

FILE

06-1142-SA-BIN

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

Rockies Express Pipeline LLC

)

Docket No. CP07-208-000

**MOTION TO INTERVENE OUT-OF-TIME
OF CENTRAL ILLINOIS PIPELINE ASSOCIATION**

Pursuant to the Notice of Application in Federal Energy Regulatory Commission ("hereafter FERC") Gas Tariff issued in the above captioned docket on May 14, 2007, and Rule 214 of the Commission's Rule of Practice and Procedure, 18 C.F.R. § 38.214, the Central Illinois Pipeline Association (hereafter "CIPA") hereby moves to intervene in the filing made by Rockies Express Pipeline LLC (hereafter "REX") in the above captioned proceeding.

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I. SERVICE

Communications and correspondence regarding this filing and intended for CIPA should be directed to the following:

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II. BACKGROUND

These proceedings address the request from REX for authorization to construct the eastern phase of its pipeline system. The eastern phase of the pipeline will span through Missouri, Illinois, and Indiana and terminate in Ohio. The members of CIPA own property in Macon County, Illinois, and the REX pipeline will cross and affect their

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respective parcels of property. Consequently, the members of CIPA will be directly affected by the outcome of this proceeding, and no other party can adequately address or represent CIPA member's interest in this proceeding.

CIPA was organized by seventeen (20) interested property owners (hereafter "members"). To date, the following parties are members of CIPA:

Circle Z Development
Walter Coleman
David Corman
Lois Britton Garrett
Joanne Jackson
Bonnie Jacobs
Gary Jostes
Larry and Linda Kallenbach
Frank Mynard
Steven McCoy
Karen Monfre
Pat Penhallegon
Janet Rhea
Dyke and Sue Ridgley
Nancy Schaljo
Jim and Linda Snow
George Wells
Laverna White
Roger White
William White

The CIPA members represent twenty-three (23) different parcels of land affected in which the pipeline crosses. CIPA members' property consists of agricultural, timber, and development land. In more than two instances, the land is already in development stages and/or formally planned and plotted for development. In each situation, the plans/plots have been provided to REX.

III. INTERVENTION

The notice of filing of the above captioned docket was issued on May 14, 2007, with a deadline for intervention of June 4, 2007. The notice of Rockies Express

application did not come to counsel's attention until recently. Furthermore, the members of CIPA are private landowners and they were not aware that REX had filed the Application for Certificate of Public Convenience and Necessity, nor aware that they had a filing deadline. At a December 2007 informational meeting between counsel and REX officials, counsel was provided with packets of information from REX in which mentioned the June 2007 deadline. Counsel was instructed by REX to distribute the packets to the CIPA members. For many of the members this was the first literature received from REX, not to mention the receipt of information notifying them of a time sensitive deadline.

Once the members of CIPA discovered an application was filed, and determined that there was indeed a need to intervene in the proceedings in order to protect their legal rights and respective property, they formed the association, hired counsel and are now filing this motion as soon as practicable. Accordingly, CIPA believes that good cause exists to waive the time limitation pursuant to 18 C.F.R. §385.214.

Further, the proceedings are not beyond the beginning stages, consequently the filing of the pleading "out-of-time" will not disrupt the proceedings or prejudice any interested party. CIPA will accept the record as it stands in this proceeding at the time of their intervention.

Finally, as a group of property owners, directly affected by REX and FERC actions and the outcome of this proceeding, CIPA members cannot be fairly and equitably represented by anyone else.

III. CONCLUSION

WHEREFORE, CIPA respectfully requests that they be granted the opportunity and right to intervene and participate fully in this proceeding as an interested party. This right would include the right to present evidence and oral argument, cross-examine witnesses, request and admit evidence, file briefs, together with all other rights accorded to an established party to this proceeding.

RESPECTFULLY SUBMITTED,

BOLEN ROBINSON & ELLIS, LLP

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