

FILE

## FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20428

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July 10, 2008

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PUCO

The Honorable Jon A. Husted  
Speaker  
Ohio House of Representatives  
77 South High Street  
Columbus, OH 43215-6111

Dear Mr. Speaker:

I am writing in response to your May 15, 2008 letter regarding the Rockies Express-East Pipeline Project (Federal Energy Regulatory Commission [Commission] Docket No. CP07-208-000).

On May 30, 2008, the Commission approved the enclosed *Order Issuing Certificate* for the Rockies Express-East Pipeline Project. As discussed in paragraphs 86 through 97 of the Order, we reviewed the comments provided by the Murray Companies and others regarding construction through current or proposed coal mining regions of Belmont and Monroe Counties, Ohio. The segment of the pipeline between mileposts (MPs) 621 and 629 traverses coal reserves held by the Murray Companies (the owner of Century Mine). The area crossed is not currently being mined, however, the Murray Companies hold mining rights that underlie the area and indicated that mining could occur in the future.

The Order also addresses an alternate route for the pipeline to avoid the Century Mine. While the Murray Companies proposed a general route alternative that could avoid most of the future planned mining areas, no specific alternative route is identified. Rockies Express did consider a route further to the south, based on maps provided by the Murray Companies that indicated mining rights extended approximately eight miles to the south of the proposed Rockies Express-East Pipeline route and 13 miles to the north. Based on the overall construction across Ohio, each mile of construction impacts about 23 acres of land. We estimated that the alternative route would be 12 to 15 miles longer than the proposed route and would generate additional impacts to between 277 to 346 acres of land, much of which is forested. Given these factors, we did not recommend the alternative route.

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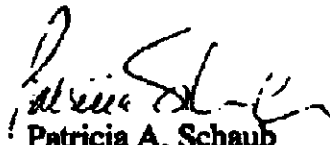
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The Order states that Rockies Express may need to move the pipeline in the future to avoid damage from the mining activities. Rockies Express will be fully responsible for monitoring and inspecting the pipeline, properly implementing mitigation measures, investigating any repairs or relocation to the pipeline that is determined necessary, and the addressing costs associated with these activities.

Additionally, the Order recognizes that further mitigation should be developed by Rockies Express to address the site-specific concerns of the Murray Companies. As a result, a new condition was included in the Order (Environmental Condition 147) which requires Rockies Express to work with the Murray Companies to develop a construction and operation plan for the segment of pipeline between MPs 621 and 635 that ensures the integrity of the pipeline and does not compromise existing or future mining activities by the Murray Companies. In the event an acceptable plan cannot be developed, the condition requires Rockies Express to develop an alternative route that avoids construction through the mining reserves of the Murray Companies.

I hope this information is helpful. If I can be of further assistance in this or any other Commission matter, please let me know.

Sincerely,



Patricia A. Schaub  
Acting Director  
Office of External Affairs

Enclosure