

EVAN BAYH
INDIANA

06-1142-GA-BIN

131 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1404
(202) 224-6623
<http://bayh.senate.gov>

1650 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS, IN 46204
(317) 554-0750

United States Senate

WASHINGTON, DC 20510-1404

CF07-208-002
COMMITTEES:
ARMED SERVICES
BANKING, HOUSING, AND URBAN AFFAIRS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS
SPECIAL COMMITTEE ON AGING

April 24, 2008

Mark Whitenton
Director
Division of Congressional and Intergovernmental Affairs
Federal Energy Regulatory Commission
888 First Street, Ne, Room 11h
Washington, D.C. 20426-0001

Dear Mark:

I have been contacted by Todd Branson who has informed me of his concerns regarding the building of a gas compressor station close to his home.

Attached is correspondence from Todd which explains his concerns. I would appreciate you looking into this matter and responding to me on the points which have been raised by corresponding with me at:

10 West Market Street, Suite 1650
Indianapolis, Indiana 46204
Fax: (317) 554-0760

If you have any questions, please feel free to contact my Constituent Services Representative, Martha Pabon, at (317) 554-0762. Thank you for your time and assistance.

Best wishes,


Evan Bayh
United States Senator

Enclosure

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 TM Date Processed 5/19/2008

RECEIVED-DOCKETING DIV
MAY 19 AM 7:50
PUCO

2008-00112

From: "WebServer Reserved UID" <webservd@www.senate.gov>
 Date: 4/4/2008 10:03:14 AM
 To: imail7600@bayh-ig.senate.gov
 Subject: Rockies Express Gas Compressor Station Location

Sender's IP address = 69.130.181.86

<APP>SCCMail

<PREFIX>Mr.</PREFIX>

<FIRST>Todd</FIRST>

<LAST>Branson</LAST>

<>6065533</>

<ADDR1>6328 N. Cr 25 W.</ADDR1>

<ADDR2></ADDR2>

<CITY>Bainbridge</CITY>

<STATE>IN</STATE>

<ZIP>46105</ZIP>

<EMAIL>tbranson@tds.net</EMAIL>

<ISSUE>CASEWORK</ISSUE>

<MSG>I am writing concerning a matter that I am trying to have addressed.

I recently (Feb 28th) found out that Rockies Express Gas has intention of building on a 20 acres site within 1500 feet of my home a Gas Compressor Station as part of their eastern gas pipeline. The site is located in Northern Putnam County just south of US 36 and east of CR 25 W approximately 2 miles west of the town of Bainbridge. I am opposed to this endeavor for many reasons but ultimately believe that it will like go through as planned. I find myself, as other similarly close homeowners find themselves, having to shoulder the risk of a real property value loss. My wife and I just recently built our dream home and find ourselves wondering if we will ever be able to sell it now that an industrial site is moving in. I have read through the FERC Environmental Impact Statement (EIS) and find that everyone and everything along the proposed 600 mile path have been considered for potential impact and loss of burying a 42 inch gas pipeline, expect for the homeowners who will p!

ermanently and continually have to live in close proximity of Gas Compressor Stations. I have spoke with lawyers, but find that they are doubtful that they can assist unless I can assume yet another financial burden of their legal fees that they estimate to be substantial; ie: in proportion to the amount of money that the Gas Company will have to fight in opposition of me.

The Gas Company is attempting to pass this site off as something compatible with the surrounding farm ground so as to lessen the negative feelings toward it as well as having to avoid having it rezoned from agricultural to industrial. They have applied for a variance from the county. I oppose to this on grounds that even within the EIS the location is referred to as an industrial site. There have been other sites considered and even favored by the gas company, but we can not convince them to change their plan of relocating the site. The EIS speaks of these other favorable sites on the grounds that the site is more remote from homeowners and that the terrain and vegetation shelter the site from surrounding homeowners. Our location is flat farm ground for miles in every direction, with no chance of sheltering the site for sight or sound. It seems that our site was only recently selected and I feel that there has not been enough thought put into how we will be adversley aff!

ected. I site the lack of any noise survey within the EIS for the location near me.

I plan to voice my opposition yet again during the March 14th county zoning hearing.

Todd Branson
6328 N. Cr 25 W.
Bainbridge, In 46105
765 522-5193</MSG>
<>casework</>
</APP>

CONSENT FORMCONSTITUENT INFORMATIONDATE of BIRTH [REDACTED]NAME: TODD BRANSONSOCIAL SECURITY NUMBER [REDACTED]ADDRESS: 6328 N CL 25 W

OTHER ID NUMBER: _____

Bainbridge, IN 46105TELEPHONE: [REDACTED]TYPE OF BENEFITS APPLIED FOR: OTHER DATE _____

AT WHICH OFFICE DID YOU APPLY? _____

If other than own account, name of person whose account you're filing on and their account #:

NAME _____ SOCIAL SECURITY NUMBER _____

Briefly describe problem or inquiry (use reverse side if necessary):

ON FEB 28, 2008 I WAS INFORMED ROCKIES EXPRESS WAS PETITIONING THE COUNTY
FOR A VARIANCE TO BUILD A NATURAL GAS COMPRESSOR STATION (20 ACRE SITE W/ 2
45,000 HP GAS TURBINES). I ATTEND 2 ZONING BOARD MEETING VOICING MY CONCERNS,
BUT ON APRIL 14, THE BOARD APPROVED THE VARIANCE.

I request U.S. Senator Evan Bayh to:

I BELIEVE WE HOMEOWNERS HAVE HAD INADEQUATE NOTICE AND INPUT INTO THIS PROJECT.
WE WILL BE AT RISK OF SERIOUS PROPERTY VALUE LOSS AND EXPOSED TO A NUISANCE
VERY CLOSE TO OUR HOMES. I HOPE THIS IS NOT HOW DEMOCRACY WORKS. I
WOULD GREATLY APPRECIATE YOUR HELP IN THIS MATTER. PS. OVER

CONSTITUENT AUTHORIZATION

I am aware that the Privacy Act of 1974 prohibits the release of information in my file without my approval. I
 give my authorization to U.S. Senator Evan Bayh, or his staff representative designated by him, to make proper
 inquiry on my behalf to _____

Signed [Signature]Date 4/17/08

Request must be signed by involved constituent or legally appointed guardian, and returned to
 U.S. Senator Evan Bayh, 1650 Market Tower, 10 West Market Street, Indianapolis, IN 46204 (317) 554-0750.

Name and Address of Guardian: _____

Zip Code _____

Inter-Office Information:

Office Contacted: _____ Call/Visit 4-7-08 Staff Member 4/p

I HAVE ENCLOSED A FEW ITEMS FOR YOUR REVIEW.

- 1) PUBLIC HEARING - FIRST BOARD OF ZONING HEARING.
- 2) EMAIL - SENT TO VARIOUS PUBLIC OFFICIALS
- 3) EMAIL - TO FERC
- 4) EMAIL - TO BRAD ELLSWORTH, TWO COPY OF EMAIL TO LAW FIRM OF SUMNER BARNARD

THIS IS A VERY CONFUSING ISSUE. I WOULD GLADLY EXPLAIN MYSELF FURTHER TO A MEMBER OF YOUR STAFF.



I WOULD ALSO LIKE TO POINT OUT THAT THIS IS NOT ONLY A LOCAL MATTER BUT A FEDERAL ISSUE. FERC WILL HAVE THE FINAL SAY IN REGARDS TO WHERE THIS COMPRESSOR STATION WILL BE BUILT. AS OF NOW FERC HAS NOT APPROVED THIS PROJECT. I BELIEVE THE COMMUNITY SHOULD HAVE MORE SAY IN THIS MATTER, AND I WOULD ARGUE THAT WE HAVE NOT HAD THAT OPPORTUNITY. IT IS TIME FOR SOME PUBLIC OFFICIAL TO TAKE RESPONSIBILITY FOR THIS, INSTEAD OF PASSING THE BUCK¹. IT IS ~~BOTH~~^{ALL} A LOCAL, STATE, AND NATIONAL ISSUE BUT I WILL BE LEFT LIVING NEAR THIS SITE. I WOULD EXPECT SOMEONE TO GIVE ME A SERIOUS HEARING!

Public Hearing Resident Concerns Gas Compressor Station

March 10, 2008

Dear Sir or Madam:

I would like to express a few concerns relating to the proposed construction and operation of a Gas Compressor Station near our home in Monroe Township.

1. Timely and adequate notice:

First, I would like to say that I was notified about this proposal February 28th, 2008 with instructions to express my suggestions, objections, views during the County Board of Zoning Appeals Meeting on March 10, 2008. That is less than two weeks to decide how I might feel about living near such an industrial site. I know that the petitioner was given my name on September 28, 2007, a good 5 months ago, but decided to give me 11 days notice. I would hope that this is the first of many meetings, and not the last. I hope that this is still an open subject of debate and not a formality.

Second, it appears that only 5 neighbors were required to be notified about the possibility of a Gas Compressor Station being built. It would seem that many more might have concerns. Publication of a notice in a newspaper doesn't quite accomplish the task. The town of Bainbridge is only 1.5 miles to the east and in light of the recent wind damage and evidence of prevailing winds the town council might have something to say about where such a station is placed.

2. Site selection Criteria:

There seems to be an effort to pass this Gas Compressor Station off as something similar in nature and appearance to the current agricultural aspects of local land. There is nothing more far from the truth. I am sure that there will not be any effort whatsoever to encourage the growth and nurturing of any plant and/or animal within the 20 acre confines of this property. In contrast to the surrounding property, the site will be loud and it will be big. It will change the nature and character of the land. The current lay of the land, with no trees or brush, is such that the site will be an eye sore for miles in every direction. It will be a detriment to the neighboring homes in terms of noise, vibrations, and unwanted eyesores. With the recent decline in home values, what we don't need is another reason to fear more loss of equity in our homes.

It would seem that a more suitable site would be one where again, few homeowners are affected, but where more natural obstructions are present such as trees, where the lay of the land isn't as flat and where the prevailing winds would more likely disperse the fumes and smells away from populated cities.

3. Future use:

The current proposal speaks of the building of a Gas Compressor Station on 20 acres. I would like to know what else would the property be used for? Will this site also become a staging/warehouse and maintenance facility to construct and maintain the proposed pipeline. What sort of concerns should we as neighbors be concerned with? Will there be lost of material stage outside? What will the variance allow within the 20 acres property?

Sincerely,

Todd and Carmen Branson, 6328 N. Cr 25 W., Bainbridge, In 46105

Todd Branson

From: "Todd Branson" <tbranson@tds.net>
To: <beckpow@ccrtc.com>; <poplaning@akhop.com>; <CommissionerWarren@co.putnam.in.us>;
 <CommissionerBaird@co.putnam.in.us>
Cc: <h44@in.gov>; <s24@in.gov>; <in08lms@in08.us.house.gov>;
 <senator_lugar@lugar.senate.gov>; <jason.thomas@indystar.com>; <customer@ferc.gov>;
 <allen.fore@feishman.com>
Sent: Friday, April 04, 2008 10:34 AM
Subject: Rockies Express Bainbridge Gas Compressor Station Location

I am writing concerning a matter that I am trying to have addressed.

I recently (Feb 28th) found out that Rockies Express Gas has intention of building on a 20 acres site within 1500 feet of my home a Gas Compressor Station as part of their eastern gas pipeline. The site is located in Northern Putnam County just south of US 36 and east of CR 25 W approximately 2 miles west of the town of Bainbridge. I am opposed to this endeavor for many obvious reasons but ultimately believe that it will like go through as planned. I find myself, as other similarly close homeowners find themselves, having to shoulder the risk of a real property value loss. My wife and I just recently built our dream home and find ourselves wondering if we will ever be able to sell it now that an industrial site is moving in. I have read through the FERC Environmental Impact Statement (EIS) and find that everyone and everything along the proposed 600 mile path have been considered for potential impact and loss of burying a 42 inch gas pipeline, except for the homeowners who will permanently and continually have to live in close proximity of Gas Compressor Stations. I have spoke with lawyers, but find that they are doubtful that they can assist unless I can assume yet another financial burden of their legal fees that they estimate to be substantial; i.e.: in proportion to the amount of money that the Gas Company will have to fight in opposition of me.

The Gas Company is attempting to pass this site off as something compatible with the surrounding farm ground so as to lessen the negative feelings toward it as well as having to avoid having it rezoned from agricultural to industrial. They have applied for a variance from the county. I oppose to this on grounds that even within the EIS the location is referred to as an industrial site. There have been other sites considered and even favored by the gas company, and yet others sites not considered but recommended have been ignored. We were not able to convince them to change their plan of relocating the site. The EIS speaks of these other favorable sites on the grounds that the site is more remote from homeowners and that the terrain and vegetation shelter the site from surrounding homeowners. Our location is flat farm ground for miles in every direction, with no chance of sheltering the site for sight or sound. Locating the compressor site as planned will condemn any surrounding land within site to agricultural as no one would want to build on it and it severely puts the existing homes at serious financial risk. It seems that our site was only recently selected and I feel that there has not been enough thought put into how we will be adversely affected. I cite as an example the lack of any noise survey within the EIS for the location near me and the EIS's own admission of more favorable sites.

I plan to voice my opposition yet again during the April 14th county zoning hearing, and reserve all other options to oppose this plan.

Todd Branson
 6328 N. Cr 25 W.
 Bainbridge, In 46106
 765 522-5193

Todd Branson

From: "OEA Customer" <Customer@ferc.gov>
To: "Todd Branson" <tbranson@tds.net>
Sent: Saturday, April 05, 2008 1:48 PM
Subject: RE: Rockies Express Bainbridge Gas Compressor Station Location

I definitely understand your situation. The Commission does have a comment period, but comments are considered after the period closed, which is why I recommend you file your comments. Pipeline routes frequently change while being considered by the Commission, which most likely explains the delayed notice. Your comments are important to us, so please submit them formally into the record, so the Commission can consider them.

From: Todd Branson [mailto:tbranson@tds.net]
Sent: Saturday, April 05, 2008 12:50 PM
To: OEA Customer
Subject: Re: Rockies Express Bainbridge Gas Compressor Station Location

Thank you very much. I understand that there was a comment period. I don't know for sure if it is officially over. I would like someone to understand that the first I heard of the change in Gas Compressor Station location (near my home) was Feb 28, 2008, when I received a certified letter from Rockies Express informing me of their decision to obtain a zoning variance from the county. I was present at the local info meeting back in late 2008 and was told then that the Compressor Station location was not planned near my home. I have received NO addition info from anyone concerning alternative locations.

Thanks,
 Todd

— Original Message —

From: OEA Customer
To: Todd Branson
Cc: FERC Online Support
Sent: Friday, April 04, 2008 7:53 PM
Subject: RE: Rockies Express Bainbridge Gas Compressor Station Location

Thank you for including me on your email. Your comments and thoughts on the REX-East proposed pipeline are important to us. To get your comments considered by the Commission, you need to file them at: <http://www.ferc.gov/docs-filing/efiling.asp>, in Docket No. CP07-208. I am including the FERC Online Support team on this email so can assist you in getting your comments into the record.

Mark Hershfield
 Special Assistant/Counsel
 Office of External Affairs
 Federal Energy Regulatory Commission
 (202) 502-8597

From: Todd Branson [mailto:tbranson@tds.net]
Sent: Friday, April 04, 2008 10:35 AM
To: beckpown@ccrtc.com; pcplanning@airhop.com; CommissionerWarren@co.putnam.in.us; CommissionerBaird@co.putnam.in.us
Cc: h44@in.gov; s24@in.gov; ln08lma@ln08.us.house.gov; senator_lugar@lugar.senate.gov; jason.thomas@indystar.com; OEA Customer; allen.fore@nelshman.com
Subject: Rockies Express Bainbridge Gas Compressor Station Location

I am writing concerning a matter that I am trying to have addressed.

I recently (Feb 28th) found out that Rockies Express Gas has intention of building on a 20 acres site within 1500 feet of my home a Gas Compressor Station as part of their eastern gas pipeline. The site is located in Northern Putnam County just south of US 36 and east of CR 25 W approximately 2 miles west of the town of Bainbridge. I am opposed to this endeavor for many obvious reasons but ultimately believe that it will like go through as planned. I find myself, as other similarly close homeowners find themselves, having to shoulder the risk of a real property value loss. My wife and I just recently built our dream home and find ourselves wondering if we will ever be able to sell it now that an industrial site is moving in. I have read through the FERC Environmental Impact Statement (EIS) and find that everyone and everything along the proposed 600 mile path have been considered for potential impact and loss of burying a 42 inch gas pipeline, except for the homeowners who will permanently and continually have to live in close proximity of Gas Compressor Stations. I have spoke with lawyers, but find that they are doubtful that they can assist unless I can assume yet another financial burden of their legal fees that they estimate to be substantial; I.e.: in proportion to the amount of money that the Gas Company will have to fight in opposition of me.

The Gas Company is attempting to pass this site off as something compatible with the surrounding farm ground so as to lessen the negative feelings toward it as well as having to avoid having it rezoned from agricultural to industrial. They have applied for a variance from the county. I oppose to this on grounds that even within the EIS the location is referred to as an industrial site. There have been other sites considered and even favored by the gas company, and yet others sites not considered but recommended have been ignored. We were not able to convince them to change their plan of relocating the site. The EIS speaks of these other favorable sites on the grounds that the site is more remote from homeowners and that the terrain and vegetation shelter the site from surrounding homeowners. Our location is flat farm ground for miles in every direction, with no chance of sheltering the site for sight or sound. Locating the compressor site as planned will condemn any surrounding land within site to agricultural as no one would want to build on it and it severely puts the existing homes at serious financial risk. It seems that our site was only recently selected and I feel that there has not been enough thought put into how we will be adversely affected. I cite as an example the lack of any noise survey within the EIS for the location near me and the EIS's own admission of more favorable sites.

I plan to voice my opposition yet again during the April 14th county zoning hearing, and reserve all other options to oppose this plan.

Todd Branson
6328 N. Cr 25 W.
Bainbridge, In 46105
765 522-5193