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Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, DC 20426

PUCO

Re: Docket CP07-208-000 Rockies Express, LLC—East

Dear Secretary:

I am sure you are aware that Rockies Express, LLC is signing easements fairly successfully since the Federal lawsuit was filed and the court ruled in REX's favor. Landowners realized their government was forcing them to agree to REX's demands or face court sanctions and possibly having Federal marshals intervene. Aren't these the same Federal marshals we all read about being on passenger jets to protect U.S. citizens from terrorists? Why U.S. landowners are lumped into this same group one never knows, unless of course, REX feared for their own safety. While I can see why REX is concerned, I can assure you normal, taxpaying, god-fearing, voting, loyal Americans abide by the law. I wish the same could be said for both sides on this project. In any case, what is the position of FERC regarding logging on land on which REX already has easements completed? They are telling landowners to get the timber harvested or they will remove it themselves once they get the construction approval from FERC, and the landowners will lose the extra money they could get for this timber. I have attached a series of photos showing such an operation going on just down the road from my property, taken on April 25, 2008. I would think REX should be giving the landowners time to remove the timber when, and if, FERC gives them specific construction approval, not just their certificate.

Remember, May 1 and the Indiana Bat roosting season is just around the corner. So, if landowners can be cajoled into removing the trees and not REX, does that mean REX has that many less trees to investigate for the endangered and threatened species that may live in the forests? Nice trick! It is just about as slick as removing their habitat at night while they are out foraging for food, such as mosquitoes that carry West Nile Virus. It reminds me of the renter who comes home from work and finds their furniture and possessions out on the street because the landlord decided to evict them while they were gone. This is disturbing for many reasons, but number one is the project certificate has not been issued. Also, the final path of the pipeline has not been settled. If REX needs to move the pipeline several hundred feet, or miles, one way or the other, all of this logging will have removed precious trees, some in government programs and classified forests, that will have been for naught. Then, assuming the pipeline and its final resting place are finally approved, more trees will need to be removed. Does any of this make sense to you? Is there no one at FERC who pays attention to, or cares about, what is going on in the field?

REX has not exactly been forthright with FERC, local governments, water districts, or anyone else for that matter. They have a huge amount of environmental documentation that is incomplete. For instance, look at your own FEIS, page 1-12 to 1-16, Table 1.5-1,

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“Major Permits, Licenses, Authorizations and Clearances Required”. Other than the states of Nebraska and Wyoming, which are insignificant by comparison, the “Status” column resembles what something FEMA must have generated the day after Hurricane Katrina hit. It is not very reassuring, to say the least. Terms such as “Status Unknown”, “Pending”, “Consultations have been initiated and are ongoing” permeate this list and are inexcusable at this late stage of the process. But, REX still wants to keep pushing to make the schedule and FERC seems ready to oblige. I sure hope FERC has great records to back up your Final EIS. I cannot see how you can allow these abuses and think you will not be held accountable.

Sincerely,
Joseph F. Rust
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Att: Pictures from Franklin County

April 25, 2008



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