

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350
www.dps.ny.gov

PUBLIC SERVICE COMMISSION

AUDREY ZIBELMAN
Chair
PATRICIA L. ACAMPORA
GARRY A. BROWN
GREGG C. SAYRE
DIANE X. BURMAN
Commissioners



KIMBERLY A. HARRIMAN
Acting General Counsel
KATHLEEN H. BURGESS
Secretary

September 29, 2014

VIA ELECTRONIC FILING

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Algonquin Gas Transmission, LLC
Docket No. CP14-96-000
FERC EIS-0245D

Dear Ms. Bose:

Attached please find the Comments of the New York Public Service Commission on the Draft Environmental Impact Statement in the proceeding of Algonquin Gas Transmission, LLC, for the Algonquin Incremental Market Project.

Should you have any questions, please contact me at (518) 474-1585.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Alan T. Michaels', with a long horizontal stroke extending to the right.

Alan T. Michaels
Assistant Counsel

Attachment

UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Algonquin Gas Transmission, LLC) Docket No. CP14-96-000

COMMENTS OF THE
NEW YORK PUBLIC SERVICE COMMISSION

The following are comments from the New York Public Service Commission (NYPSC) regarding the Draft Environmental Impact Statement (DEIS) for the proposed Algonquin Incremental Market Project to be constructed and operated, in part, in New York State. Our comments seek to address areas of interest to NYPSC, including: co-location of pipeline facilities with other proposed utility facilities, and protection of critical utility infrastructure.

INTRODUCTION

NYPSC has oversight responsibilities for the safe and reliable operation of utility infrastructure in New York State, including acting as the agent for the federal Department of Transportation (USDOT) fuel gas transmission pipeline safety requirements.¹ NYPSC also has extensive experience in siting, construction, operation and long-term maintenance aspects of utility infrastructure, including gas and electric transmission

¹ Natural Gas Pipeline Safety Act of 1968, and Hazardous Liquid Pipeline Safety Act of 1979, 49 U.S.C. §601.

facilities, co-location issues, and environmental impact evaluation, avoidance and mitigation. NYPSC and its Departmental Staff have direct responsibilities for utility siting and construction for intra-state gas transmission pipelines and major electric transmission facilities pursuant to New York State Public Service Law (PSL) Article VII. NYPSC offers the following comments on the DEIS developed pursuant to the National Environmental Policy Act² for the Algonquin Incremental Market Project¹.

BACKGROUND

On August 6, 2014, FERC issued a Notice of Availability of the Draft Environmental Impact Statement for the Proposed Algonquin Incremental Market Project and Public Comment Meetings for the projects. The DEIS provides basic information about the Algonquin Pipeline proposal, which includes the construction and operation of facilities in New York State including: replacement of approximately 15.7 miles of existing 26-inch pipeline with 42-inch-diameter pipeline (including a 2.9 mile segment on new right-of-way crossing the Hudson River) at locations in Rockland, Westchester and Putnam Counties; expansion of existing gas compressor station including a net increase of 21,000 horsepower of compression facilities located in Rockland County; and proposed main line pig-launching, gas heating and valve assembly facilities in New York State. Other

² National Environmental Policy Act of 1969, 42 U.S.C. §4321 et seq.

facilities located in Connecticut and Massachusetts are also proposed.

DISCUSSION

Additional Information is Needed to Evaluate Facility Impacts

The DEIS includes discussion of other proposed major utility facilities that are within the area studied for the Algonquin AIM project, including the Champlain Hudson Power Express (CHPE) and West Point Partners Transmission (WPP) major electric transmission lines (DEIS, pg. 3-6; pg. 4-144 at Table 4.8.3-1; pg. 4-147; et. al.). The NYSPSC granted CHPE a Certificate of Environmental Compatibility and Public Need on April 18, 2013, (Case 10-T-0139) pursuant to the Public Service Law of the State of New York. The CHPE project is currently undergoing federal review, with a Final EIS issued by the US Dept. of Energy on August 8, 2014 (EIS No. 20140227; DOE/EIS-0447). The WPP project is undergoing siting review by the NYSPSC in a proceeding pursuant to Public Service Law Article VII (Case 13-T-0292).

The DEIS correctly identifies potential for overlap in construction periods of the Algonquin AIM and CHPE projects. The proposal to install the 42-inch pipeline via Horizontal Directional Drilling should avoid direct conflicts in construction of the CHPE facility, and coordination of

activities to address potential construction-related impacts is appropriate, as noted at DEIS page 4-147.

The discussion of the location of proposed Algonquin AIM pipeline in relation to the proposed WPP high-voltage direct current (HVDC) and high-voltage alternating current (HVAC) electric cables, as well as the proposed HVDC-AC converter station, is incorrect. The DEIS at page 4-148 states "The West Point Transmission Project would be about 530 feet west of the AIM Project, at the closest point." Based on revised location information provided by West Point Partners LLC principle witness Christopher Hocker in supplemental testimony in Case 14-T-0292 before the NYSPSC on September 12, 2014, the WPP HVDC cables would cross the Algonquin-AIM 42-inch pipeline, and then run parallel to the pipeline at an offset of approximately 50 feet, as those facilities are proposed proceeding easterly from the Hudson River landfall location on property currently owned by Consolidated Edison Corp. The AIM pipeline would turn northerly and be located within approximately 50 feet west of the proposed HVDC-AC converter station location on the Consolidated Edison property. The pipeline and WPP HVAC cables would continue northerly at a close offset for several hundred feet north of the converter station location. Attached figure labeled CH-01 indicates the location of proposed WPP facilities in relation to the Algonquin-AIM 42-inch pipeline route.

The discussion and conclusions reached in the DEIS regarding construction activities, sharing of information between Algonquin and WPP, and conducting interference studies should be further supplemented based on the significantly revised locational information provided by WPP to the NYSpsc. The characterization of separation of the two facilities in the DEIS should be revised to reflect the close co-location proposed by WPP, and information sharing and coordination between the two developers should be better managed for purposes of developing accurate information to be reported in the Final EIS for the Algonquin-AIM project.

CONCLUSION

Based on the foregoing, the NYSpsc respectfully requests that the Commission take into consideration all of the comments and potential issues noted above during the review of the environmental impact statement for the proposed Algonquin pipeline.

Respectfully submitted,

s/ Kimberly Harriman

Kimberly Harriman
General Counsel

By:

Alan T. Michaels
Assistant Counsel
Public Service Commission
of the State of New York
3 Empire State Plaza
Albany, NY 12223
(518) 474-1585

October 1, 2014
Albany, New York

CERTIFICATE OF SERVICE

I, Alan T. Michaels, do hereby certify that I will serve on September 29, 2014, the foregoing Comments of the New York State Public Service Commission upon each of the parties of record indicated on the official service list compiled by the Secretary in this proceeding.

Dated: September 29, 2014
Albany, New York


Alan T. Michaels