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FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF THE CHAIRMAN

March 28, 2008

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PUCO

Mr. Scott Parker
President
Kinder Morgan Energy Partners, L.P.
747 East 22nd Street
Lombard, IL 60148-5038

RE: Request for Commission Action, Kinder Morgan Partners, L.P. Projects

Dear Mr. Parker:

This is in response to your March 20, 2008 letter regarding two Kinder Morgan Energy Partners, L.P. (Kinder Morgan) projects pending before the Federal Energy Regulatory Commission (Commission). Your letter specifically asserts a need for Commission authorization for the Rockies Express-East and Midcontinent Express Pipeline Projects by May 1 and July 17, 2008, respectively.

The Commission is fully aware of Kinder Morgan's concerns about its ability to meet commercial and contractor commitments. As recognized in your letter, staff made extraordinary efforts to expedite the review of both of these projects. However, the circumstances of each project that contributed to the staff's ability to achieve and continue those results differ considerably.

In the case of Rockies Express East, the Commission staff was able to expedite the issuance of the draft Environmental Impact Statement (EIS), issuing the document approximately seven months after the filing of the application, but five weeks ahead of the date published in the September 7, 2007 Notice of Schedule for Environmental Review. However, the document contained 149 environmental recommendations, 48 of which required the filing of additional material before the end of the draft EIS comment period. Unfortunately, as noted in the staff's January 18, 2008 letter, Rockies Express did not file all the requested material; therefore, the letter explained that staff could not commit to an expedited schedule for the final EIS. Because of the delays in receiving accurate information necessary for our environmental review, further expedition of the project schedule is not possible.

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In contrast, the draft EIS for Midcontinent Express Project was issued on schedule approximately four months after the filing of the application, with fewer than 50 environmental recommendations. Based on the company's responsiveness to landowner concerns, and since it provided the necessary information in a timely manner, staff believes that the final EIS can be issued ahead of schedule.

The Commission takes the development of natural gas infrastructure seriously, including Kinder Morgan's proposed projects. We expect applicants to be equally mindful of their responsibility to provide timely and accurate information, and to work diligently with staff and all stakeholders to resolve identified concerns.

Sincerely,

Joseph T. Kelliher
Chairman

Document Content(s)

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