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**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Rockies Express Pipeline LLC

Docket No. CP07-208-000

**MOTION OF BP AMERICA PRODUCTION COMPANY
AND BP ENERGY COMPANY
FOR LEAVE TO INTERVENE IN SUPPORT OF PROJECT**

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §385.214, BP America Production Company and BP Energy Company (collectively referred to as BP) move for leave to intervene in the above-captioned proceeding in support of the request by Rockies Express for authorization to construct the eastern segment of its system (the so-called REX-East segment).

I. COMMUNICATION AND CORRESPONDENCE

Communications and correspondence regarding this filing should be directed to:

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II. BP SHOULD BE ALLOWED TO INTERVENE

This proceeding addresses a request by Rockies Express Pipeline for authorization to construct the eastern segment of its system, which will originate at an interconnection with Panhandle Eastern Pipeline Company in Audrain County, Missouri, and will terminate in Clarington, Ohio. BP is a producer and marketer, and BP is a firm shipper on Rockies Express with sufficient capacity to be classified as an "Anchor Shipper." Consequently, BP will be directly affected by the outcome of this proceeding. No other party can adequately represent BP's interests in this proceeding. Due to a delay in reviewing the Rockies Express application, BP is filing this motion one day after the deadline. In view of the early stage of this proceeding, intervention by BP one day late will not delay the proceeding and will not prejudice the other parties. BP will accept the record as it currently stands. Hence, the Commission should allow BP to intervene.¹ Pending further review of the Rockies Express application, and the comments that are filed by other parties, BP reserves the right to file supplemental comments.

¹ *Columbia Gas Transmission Co.*, 117 FERC ¶61,073, P4 (2006); *Columbia Gas Transmission Corp.*, 114 FERC ¶61,188, P2 (2006); *Equitrans, L.P.*, 117 FERC ¶61,184, P9 (2006).

III. THE COMMISSION SHOULD AUTHORIZE THE PROJECT

The Rockies Express system, including the REX-East segment, is creating vital, much-needed takeaway capacity for Rocky Mountain region gas supplies (application, transmittal letter, pp. 8-11, 60-62). In authorizing the segment of Rockies Express from Wamsutter to Audrain County, the Commission noted that the Rockies Express “is designed as a supply access project that will provide transportation capacity to enable growing volumes of rocky mountain gas production to reach midwest markets.” (116 FERC ¶61,272, P38 (2006)). The eastern segment extends Rockies Express’s access to markets further east that have previously been unavailable to Rockies production, except through multiple rate stacking by shipping on multiple pipelines. Consequently, BP supports the Rockies Express request for authorization to construct REX-East, and BP urges the Commission to expeditiously authorize the project.

IV. CONCLUSION

WHEREFORE, BP asks the Commission for permission to intervene in this proceeding in support of construction of REX-East, and BP asks for permission to be made a party for all purposes.

Respectfully submitted,

**BP AMERICA PRODUCTION
COMPANY and
BP ENERGY COMPANY**

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By: /s/ (filed electronically)
Attorneys for
BP America Production Company
and BP Energy Company

June 5, 2007

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010, I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 5th day of June 2007.

By: /s/ (filed electronically)
Kenneth M. Albert

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"Improve the economic well-being of agriculture and enrich the quality of farm family life."

Via e-Filing

June 4, 2007

Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

RE: **FERC Docket No. CP07-208-000**
Rockies Express-East Natural Gas Pipeline
Application for Certificate of Public Convenience and Necessity

Dear Commission Members:

The Illinois Farm Bureau (IFB) is a not for profit agricultural organization that represents the collective interests of its farmers members and advances the interests of agriculture in general. Today, approximately two out of every three Illinois farmers are members of the Illinois Farm Bureau. The IFB's primary mission is to improve the economic viability and well-being of agriculture and to enrich the quality of farm family life. Such interests will clearly be affected by construction and operation of the proposed REX-East natural gas pipeline; consequently, the IFB must voice concerns over certain aspects of REX's Application for Certificate of Public Convenience and Necessity under FERC Docket No. CP07-208-000.

Of primary concern is the draft Agricultural Impact Mitigation Plan (AIMP) that REX included with its April 30, 2007 application materials. See Resource Report No. 1, p. 27-29 and Appendix 1E. While IFB generally supports the use of AIMPs and has provided input to the Illinois Department of Agriculture concerning its development of recommended construction standards and mitigation measures for pipeline projects that cross agricultural lands, IFB cannot support the draft AIMP submitted by REX.

First, IFB opposes the draft AIMP's proposal for burying the pipeline with only a minimum of three feet (3') of top cover where the route crosses cropland, pasture land, and prime soil land. Due to the prevalence of deep tillage operations and an abundance of drain tile networks in Illinois, three feet of top cover is inadequate for the purposes of maximizing farm safety and minimizing disruptions to typical Illinois farming operations. Rather, IFB supports the Illinois Department of Agriculture's requirement that the pipeline be buried with a minimum of five feet (5') of top cover where the route crosses cropland, pasture land, and prime soil land in Illinois.

Another concern is REX's proposal for applying a single AIMP for three different states – Illinois, Indiana and Ohio. IFB opposes this practice and instead supports the Illinois Department of Agriculture's request that each individual state enter into a separate AIMP with REX. While there may be some similarities in the agricultural character of Illinois, Indiana, and Ohio, there are significant differences that would best be addressed through separate AIMPs.



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IFB would also like to address a portion of REX's Resource Report No. 1 that may tend to suggest that Illinois state agencies are on the verge of agreeing to REX's draft AIMP. See Resource Report No. 1, p. 27-28. As far as IFB is aware, the draft AIMP included as Appendix 1E to REX's Resource Report No. 1 has never been endorsed or agreed to by the Illinois Department of Agriculture (or any other Illinois state agency); consequently, we wish to avoid any misperception by Illinois landowners that certain state agencies have agreed to certain conditions before an AIMP is actually finalized.¹

In conclusion, IFB also wishes to clarify what it perceives to be the proper use of an AIMP as it relates to landowners' rights to freely negotiate right-of-way easements with REX. We believe any AIMP that REX agrees to with a state agency should be shared with individual landowners so they can be fully informed as to the possible environmental issues that may arise with the construction and operation of pipelines. However, IFB also believes that the AIMP should only be considered a baseline for the agricultural impact mitigation standards that REX will observe. Concerning individual easement agreements with REX, landowners still maintain the right and discretion to negotiate any modifications or enhancements to the AIMP the landowners deem appropriate.

Thank you for your consideration of these comments.

Sincerely,

Matthew T. Jontry
General Attorney
Illinois Farm Bureau

¹ Indeed, FERC's Office of Energy Projects (OEP) may have similar concerns over the status of REX's draft AIMP. The OEP advised REX in a May 29, 2007 letter that a critical item missing from REX's Resource Reports was information on how REX's mitigation plans for construction in agricultural areas would address the states' and landowners' concerns.



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UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

Rockies Express Pipeline LLC

)

Docket No. CP07-208-000

**MOTION FOR LEAVE TO INTERVENE OUT OF TIME OF
TEXAS EASTERN TRANSMISSION, LP**

Pursuant to Rules 212 and 214 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission ("FERC" or "Commission"), 18 C.F.R. §§ 385.212 & 385.214 (2006), Texas Eastern Transmission, LP ("Texas Eastern") hereby files its Motion to Intervene Out of Time in the captioned proceeding. In support hereof, Texas Eastern respectfully shows as follows:

**I.
Service**

The names, titles and mailing addresses of the persons to whom correspondence and communications concerning this motion should be addressed are:

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Director, Certificates & Reporting
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- * Persons designated to receive service pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure.

II. Parties

Texas Eastern is a wholly-owned, indirect subsidiary of Spectra Energy Corp. Texas Eastern is a limited partnership organized and existing under the laws of the State of Delaware and has its principal place of business at 5400 Westheimer Court, Houston, Texas 77056-5310. Texas Eastern owns and operates a natural gas pipeline system extending from the State of Texas and offshore Louisiana through the Appalachian area to the Eastern Seaboard in the Philadelphia and New York areas.

III. Background

On April 30, 2007, Rockies Express Pipeline LLC ("Rockies Express") filed an application in Docket No. CP07-208-000 pursuant to Section 7(c) of the Natural Gas Act and Part 157 of the Commission's regulations for a certificate of public convenience and necessity to construct certain pipeline facilities, referred to as the REX-East Project, to extend Rockies Express' certificated system eastward from its terminus in Audrain County, Missouri to Monroe County, Ohio and to increase the transportation capacity of its system from 1,500,000 Dth per day to 1,800,000 Dth per day. Specifically, Rockies

Express requests authorization to construct 638 miles of 42-inch pipeline and a total of approximately 236,000 horsepower of compression at seven new compressor stations. By notice issued May 14, 2007, the Commission established June 4, 2007 as the date on or before which motions to intervene or protests are to be filed in this proceeding.

IV. Intervention Out of Time

In acting upon a motion to intervene out of time, the Commission will consider whether the movant has good cause for failing to file on time, whether it will disrupt the proceeding, whether the movant's interest is adequately represented, and any prejudice to existing parties.¹ In addition, the movant must include the requirements for a motion to intervene.²

Texas Eastern submits that good cause exists for permitting it to intervene out of time in the captioned proceeding. Texas Eastern is submitting this Motion for Leave to Intervene Out of Time one day late, due to an administrative oversight. Texas Eastern's participation in the proceeding will not disrupt the proceeding at this early stage, and Texas Eastern's participation will not prejudice any existing parties. The Commission's policy is to permit interventions out of time if submitted before a substantive decision is issued.³ Texas Eastern will accept the record in this proceeding as it stands at the time of its intervention.

¹ 18 C.F.R. § 385.214(d) (2006).

² *Id.*

³ See, e.g., *Southern Star Central Gas Pipeline, Inc.*, 115 FERC ¶ 61,057 (2006) (granting intervention out of time when submitted before any order had issued). See also *Colorado Interstate Gas Company*, 115 FERC ¶ 61,039, at P 5 (2006) ("[A]ll timely-filed motions to intervene and any motions to intervene out-of time before the issuance date of this order are granted."); *Columbia Gas Transmission Corporation*, 114 FERC ¶ 61,329, at P 3 (2006) ("[A]ny timely filed motion to intervene and motion to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties.").

Texas Eastern has a direct and substantial interest in this proceeding because the REX-East Project will bring incremental gas supply into Texas Eastern's market area, where Rockies Express proposes to interconnect with Texas Eastern's facilities. Further, Texas Eastern's interests in this proceeding cannot be adequately represented by any other party. Texas Eastern requests that the Commission grant this Motion for Leave to Intervene Out of Time and permit Texas Eastern to participate in this proceeding with full rights as a party hereto. Texas Eastern reserves its right to file comments in this proceeding, after further reviewing the application submitted by Rockies Express.

WHEREFORE, Texas Eastern respectfully requests that the Commission grant this Motion for Leave to Intervene Out of Time and permit Texas Eastern to participate in this proceeding with full rights as a party hereto.

Respectfully submitted,

/s/ Marcy F. Collins

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ATTORNEYS FOR
Texas Eastern Transmission, LP

June 5, 2007

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing document upon each person on the Official Service List compiled by the Secretary in these proceedings.

Dated at Houston, Texas, this 5th day of June, 2007.

/s/ James E. Olson
James E. Olson
Attorney for
Texas Eastern Transmission, LP

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Rockies Express Pipeline LLC

Docket No. CP07-208-000

MOTION OF CHEVRON NATURAL GAS FOR LEAVE TO INTERVENE

Pursuant to the Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. §385.214, Chevron Natural Gas, a division of Chevron U.S.A. Inc. ("Chevron"), respectfully moves for leave to intervene in the above-captioned proceeding.

I. COMMUNICATIONS AND CORRESPONDENCE

Communications and correspondence regarding this filing should be directed to:

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II. CHEVRON SHOULD BE ALLOWED TO INTERVENE

This proceeding addresses a request by Rockies Express Pipeline for authorization to construct the eastern segment of its system, which will originate at an interconnection with Panhandle Eastern Pipeline Company in Audrain County, Missouri, and will terminate in Clarington, Ohio. Chevron is a producer and marketer, and Chevron's production can access Rockies Express. Chevron can ship gas on Rockies Express, and can sell gas to other shippers on Rockies Express. Consequently, Chevron will be directly affected by the outcome of this proceeding. No other party can adequately represent Chevron's interests in this proceeding. Chevron is filing this motion one day after the deadline. Due to the early stage of this proceeding, intervention by Chevron one day late will not delay the proceeding and will not prejudice the other parties. Hence, Chevron should be allowed to intervene in this proceeding.¹

¹ *Columbia Gas Transmission Co.*, 117 FERC ¶61,073, P4 (2006); *Columbia Gas Transmission Corp.*, 114 FERC ¶61,188, P2 (2006); *Equitrans, L.P.*, 117 FERC ¶61,184, P9 (2006).

III. CONCLUSION

WHEREFORE, for the foregoing reasons, Chevron asks the Commission for permission to intervene in this proceeding and be made a party for all purposes.

Respectfully submitted,

**CHEVRON NATURAL GAS,
A DIVISION OF CHEVRON U.S.A.
INC.**

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**Attorneys for
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INC.**

June 5, 2007

CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010, I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C. this 5th day of June 2007.

By: /s/ (filed electronically)
Kenneth M. Albert

Submission Contents

MOTION OF CHEVRON NATURAL GAS FOR LEAVE TO INTERVENE
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