



GREGORY J. WILKENS, P.E., P.S. BUTLER COUNTY ENGINEER

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RECEIVED-DOCKETING DIV

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

Re: Rockies Express Pipeline - East

Dear Secretary Salas:

The Butler County (Ohio) Engineer's Office respectfully submits the following comments regarding the Rockies Express Pipeline Project - East (REX Pipeline), FERC Docket No. PF06-30-000.

We understand a project of this nature is indeed a substantial undertaking that will have far-reaching implications. However, a project of this magnitude cannot be successful unless appropriately administered at the local level. There is growing apprehension that this has not been the case in the still early stages of the project.

As Butler County Engineer representing nearly 350,000 citizens, I am deeply concerned that our Office has been left out of REX's public information process. We have not received notification of public meetings and have become involved only through our own research and word of mouth. While attending one of two meetings to which we were never invited, one of our employees was told by a REX representative (who did not realize the employees' affiliation with our Office) that REX has been working very closely with us, when in fact just the opposite has been the case. This type of disingenuous communication from REX serves only to substantiate the mistrust and concern that currently overshadows their handling of this project.

At the same meeting, I confronted the REX representative with my concerns about pipeline issues as they impact our public rights-of-way; however, he had very little interest in discussing the matter. This would not seem to be in their best interest considering there are 21 county and township rights-of-way through which the pipeline must pass. I would remind you that REX will require permits from this Office for each one of those public crossings.

The single instance that REX has contacted us was when they needed a permit which we in good faith issued, allowing them to perform preliminary studies in one particular area. Our right-of-way negotiator met with their legal counsel who promised that they would get back with us. Again, there has been no interest demonstrated for our concerns as we have had no response from REX.

It is our feeling that we've been left in the dark on most matters and have not been presented with accurate details concerning the REX pipeline crossing in Butler County. Specifically our concern is twofold:

- 1) Subordination of easements for existing and future public rights-of-way; and consequently,
- 2) Who shall pay for relocation of the gas line in the event that any future roadway improvement projects must be performed.

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We strongly believe that the issue of who will be subordinate to whom where the pipeline crosses our public rights-of-way needs to be resolved before construction begins. If there is no resolution, we will not issue REX the required permits and the pipeline project will not proceed.

On behalf of the citizens of Butler County, our township trustees, and legislators who have expressed serious concern over these issues, I respectfully request that FERC withhold granting REX approval to proceed with land acquisition by eminent domain until an agreement is reached between Butler County and REX. This agreement should state that REX shall be subordinate to the County and affected townships and cities where their pipeline crosses our public rights-of-way or future rights-of-way and that REX shall bear the cost of any localized relocations of their pipeline if necessary in the event that a public roadway project requires as such.

Without a formal agreement, we fear that REX will not be held accountable for its actions during construction of the pipeline and for subordination of easement issues after completion. We understand the complexity of a pipeline project of this magnitude. Certainly there are thousands of local governments and landowners across the country that will be impacted. REX needs to ensure that it is communicating with all locals and that public and private issues are being resolved in a legal and genuine manner. If it is necessary that REX's aggressive timeline for this project be scaled back somewhat, then we would encourage FERC to make this recommendation.

Thank you for your consideration of our request. Please keep us abreast of the approval process. Should you have any questions or concerns, please contact me at your earliest convenience.

Very truly yours,



Gregory J. Wilkens, P.E., P.S.  
Butler County Engineer  
Butler County, Ohio

Cc: Representative John Boehner  
Representative Steve Chabot  
Senator-Elect Sherrod Brown  
State Representative Shawn Webster  
Board of Butler County Commissioners  
Township Trustees – Morgan, Reily, Hanover, St. Clair, Madison, Lemon Townships  
City of Monroe  
Public Utilities Commission of Ohio (PUCO)  
Rockies Express Pipeline Project – East (REX – East)