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**FERC Meeting with Rockies Express Pipeline LLC Concern the Schedule for the
Rockies Express-East Project (Docket No. CP07-208)**

September 21, 2007

The meeting was attended by staff from the Office of Energy Projects (OEP) and Office of General Counsel, ICF International (ICF) (FERC 3rd party environmental contractor), Rockies Express Pipeline LLC, and counsel from VanNess Feldman, and Rockies Express contract staff and two individuals on behalf of their shippers.

Staff acknowledged the importance of the REX East Project, but insisted that complying with all regulatory requirements, and working together to complete all regulatory requirements within a timeframe is priority. Rockies Express expressed their need for a decision from the FERC by May 1, 2008 in order to complete construction in 2008 to meet their contract commitments of January 1, 2009. Rockies Express stated various physical and environmental constraints that would impede constructing a pipeline in the winter season, and stressed that they would likely need to begin construction by the spring of 2008 to complete the pipeline in 2008. Rockies Express further stated that if construction does not begin by the spring of 2008, Rockies Express would not likely be able to start construction until spring of 2009. In addition to physical constraints, Rockies Express would have greater difficulties securing a team of workers, and training the new workers, if construction did not begin until 2009 due to other projects that are also scheduled for next year. Staff encouraged Rockies Express to file a letter explaining these physical, financial, and business hardships.

Staff acknowledged Rockies Express's position, and said they would work with them to determine if they could fulfill all NEPA requirements, at a level satisfactory with the Commission's requirements, within a timeframe that would also help alleviate some of Rockies Express's concerns. Staff warned Rockies Express that the only administrative requirement within OEP's control is when the FEIS is published. OEP can not control when the Commission makes a decision and whether their decision will mirror what is concluded in the EIS. Accordingly, Rockies Express should assume the Commission will take at least one month after the FEIS is published to reach a decision.

Staff and ICF described the EIS preparation process to Rockies Express, and what tasks must be accomplished prior to the publication of the FEIS. Because the staff expects a lot of comments on the draft EIS, and the number of comments is outside of the FERC's control, the time allotted in between the DEIS and FEIS should remain similar to that published in the scheduling notice.

If the DEIS is published earlier than stated in the published scheduling notice, there must be ample opportunity for the public to comment during the 45-day comment period, prior to the holidays; all major issues would need to be resolved; Rockies Express would need to submit outstanding data earlier than previously specified; and, the DEIS would likely contain more conditions than other typical DEISs.

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Staff and Rockies Express also discussed some of the outstanding data deficiencies, such as cultural surveys for the meter stations and laterals, alternatives and possible mitigation for the Sny Levee and state parks, the Agricultural Impact Mitigation Agreement, Indiana bat surveys, the draft Biological Assessment, new noise analyses for the compressor stations and meter stations, and topographic maps that plot the updated route.