

FILE

ORIGINAL

06-1142-BA-BIN

3

August 1, 2007
Secretary's Office
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

CP07-208-000

REGULATORY COMMISSION

2007 AUG - 1 P 4: 08

OFFICE OF THE
SECRETARY

Re: Necessity to Utilize Eminent Domain to Acquire Easement Across My Property

To Whom It May Concern:

My name is Myra Ripperger and I am a property owner who is anticipated to be impacted by the Rockies Express East (REX) Pipeline Project. I've been contacted by land agents for REX wishing to obtain an easement across my property for the proposed project.

Mr. Jack Donaho, who is a team leader for FERC's Office of Energy Projects, on July 26, 2007 forwarded correspondence to Robert F. Harrington, Vice President of Regulatory Affairs for Rockies Express Pipeline, LLC. In the correspondence Mr. Donaho requested that REX officials discuss the extent to which the use of Eminent Domain Authority will be necessary.

I would like to take this opportunity to say, at a very minimum, REX will have to utilize Eminent Domain Authority against me to acquire an easement across my property. Furthermore, unless REX provides me with a copy of the appraisal performed on my property, and that of my five (5) closest neighbors, and thirty (30) days to consider their first offer, I intend to litigate this matter to the fullest extent possible.

It has been my experience so far in dealing with REX, and that of other property owners I know, that property owners have not been provided as much information and respect as we deserve. Given the actions and inactions of REX officials, and to a lesser extent FERC, I believe that any offer for compensation for an easement will be insufficient to even scratch the surface of the damage being done to my property.

Therefore, in closing, I would urge that FERC not allow the pipeline to be constructed along the proposed alignment. However, if FERC ultimately provides approval for the project, and Eminent Domain Authority is granted to REX, any easement across my property must be acquired through the exercise of the power of eminent domain.

Sincerely,

Myra Ripperger
Myra Ripperger
7107 State Rd 229
Metamora, In 47030
812-934-5164

RECEIVED-DOCKETING DIV

2007 SEP 2 PM 3: 08

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician and Date Processed 9/25/07

 ORIGINAL

August 6, 2007

Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

FILED
OFFICE OF THE
SECRETARY

2007 AUG -8 A 9 13

FEDERAL ENERGY
REGULATORY COMMISSION

RE: Rockies Express Pipeline LLC; Docket No. CP07-208-000

This letter is to challenge the need for the REX-East project past the Lebanon, Ohio hub. This proposal would have the REX-East project terminate at the Lebanon Hub. Five of the 20 total interconnections to the distribution pipelines on the REX-East proposed route would be made at this location. The remaining six interconnections planned by REX-East from the Lebanon Hub eastward already exist for the current sole purpose of receiving product from Texas Eastern Transmission. Three of those six additional interconnections are at the proposed terminus of REX-East near Clarington, Ohio.

Texas Eastern Transmission has three separate pipelines in use for natural gas east of the Lebanon Hub. They are 20', a 24' and a 26' pipeline respectively. They occupy a total 150' easement width. Another existing fuel product pipeline operated by Texas Eastern Products Pipeline Company also adjoins these natural gas pipelines to make the total pipeline easement on the route 200'. The Rex-East route roughly parallels these existing Texas Eastern pipelines through Ohio to its terminus in Clarington. From Clarington the Texas Eastern pipelines continue eastward, so presumably it is the intention of REX-East to ship gas from its terminus to eastern markets at least partly through these existing Texas Eastern pipelines.

If Rex-East is approved, the Lebanon Hub will become a major connection point for gas produced in the Gulf Coast and the Rocky Mountains. As these two gas producing regions vie to sell their product in the lucrative eastern market, the Lebanon Hub will become merely a giant switch to determine which region ships their product further east. In our opinion, REX-East, as proposed, fulfills its public "necessity and convenience" objectives to stabilize gas prices and augment existing gulf coast gas supplies in those eastern markets when it reaches the Lebanon Hub. It's hard to conceive that east coast gas consumers will instantly require all the capacity of the existing pipelines and REX-East. So until the demand east of the Lebanon Hub increases through time, either REX-East or Texas Eastern or both will carry significantly less product than their design capacity. It appears that REX-East is attempting to position itself to emerge as the pipeline best suited to carry all the product east as Texas Eastern's long-term agreements expire. It also appears that if in time REX-East can siphon off enough shipping volume from the existing Texas Eastern pipelines, those pipelines will become increasingly expensive to operate until they become obsolete and are abandoned or replaced.

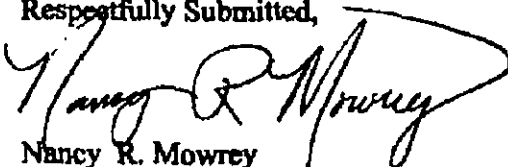
It is of interest to note that REX modified its originally proposed central and eastern segments into a single REX-East segment. It appears the only reason for REX to combine its central and eastern certificates is that as REX continues east from Audrain County Missouri, its reason to exist diminishes. In reality other competing pipelines can and are perfectly willing to transport Rocky Mountain gas to Midwest and eastern markets beginning at Audrain County Missouri. It appears once REX reaches the Lebanon Hub it's only reason to exist is to compete with Texas Eastern as a gas transporter. The only conclusion to draw then is that REX combined the initially proposed Central and Eastern segments in an attempt to disguise it's real intent to eventually replace Texas Eastern as a gas transporter between Lebanon and Clarington.

Perhaps REX would argue about the capacity of the of the existing Texas Eastern pipelines east of the Lebanon Hub to carry both Gulf Coast and Rocky Mountain gas. If capacity arguments do hold true then would it not promote the public convenience and necessity to fulfill the additional capacity needs in the existing Texas Eastern easement, rather than approve another new roughly parallel pipeline. Although not entertained by competing pipeline companies, the obvious solution to any future capacity problems with the existing Texas Eastern pipeline, is a cooperative venture between REX and Texas Eastern to replace one of the existing pipelines in the existing easement. This approach rewards REX for being innovative in delivering a new supply where it is needed and eliminates ALL new environmental impacts for REX east of the Lebanon Hub. This approach would also eliminate the possibility of new pipelines putting old pipelines out of business and the abandonment of 150' of existing right of way that could have been used for a new pipeline.

As the commission seeks to guide national energy policy and promote the public necessity and convenience in the way it approves pipelines, perhaps it should look at the surface transportation system in this country as a model. When a highway becomes overcrowded and can no longer accommodate the traffic, this country rarely builds a new competing highway to carry the existing and anticipated volume. In virtually every case the existing highway is upgraded to accommodate the new and anticipated need. This practical and simple solution makes perfect sense in this case as well.

As the commission reviews the REX application I hope it will consider these comments and the true need for the REX-east project to exist past the Lebanon hub. If it is determined that this need is real, then I ask that it consider the manner in which the project is approached and use the existing right a ways for all of the above fore mentioned reasons.

Respectfully Submitted,



Nancy R. Mowrey
Concerned property owner/taxpayer