut, MA	38-0-52	12/14/2015; 12/24/2015

^ New or additional property address than that referenced in Survey Permission Letters and Permission Form.

Note that addresses with street name and "0" for number are undeveloped parcels with no postal address. The address listed is the closest available GIS listing.

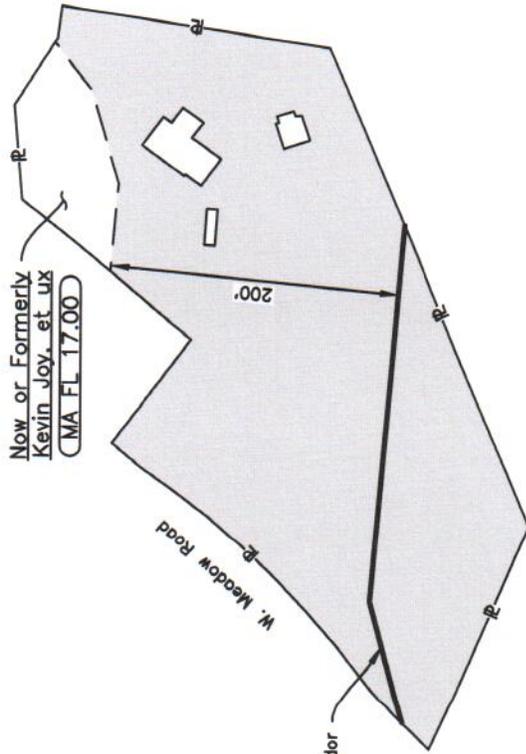
EXHIBIT B

[Property Sketches for Vernal Pool Survey Properties]

3

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF TOWNSEND

1



Proposed Centerline of Study Corridor

Note:

1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Segment "Q": Massachusetts Fitchburg Lateral Extension
Line List: MA FL 17.00
MBL: 4 17 7

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM				

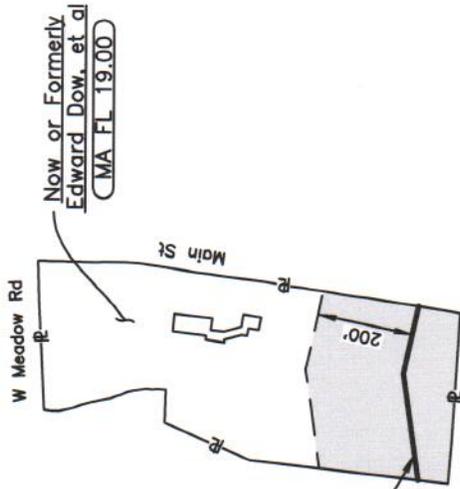
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DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Par.: MIDDLESEX		
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TE-SEG_Q-008	ALIGNMENT SHEET	Dt: HMM	Date: 12/8/15	Project ID:	
		Chk: HMM	Date: 12/8/15	Scale: N.T.S	
		Appr:	Date:	Filename:	SEG_Q_17.00.DWG

NORTHEAST ENERGY DIRECT PROJECT
SEGMENT Q
PROPOSED 12" NATURAL GAS PIPELINE
KEVIN JOY, ET UX
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU

Tennessee Gas Pipeline Company, L.L.C.
a Kinder Morgan company

SEG_Q_17.00 Sheet: 1 of 1 Type: ACAD 1

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF TOWNSEND



Proposed Centerline of Study Corridor

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor (If Present)

- Note:**
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "Q": Massachusetts Fitchburg Lateral Extension
Line List: MA FL 19.00
MBL: 4 14 0

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM			

REFERENCE DRAWINGS

DRAWING NUMBER	DRAWING TITLE	Division:	Op. Area:
TE-SEG_Q-008	ALIGNMENT SHEET	SL: MASSACHUSETTS	Co./Par.: MIDDLESEX
		D/E: HMM	Township: TOWNSEND
		Chk: HMM	Date: 01/7/16
		Appr:	Date: 1/7/16
			Scale: N.T.S.
			Filename: SEG_Q_19.00.DWG

NORTHEAST ENERGY DIRECT PROJECT
SEGMENT Q
PROPOSED 12" NATURAL GAS PIPELINE
EDWARD DOW, ET AL
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU



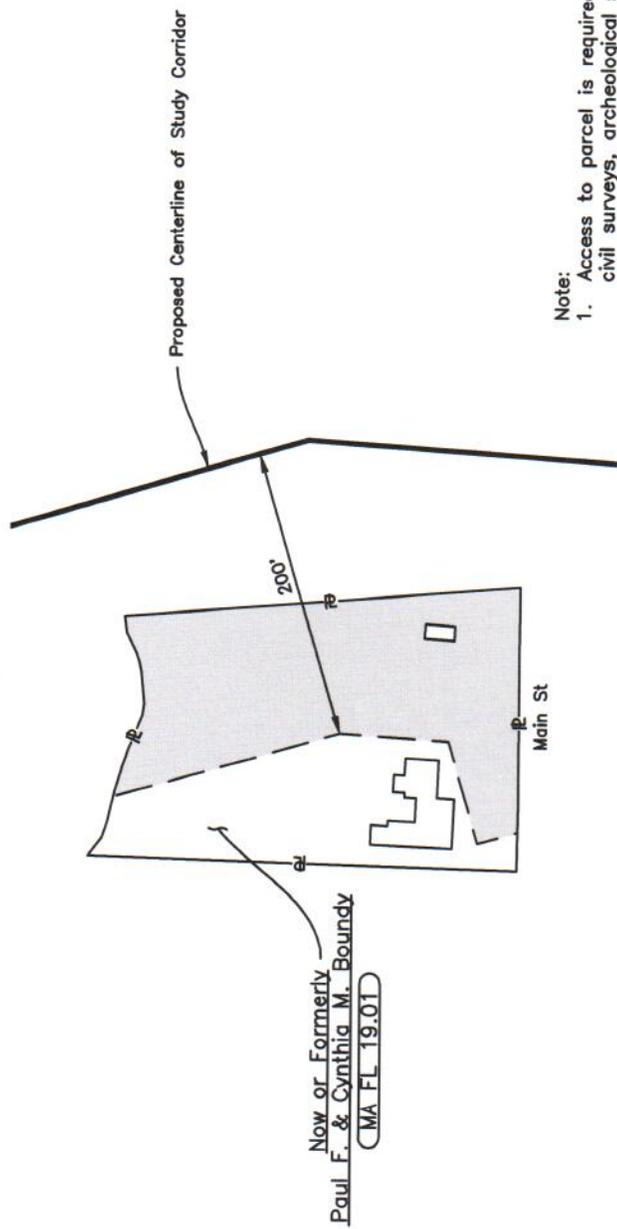
SEG_Q_19.00 Sheet: 1 of 1 Type: ACAD 1

REVISIONS

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF TOWNSEND



3



- Note:**
- Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 - No surveys will be conducted within 25' from a residence or occupied structure.

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- ▭ Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor (If Present)

Segment "Q": Massachusetts Fitchburg Lateral Extension
Line List: MA FL 19.01
MBL: 4 13 0

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	Division:	Co./Par.: MIDDLESEX
TE-SEG_Q-008	ALIGNMENT SHEET	Section:	Township:
		Drf: HMM	Date: 12/29/15
		Chk: HMM	Date: 12/29/15
		Appr:	Date:
			Scale: N.T.S.
			Filename: SEG_Q_19.01.DWG

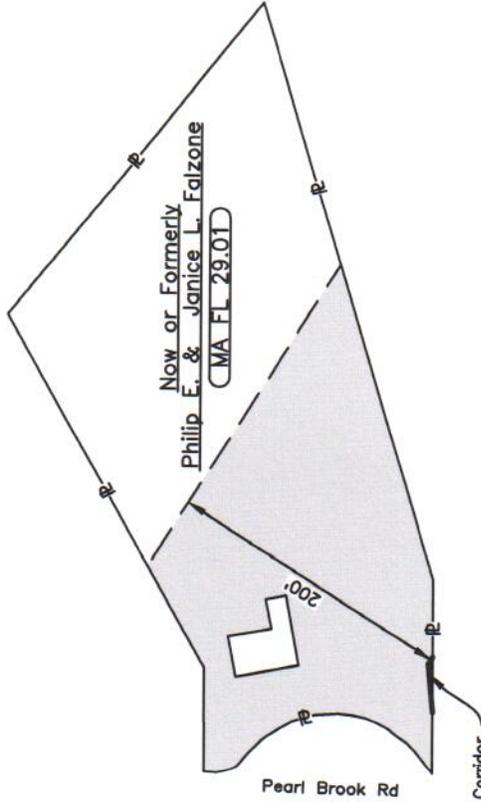
NORTHEAST ENERGY DIRECT PROJECT
SEGMENT Q
PROPOSED 12" NATURAL GAS PIPELINE
PAUL F. & CYNTHIA M. BOUNDY
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU



SEG_Q_19.01
Sheet: 1 of 1
Type: ACAD

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF TOWNSEND

4



Proposed Centerline of Study Corridor

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor (If Present)

Note:

1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "Q": Massachusetts Fitchburg Lateral Extension
Line List: MA FL 29.01
MBL: 3 13 7

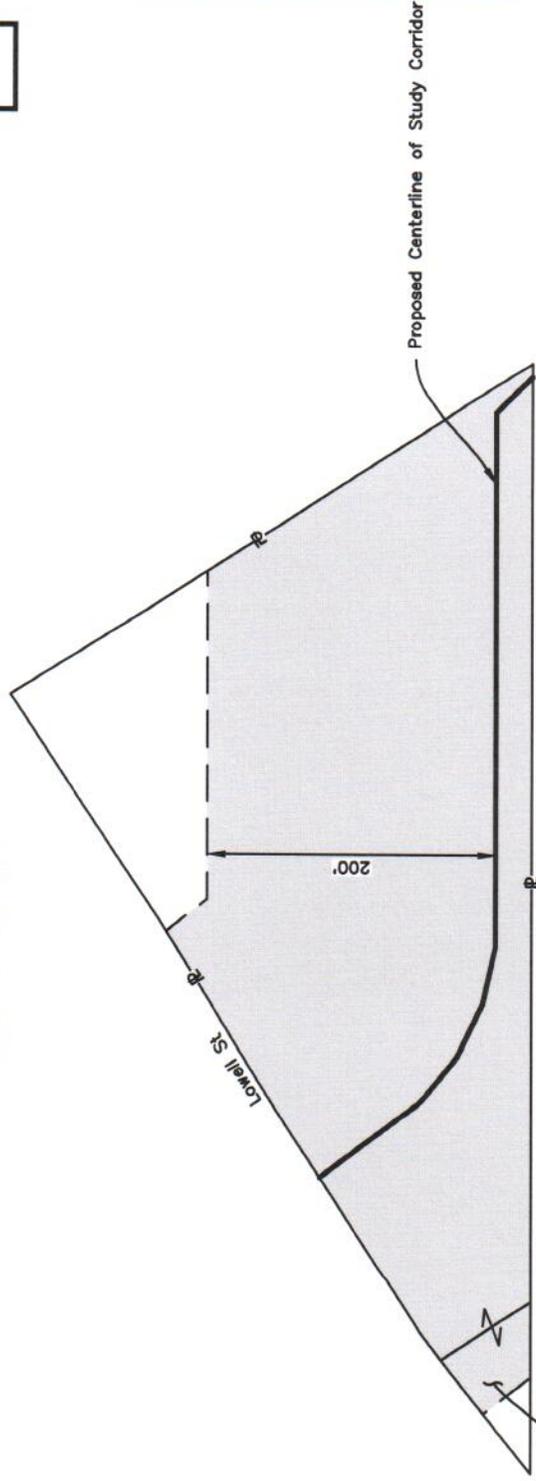
Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM			

DRAWING NUMBER		DRAWING TITLE		Op. Area:	
TE-SEG-Q-008	ALIGNMENT SHEET	Division:	SL: MASSACHUSETTS	Co./Par.:	MIDDLESEX
		Section:		Township:	
		Dt:	HMM	Date:	12/29/15
		Chc:	HMM	Date:	12/29/15
		Appr:		Date:	
				Project ID:	
				Scale:	N.T.S.
				File Name:	SEG_Q_29.01.DWG
		REFERENCE DRAWINGS		NORTH EAST ENERGY DIRECT PROJECT	
				SEGMENT Q	
				PROPOSED 12" NATURAL GAS PIPELINE	
				PHILIP E. & JANICE L. FALZONE	
				MIDDLESEX COUNTY, MASSACHUSETTS	
				MASSACHUSETTS DPU	
				Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company	
				SEG-Q_29.01	
				Sheet: 1 of 1	
				Type: ACAD	
				1	

ESSEX COUNTY, MASSACHUSETTS
TOWN OF ANDOVER

5



Now or Formerly
Marc P. Ginsburg and Arnold Martel, Jr.
CMA LL 55.00

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- Property Line (Approximate)
- Proposed Access Road (If Present)
- Structure (If Present)
- Study Corridor

Note:
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "N": Massachusetts Lynnfield Lateral
Line List: MA LL 55.00
MBL: 221-7 & 221-7A

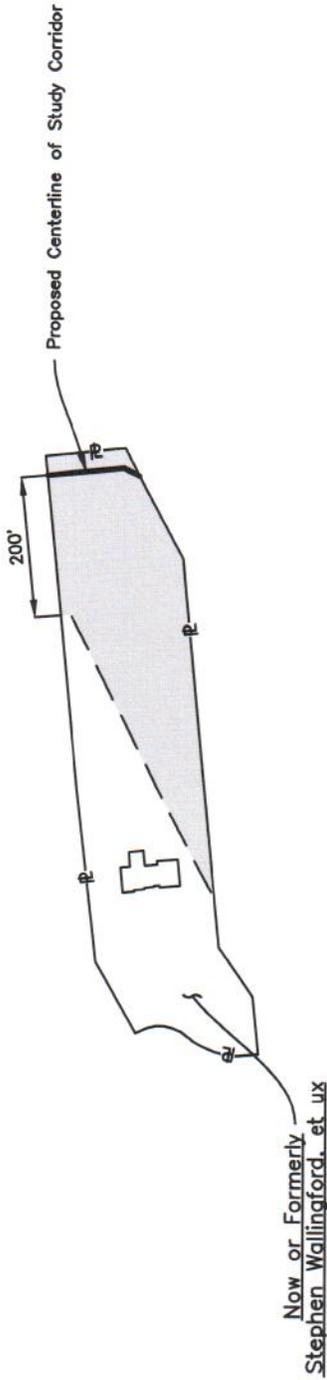
Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM				

DRAWING NUMBER		DRAWING TITLE		Op. Area:	
TE_SEG_N-000	ALIGNMENT SHEET	Division: SL: MASSACHUSETTS	Co./Par.: ESSEX		
		Sections:	Township:	Range:	
		Dt: HMM	Date: 12/4/15	Project ID:	
		Chc: HMM	Date: 12/4/15	Scale: 1" = 50'	
		Appr:	Date:	File Name: SEG_N_55.00.DWG	
REFERENCE DRAWINGS				NORTHEAST ENERGY DIRECT PROJECT	
				SEGMENT N	
				PROPOSED 24" NATURAL GAS PIPELINE	
				MARC P. GINSBURG AND ARNOLD MARTEL, JR.	
				ESSEX COUNTY, MASSACHUSETTS	
				MASSACHUSETTS DPU	
				Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company	
				SEG_N_55.00	
				Sheet: 1 of 1	
				Type: ACAD	
				1	

**ESSEX COUNTY, MASSACHUSETTS
TOWN OF ANDOVER**

6



LEGEND

- Proposed Centerline of Study Corridor (if Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (if Present)
- ▭ Structure (if Present)
- ▭ Study Corridor

- Note:**
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "N": Massachusetts Lynnfield Lateral
Line List: MA LL 57.00
MBL: 222-2J

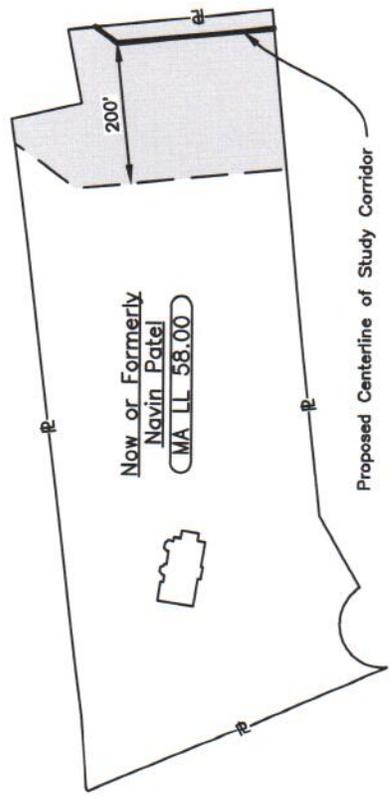
Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Per.: ESSEX		
TE-SEG_N-005	ALIGNMENT SHEET	Section:	Township: ANDOVER	Range:	
		Dt: HMM	Date: 12/9/15	Project ID:	
		Chk: HMM	Date: 12/9/15	Scale: N.T.S.	
		Appr:	Date:	Filename: SEG_N_57.00.DWG	
		<p>NORTHEAST ENERGY DIRECT PROJECT SEGMENT N PROPOSED 24" NATURAL GAS PIPELINE STEPHEN WALLINGFORD, ET UX ESSEX COUNTY, MASSACHUSETTS MASSACHUSETTS DPV</p>			
		<p>Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company</p>		<p>SEG_N_57.00</p> <p>Sheet: 1 of 1 Type: ACAD</p>	

**ESSEX COUNTY, MASSACHUSETTS
TOWN OF ANDOVER**

7



LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

- Note:**
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "N": Massachusetts Lynnfield Lateral
Line List: MA LL 58.00
MBL: 222-2K

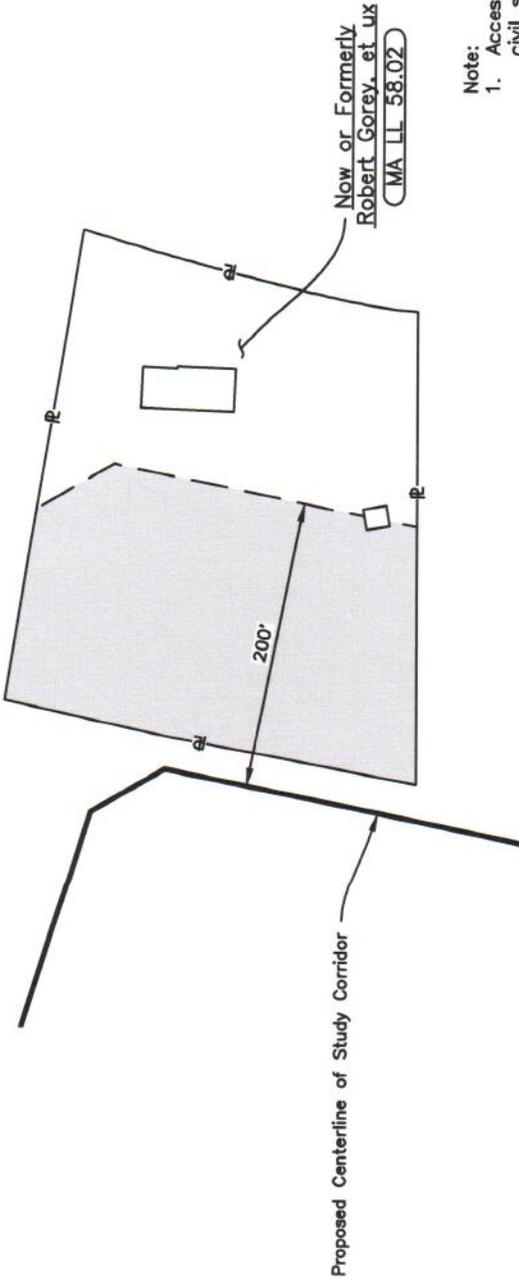
Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM			

DRAWING NUMBER		DRAWING TITLE		Division:		Op. Area:	
TE-SEG_N-006		ALIGNMENT SHEET		ST.: MASSACHUSETTS	Co./Par.: ESSEX		
				Section:	Township: ANDOVER	Range:	
				Dt: HMM	Date: 12/8/15	Project ID:	
				Chk: HMM	Date: 12/8/15	Scale: N.T.S	
				Appr:	Date:	File Name: SEG_N_58.00.DWG	
				NORTH EAST ENERGY DIRECT PROJECT SEGMENT N PROPOSED 24" NATURAL GAS PIPELINE NAVIN PATEL ESSEX COUNTY, MASSACHUSETTS MASSACHUSETTS DPU			
				Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company		Sheet: 1 of 1 Type: ACAD	
				SEG_N_58.00		1	

ESSEX COUNTY, MASSACHUSETTS
TOWN OF ANDOVER

8



LEGEND

- Proposed Centerline of Study Corridor (if Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (if Present)
- ▭ Structure (if Present)
- ▭ Study Corridor

Note:
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "N": Massachusetts Lynnfield Lateral
Line List: MA LL 58.02
MBL: 212-9

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

Tennessee Gas Pipeline Company, L.L.C.
a Kinder Morgan company

NORTHEAST ENERGY DIRECT PROJECT
SEGMENT N
PROPOSED 24" NATURAL GAS PIPELINE
ROBERT GOREY, ET UX
ESSEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU

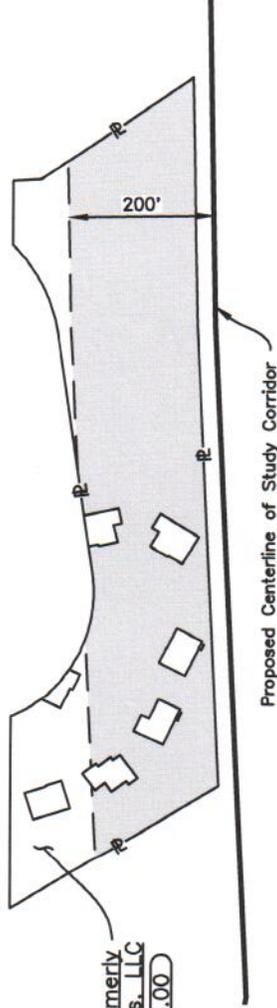
DRAWING NUMBER	DRAWING TITLE	Division:	Op. Area:
TE-SEG_N-005	ALIGNMENT SHEET	SL: MASSACHUSETTS	Co./Par.: ESSEX
		Section:	Township: ANDOVER Range:
		Dt: HMM	Date: 12/8/15 Project ID:
		Chc: HMM	Date: 12/8/15 Scale: N.T.S.
		Appr:	Date:
			Filename: SEG_N_58.02.DWG

SEG_N_58.02
Sheet: 1 of 1
Type: ACAD
1

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF TEWKSBURY



10



Now or Formerly
OSB Builders, LLC
MA LL 78.00

Proposed Centerline of Study Corridor

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Note:
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "N": Massachusetts Lynnfield Lateral
Line List: MA LL 78.00
MBL: 92-34

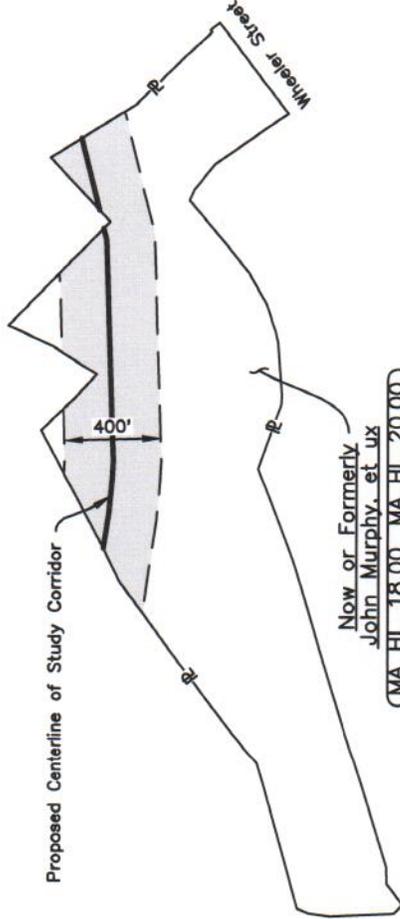
Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	Division:	Co./Par.: MIDDLESEX
TE-SEG_N-006	ALIGNMENT SHEET	Section:	Township: TEWKSBURY Range:
		Dt: HMM	Date: 12/9/15
		Chk: HMM	Date: 12/9/15
		Appr:	Date:
			Scale: N.T.S.
			Filename: SEG_N_78.00.DWG
NORTHEAST ENERGY DIRECT PROJECT SEGMENT N PROPOSED 24" NATURAL GAS PIPELINE OSB BUILDERS, LLC MIDDLESEX COUNTY, MASSACHUSETTS MASSACHUSETTS DPV		Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company	
SEG_N_78.00		Sheet: 1 of 1	Type: ACAD
		1	

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF DRACUT

12



Note:

1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

LEGEND

- Proposed Centerline of Study Corridor (if Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (if Present)
- ▭ Structure (if Present)
- ▭ Study Corridor

Segment "P": Massachusetts Haverhill Lateral
Line List: MA HL 18.00, MA HL 20.00
MBL: 22-0-53

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	St.: MASSACHUSETTS	Co./Par.: MIDDLESEX		
TE-SEG_P-003	ALIGNMENT SHEET	Section:	Township: DRACUT	Range:	
		Dt: HMM	Date: 12/8/15	Project ID:	
		Chk: HMM	Date: 12/8/15	Scale: N.T.S.	
		Appr:	Date:	Reference:	SEG_P_18.00_20.00.DWG

NORTHEAST ENERGY DIRECT PROJECT
SEGMENT P
PROPOSED 20" NATURAL GAS PIPELINE
JOHN MURPHY, ET UX
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPV

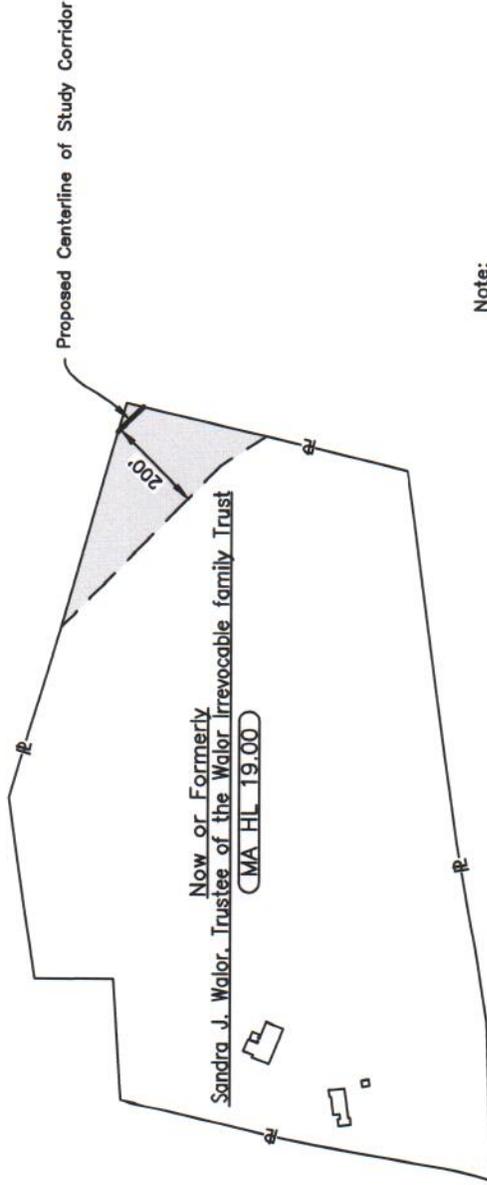


Tennessee Gas Pipeline Company, L.L.C.
a Kinder Morgan company

SEG_P_18.00_20.00
Sheet: 1 of 1
Type: ACAD

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF DRACUT

13



Note:

1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

Segment "P": Massachusetts Haverhill Lateral
Line List: MA HL 19.00
MBL: 22-0-38

- LEGEND**
- Proposed Centerline of Study Corridor (If Present)
 - Property Line (Approximate)
 - - - Proposed Access Road (If Present)
 - ▭ Structure (If Present)
 - ▭ Study Corridor (If Present)

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	St.: MASSACHUSETTS	Co./Par.: MIDDLESEX		
TE-SEG_P-003	ALIGNMENT SHEET	Section:	Township:		
		Dt: HMM	Date: 12/28/15	Project ID:	
		Chk: HMM	Date: 12/28/15	Scale: N.T.S.	
		Appr:	Date:	Filename: SEG_P_19.00.DWG	

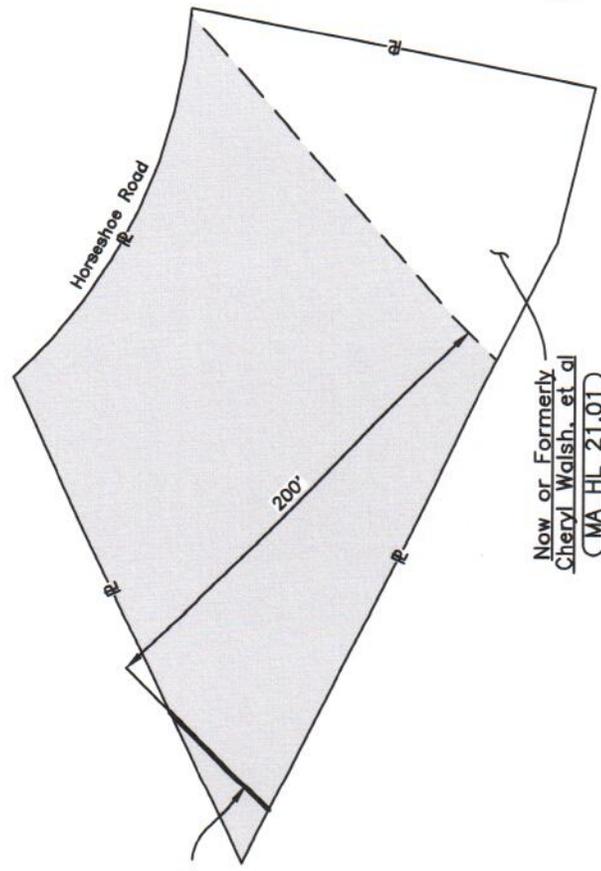
REVISIONS	

 Tennessee Gas Pipeline Company, L.L.C. <small>a Kinder Morgan company</small>		SEG_P_19.00 Sheet: 1 of 1 Type: ACAD
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NORTHEAST ENERGY DIRECT PROJECT
SEGMENT P
PROPOSED 20" NATURAL GAS PIPELINE
SANDRA J. WALOR, TRUSTEE OF THE WALOR IRREVOCABLE FAMILY TRUST
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPV

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF DRACUT

14



- Note:
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 2. No surveys will be conducted within 25' from a residence or occupied structure.

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Segment "P": Massachusetts Haverhill Lateral
Line List: MA HL 21.01
MBL: 22-0-45

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	Div.: MASSACHUSETTS	Co./Par.: MIDDLESEX
TE-SEG_P-003	ALIGNMENT SHEET	Section: TOWN: DRACUT	Range:
		Dt: HMM	Date: 12/8/15
		Chc: HMM	Date: 12/8/15
		Appr:	Date:
			Scale: N.T.S.
			Filename: SEG_P_21.01.DWG

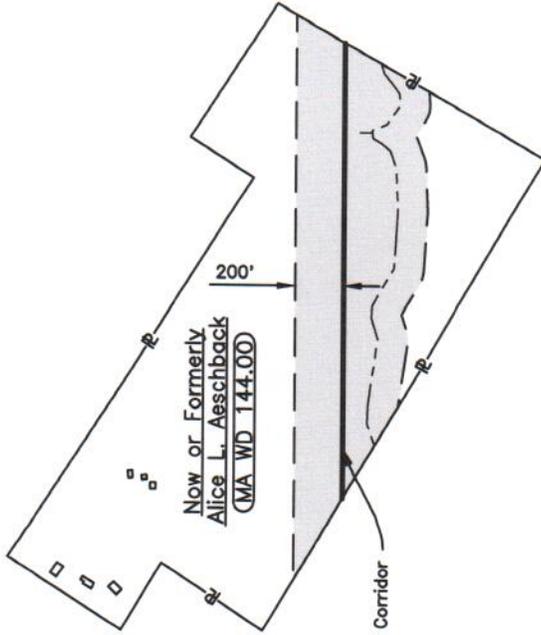
NORTHEAST ENERGY DIRECT PROJECT
SEGMENT P
PROPOSED 20" NATURAL GAS PIPELINE
CHERYL WALSH, ET AL
MIDDLESEX COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU



SEG_P_21.01
Sheet: 1 of 1
Type: ACAD

HAMPSHIRE COUNTY, MASSACHUSETTS
TOWN OF PLAINFIELD

15



Proposed Centerline of Study Corridor

Note:
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
2. No surveys will be conducted within 25' from a residence or occupied structure.

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Segment "G": Massachusetts Wright To Dracut
Line List: MA WD 144.00
MBL: 024-004.1

Note:
Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Par.: HAMPSHIRE		
TE-SEG_G-024	ALIGNMENT SHEET	Section:	Township: PLAINFIELD	Range:	
TE-SEG_G-025	ALIGNMENT SHEET	DTC: HMM	Date: 12/8/15	Project ID:	
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		Appr:	Date:	Filename: SEG_G_144.00.DWG	

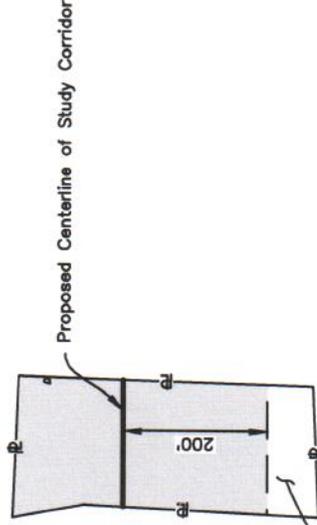
NORTHEAST ENERGY DIRECT PROJECT
SEGMENT G
PROPOSED 30" NATURAL GAS PIPELINE
ALICE L. AESCHBACK
HAMPSHIRE COUNTY, MASSACHUSETTS
MASSACHUSETTS DPU

Tennessee Gas Pipeline Company, L.L.C.
a Kinder Morgan company

SEG_G_144.00

Sheet: 1 of 1
Type: ACAD

FRANKLIN COUNTY, MASSACHUSETTS
TOWN OF NORTHFIELD



Now or Formerly
 Mary Neville-Wall
 (MA WD 413.00)

LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

Note:

- Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
- No surveys will be conducted within 25' from a residence or occupied structure.

Segment "H": Massachusetts Wright To Dracut
 Line List: MA WD 413.00
 MBL: 8 A4 1

Note:
 Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	ISSUED FOR USE DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM			

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Par.: FRANKLIN	Co./Par.: FRANKLIN	
TE-SEG-H-030	ALIGNMENT SHEET	Section:	Township: NORTHFIELD	Range:	
		Dft: HMM	Date: 12/8/15	Project ID:	
		Chk: HMM	Date: 12/8/15	Scale: N.T.S.	
		Appr:	Date:	Planning:	
				SEG_H_413.00.DWG	

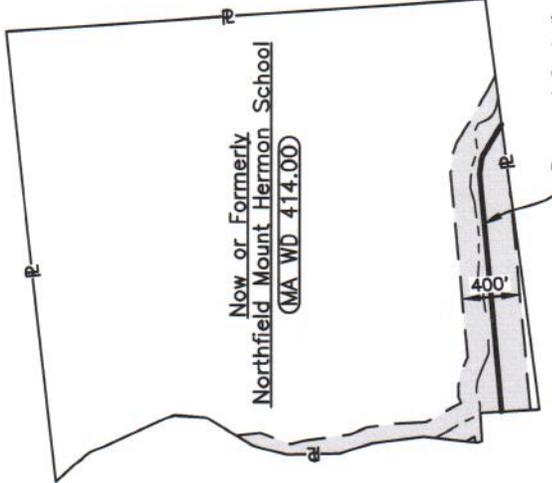
NORTHEAST ENERGY DIRECT PROJECT
 SEGMENT H
 PROPOSED 30" NATURAL GAS PIPELINE
 MARY NEVILLE-WALL
 FRANKLIN COUNTY, MASSACHUSETTS
 MASSACHUSETTS DPW

Tennessee Gas Pipeline
 Company, L.L.C.
 a Kinder Morgan company

SEG_H_413.00	Sheet: 1 of 1
	Type: ACAD

FRANKLIN COUNTY, MASSACHUSETTS
TOWN OF NORTHFIELD

17



LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

- Note:**
- Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 - No surveys will be conducted within 25' from a residence or occupied structure.

Segment "H": Massachusetts Wright To Dracut
 Line List: MA WD 414.00
 MBL: 8 A2 1

Note:
 Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

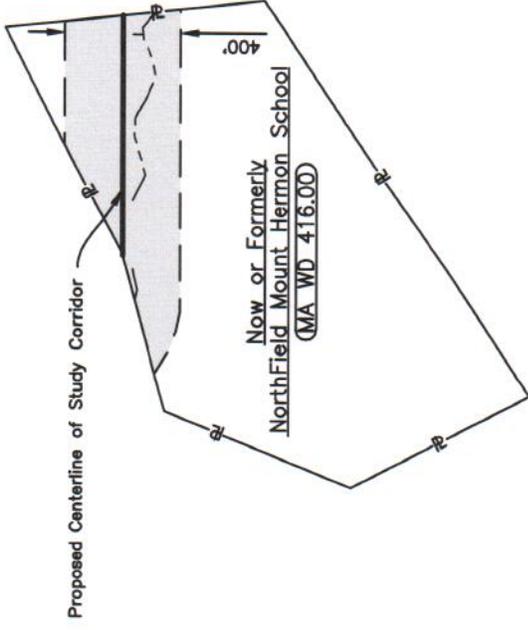
REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Par.: FRANKLIN		
TE-SEG_LH-030	ALIGNMENT SHEET	Section:	Township: NORTHFIELD	Range:	
TE-SEG_LH-031	ALIGNMENT SHEET	Dt: HMM	Date: 12/9/15	Project ID:	
		Chc: HMM	Date: 12/9/15	Scale: N.T.S.	
		Appr:	Date:	Filename: SEG_LH_414.00.DWG	

NORTHEAST ENERGY DIRECT PROJECT
SEGMENT H
PROPOSED 30" NATURAL GAS PIPELINE
NORTHFIELD MOUNT HERMON SCHOOL
FRANKLIN COUNTY, MASSACHUSETTS
MASSACHUSETTS DPJ

Tennessee Gas Pipeline Company, L.L.C.
 a Kinder Morgan company

SEG_H_414.00	Sheet: 1 of 1
	Type: ACAD

**FRANKLIN COUNTY, MASSACHUSETTS
TOWN OF WARWICK**



LEGEND

- Proposed Centerline of Study Corridor (If Present)
- - - Property Line (Approximate)
- - - Proposed Access Road (If Present)
- ▭ Structure (If Present)
- ▭ Study Corridor

- Note:**
- Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 - No surveys will be conducted within 25' from a residence or occupied structure.

Segment "H": Massachusetts Wright To Dracut
 Line List: MA WD 416.00
 MBL: 3124010000000050

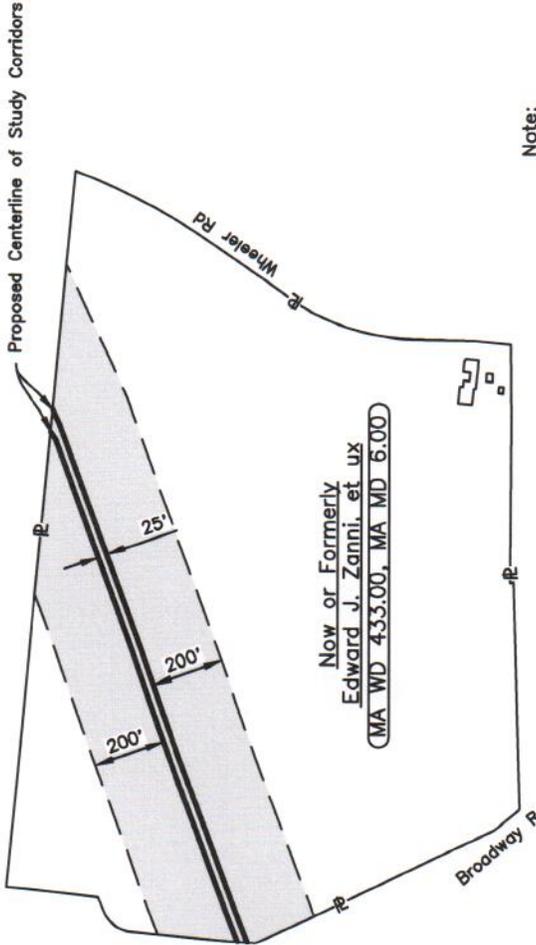
Note:
 Parcel information is based on tax map data and is not the result of a boundary survey.

NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM	ISSUED FOR USE		

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	ST.: MASSACHUSETTS	Co./Part.: FRANKLIN		
TE-SEG_H-031	ALIGNMENT SHEET	Section:	Township: WARWICK	Range:	
		DTE: HMM	Date: 12/8/15	Project ID:	
		Chk: HMM	Date: 12/8/15	Scale: N.T.S	
		Appr:	Date:	FIGURES:	SEG_H_416.00.DWG
		<p align="center">NORTHEAST ENERGY DIRECT PROJECT SEGMENT H PROPOSED 30" NATURAL GAS PIPELINE NORTHFIELD MOUNT HERMON SCHOOL FRANKLIN COUNTY, MASSACHUSETTS MASSACHUSETTS DPU</p>			
		<p align="center">Tennessee Gas Pipeline Company, L.L.C. a Kinder Morgan company</p>		Sheet: 1 of 1 Type: ACAD	

MIDDLESEX COUNTY, MASSACHUSETTS
TOWN OF DRACUT

18



- LEGEND**
- Proposed Centerline of Study Corridor (If Present)
 - Property Line (Approximate)
 - Proposed Access Road (If Present)
 - Structure (If Present)
 - Study Corridor

Segment "KL": Massachusetts Maritime Delivery
 Segment "L": Massachusetts Maritimes Delivery Line
 Line List: MA WD 433.00, MA MD 6.00
 MBL: 38-0-52

Note:
 Parcel information is based on tax map data and is not the result of a boundary survey.

- Note:**
1. Access to parcel is required to perform civil surveys, archeological surveys and cultural resource surveys, wetlands and waterbody delineations, and endangered or rare species surveys.
 2. No surveys will be conducted within 25' from a residence or occupied structure.

NO.	DATE	BY	ISSUED FOR USE	DESCRIPTION	PROJ. ID	APPR.
1	12/2015	HMM				

REFERENCE DRAWINGS		Division:		Op. Area:	
DRAWING NUMBER	DRAWING TITLE	SL: MASSACHUSETTS	Co./Per.: MIDDLESEX		
TE-SEG_K-002	ALIGNMENT SHEET	Section:	Township: DRACUT	Range:	
		Dt: HMM	Date: 12/8/15	Project ID:	
		Chk: HMM	Date: 12/8/15	Scale: N.T.S	
		Appr:	Date:	Revision:	
		SEG_KL_433.00_6.00.DWG			
<p>NORTHEAST ENERGY DIRECT PROJECT SEGMENT KL & L PROPOSED 30" NATURAL GAS PIPELINES EDWARD J. ZANNI, ET UX MIDDLESEX COUNTY, MASSACHUSETTS MASSACHUSETTS DPV</p>					
				Sheet 1 of 1 Type: ACAD	

EXHIBIT C

[Vernal Pool Survey Property Owners Mailing Address List]

EXHIBIT C

MAILING ADDRESSES OF VERNAL POOL PROPERTY LANDOWNERS

1	Kevin T. Joy 66 West Meadow Road West Townsend, MA 01474
2	Edward & Joan Dow 529 Main Street West Townsend, MA 01474
3	Paul & Cynthia Boundy 537 Main Street West Townsend, MA 01474
4	Philip & Janice Falzone 14 Pearl Brook Road West Townsend, MA 01474
5	Marc P. Ginsburg & Arnold Matel c/o Steven M. Singer, Esq. 607 North Ave., Suite 17 Wakefield, MA 01880
6	Stephen H. Wallingford 15 Jordyn Lane Andover, MA 01810
7	Navin Patel 10 Jordyn Lane Andover, MA 01810
8	Robert L. Gorey 33 Brown Street Andover, MA 01810
9	Ruth Unger 160 Cardigan Road Tewksbury, MA 01876
10	OSB Builders, L.L.C. 42J Dover Point Road Dover, NH 03820
11	Provident Realty Trust c/o David W. Jackson, Trustee 87 Broadway Malden, MA 02148
12	John & Aline Murphy 90 Wheeler Street Dracut, MA 01826
13	Sandra J. Walor, Trustee Walor Irrevocable Family Trust 615 Wheeler Street Dracut, MA 01826

14	Cheryl & Doris Walsh 89 Horseshoe Road Dracut, MA 01826
15	Alice Aeschback 229 West Street Cummington, MA 01026
16	Mary Wall Neville P.O. BOX 908 Northfield, MA 01354
17	Northfield-Mount Hermon School 1 Lamplighter Way Mount Hermon, MA 01354
18	Edward Zanni P.O. Box 387 Dracut, MA 01826

EXHIBIT D

[Order of Notice]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES**

)	
TENNESSEE GAS PIPELINE COMPANY, L.L.C.)	
Petitioner)	D.P.U. No. 16-02
)	

TENNESSEE GAS PIPELINE COMPANY, L.L.C.

Pursuant to G.L. c. 164, §§ 72A, 75B and 75D, Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”) has filed a petition with the Massachusetts Department of Public Utilities (“DPU”) requesting that it issue an order authorizing Tennessee to enter upon land owned by eighteen (18) private landowners (the landowners and property addresses are identified hereinafter as “Vernal Pool Survey Properties”) whose properties are located within two-hundred feet of the proposed pipeline centerline and are likely to contain vernal pools, for the purpose of making required vernal pool and other surveys in support of an application for the construction of a natural gas pipeline and appurtenant facilities filed with the Federal Energy Regulatory Commission (“FERC”). To minimize disruption and inconvenience, Tennessee also seeks permission to perform civil, archeological, cultural resource, wetlands and endangered/rare species surveys at the same time it enters the Vernal Pool Survey Properties.

DPU will receive and consider written comments from the public relating to Tennessee’s Petition. All written comments received by the Department at or before 5:00 P.M. on [insert date] will be considered. Written comments should be addressed to: [insert addressee], One South Station Boston, MA 02110, Attn: D.P.U. No. 16-02.

Tennessee is required to make return of service, on or before [insert proceeding date], certifying compliance with this Order.

By Order of the Department

EXHIBIT E

[Notice Letter to Landowners]

JAMES L. MESSENGER
JMESSENGER@GORDONREES.COM
DIRECT DIAL: (617) 902-0098

GORDON & REES
SCULLY MANSUKHANI

ATTORNEYS AT LAW

745 ATLANTIC AVENUE
4TH FLOOR
BOSTON, MA 02111
PHONE: (857) 263-2000
FAX: (857) 264-2836
WWW.GORDONREES.COM

January __, 2016

VIA FIRST CLASS AND CERTIFIED MAIL

[Name(s)]
[Address]
[City, MA Zip Code]

**Re: Tennessee Gas Pipeline Company, L.L.C.
D.P.U. No. 16-02
Petition for an Order Authorizing Surveys**

Dear Property Owner:

This firm represents Tennessee Gas Pipeline Company, L.L.C. ("Tennessee").

This letter constitutes notice to you that Tennessee has filed a Petition with the Massachusetts Department of Public Utilities ("Department") for an Order authorizing Tennessee to enter various properties throughout the Commonwealth of Massachusetts to perform surveys in connection with a proposed natural gas pipeline project. Your property is one of the properties that are the subject of Tennessee's Petition because Tennessee was unable to obtain your permission to perform the surveys. Hence, the Department has ordered Tennessee to send this letter and the enclosed Order of Notice to you.

Tennessee has informed you by various means that it is investigating a proposed pipeline route for construction or expansion of pipelines of its interstate natural gas pipeline network known as the Northeast Energy Direct Project (the "Project"). That Project is expected to involve construction or expansion of pipelines and/or related facilities in five states – Pennsylvania, New York, Massachusetts, Connecticut, and New Hampshire.

Tennessee needs to enter your property to perform the following surveys: civil; archaeological and cultural resources; wetlands and waterbody delineation (including vernal pool

[Name(s)]
January __, 2016
Page 2

surveys); and endangered or rare species. The information gathered during those surveys will be submitted to federal, state and/or local agencies as part of the permitting process for the Project.

The enclosed Order of Notice explains how you can submit comments to the Department concerning Tennessee's Petition.

Sincerely,

James. L. Messenger