

FILE

93-6000-GA-FAD

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UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

Rockies Express Pipeline LLC

:

Docket No. CP07-208-000

PUCO

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MOTION TO INTERVENE  
SUBMITTED ON BEHALF OF  
THE OHIO POWER SITING BOARD

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 C.F.R. § 385.214(a)(3), the Ohio Power Siting Board (OPSB or Board) submits this Motion to Intervene in the above-captioned case.

1) The OPSB was created within the Public Utilities Commission of Ohio (PUCO) and is charged with reviewing the need for and environmental, ecological, and social impacts of siting and construction of major utility facilities within Ohio. In addition to the Chairman of the Public Utilities Commission of Ohio who serves as chairman of the OPSB, the Board is comprised of several state agencies,<sup>1</sup> including the directors of the Ohio Environmental Protection Agency and the Departments of Agriculture, Development, Health, and Natural Resources, respectively, as well as one public member, and four state legislators, two from the Ohio House and two from the Ohio Senate.

2) On April 30, 2007, Rockies Express Pipeline LLC (Applicant) filed an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to construct, own, and operate natural gas pipeline facilities known as the REX-East Project. This proposed project would extend from the terminus of the Commission-authorized REX-West

<sup>1</sup> The respective agencies of the OPSB reserve their right to submit comments and otherwise participate in this case in their own right.

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project in Audrain County, Missouri to a terminus near the town of Clarington in Monroe County, Ohio and includes some 638 miles of 42-inch diameter pipeline to transport large volumes of natural gas to eastern U.S. markets. The Commission has designated this docket for comment and consideration of the REX-East Project

3) Germane to Ohio, the REX-East Project proposes construction through portions of 14 Ohio counties and would also include construction of several new compressor stations, including sites in Butler and Muskingum Counties in Ohio.

4) Given the significant amount of Project construction expected to be carried on within Ohio, the OPSB has a direct and important interest in this matter. Ohioans will be affected by the construction of the subject pipeline and will likely receive gas transportation service via this proposed pipeline. The OPSB's participation in this docket will ensure that the Commission is fully apprised of unique Ohio issues that arise by virtue of this application and will assist the Commission in identification and mitigation of impacts of this project within Ohio.

5) The interests represented by the OPSB are not adequately represented by any other party in this proceeding, and the OPSB's participation in this docket is in the public interest.

6) All communications related to this proceeding should be served upon:

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Facilities, Siting & Environmental Analysis  
Public Utilities Commission of Ohio  
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WHEREFORE, the Ohio Power Siting Board respectfully requests that its motion to intervene be granted in the above docket.

Respectfully Submitted,

**Marc Dann**  
Attorney General

/s/ William L. Wright  
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**Attorney for the  
Public Utilities Commission of Ohio**

#### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing have been served in accordance with 18 C.F.R. Sec. 385.2010 upon each person designated on the official service list compiled by the Secretary in this proceeding.

/s/ William L. Wright  
**William L. Wright**  
Assistant Attorney General

Dated at Columbus, Ohio this May 29, 2007.