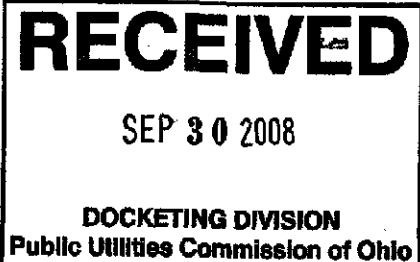


06-1142-GA-BIN



September 26, 2008

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




RE: Docket No. CP07-208-000  
Rockies Express Pipeline LLC, REX-East Project  
Spread F – Exclusion Area Revisions

Ms. Bose:

Rockies Express Pipeline LLC ("Rockies Express") hereby submits supplemental data with respect to its request for authority to commence construction ("Notice to Proceed" or "NTP") on the Indiana portion of Spread F of the REX-East Project.<sup>1</sup> Specifically, Rockies Express submits a revised Table 2.1-4 (Rev. 9/26/08) that reflects (1) the partial reduction of a previously identified exclusion area following State Historical Preservation Officer ("SHPO") approval, (2) a revised discrete stop point at MP 394.5 and (3) the addition of a new exclusion area that is pending landowner approval. The revised table is appended as Attachment A. The SHPO data supporting the lifting of the exclusion area is appended as Attachment B.

<sup>1</sup> The REX-East project was granted a certificate of public convenience and necessity pursuant to Section 7(c) of the Natural Gas Act by the Federal Energy Regulatory Commission on May 30, 2008 in this docket. Rockies Express Pipeline LLC, 123 FERC ¶ 61,234 (2008). On June 2, 2008, Rockies Express, pursuant to Section 157.20(a) of the Commission's Regulations, 18 C.F.R. § 157.20(a), notified the Commission that it accepted the Commission's Order.

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  Date Processed 10/1/08

Rockies Express is providing complete copies of this filing directly to the FERC Project Manager. If you have any questions, please do not hesitate to Ryan Childs at (307) 760-5635.

Respectfully submitted,

*/s/ Shippen Howe*

Shippen Howe  
Van Ness Feldman, P.C.  
1050 Thomas Jefferson Street, NW  
Washington, DC 20007

Attorney for  
Rockies Express Pipeline LLC

**Attachments**

cc: Laura Turner  
John Peconom  
Ellen Saint Onge  
All Parties

**Rockies Express Pipeline LLC  
REX-East Project  
CP07-208**

**ATTACHMENT A**

TABLE 2.1-4 Rev. 9/26/08

**Rockies Express Pipeline-East Project**  
**Construction Exclusion Areas and Restricted Construction Travel Lane Areas -- Spread F <sup>a</sup>**

State	County	Entry MP	Exit MP	Discrete Start Point	Discrete Stop Point	Reason for the Exclusion Zone	Month Available for Construction
Indiana	Franklin	386.9	387.5	Western boundary of WB-IN-375-D on tract IN-FR-065.000	Western boundary of tract IN-FR-068.000	Cultural resources surveys and/or SHPO concurrence pending for reroute 2035.	October
Indiana	Franklin	388.9	388.9	MLV-20 located on west side of St. Mary's Road on tract IN-FR-073.000		Cultural resources surveys and/or SHPO concurrence pending	October
Indiana	Franklin	392.2	394.5	Southern boundary of tract IN-FR-105.001	Western edge of the ATWS east of the overhead power line on tract IN-FR-129.001	Cultural resources surveys and/or SHPO concurrence pending.	October - November
Indiana	Franklin	395.7	395.9	Southern boundary of tract IN-FR-133.001 at Holland Road	Northwestern boundary of tract IN-FR-136.000	Cultural resources surveys and/or SHPO concurrence pending.	October
Indiana	Franklin	401.8	402.1	Western boundary of tract IN-FR-068.00 at Johnson Fork Road	Western boundary of tract IN-FR-182.000	Require additional documentation of consultation with landowners on route alternative	October
Ohio	Butler	404.8	404.8	MLV-21 located on east side of State Line Road on tract OH-BU-001.001		Cultural resources surveys and/or SHPO concurrence pending	October
Ohio	Butler	409.3	409.7	Western boundary of tract OH-BU-046.000 at Chapel Road	Eastern boundary of tract OH-BU-046.000	Cultural resources surveys and/or SHPO concurrence pending for reroute 2331.	October
Ohio	Butler	425.9	426.2	Eastern boundary of tract OH-BU-158.000 at Trenton Road	Western boundary of tract OH-BU-159.000	Certificate Condition 37 reroute (Chase Property)	October
Ohio	Warren	441.9	443.6	Eastern edge of tract OH-WA-017.000	Eastern edge of tract OH-WA-020.000	Cultural resources surveys and/or SHPO concurrence pending.	October

<sup>a</sup> Rockies Express commits to installing exclusion fencing at the end of the start or stop tracks as a visual barrier to prevent construction from extending into exclusion areas.

**Rockies Express Pipeline LLC  
REX-East Project  
CP07-208**

**ATTACHMENT B**

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739  
Phone 317-232-1646 • Fax 317-232-0693 • [dhpa@dnr.IN.gov](mailto:dhpa@dnr.IN.gov)



September 25, 2008

Kari Krause  
Natural Resource Group, Inc.  
80 South Eighth Street  
Minneapolis, MN 55402

Federal Agency: Federal Energy Regulatory Commission

Re: Phase II testing results for sites 12He294, 12He347, 12Fr333, 12Fr334, 12Fr377, 12Fr472, and 12Fr481  
pertaining to the Rockies Express Pipeline LLC's installation of a 622 mile long natural gas pipeline through  
Illinois, Indiana, and Ohio (FERC Docket #PF06-30-000; DHPA#1562)

Dear Ms. Krause:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials received on August 26, 2008, for the above indicated project in Hendricks and Franklin counties, Indiana.

In terms of archaeological resources in the phase II reports, we concur with the recommendations that sites 12He347, 12Fr377, and 12Fr472 are eligible for inclusion in the National Register of Historic Places. Therefore, these sites must be avoided by all project activities or subjected to Phase III data recovery. It is our understanding that site 12He347 will be avoided by all project activities as per Treatment Plan 2. If avoidance is not feasible, a plan for the archaeological investigations must be submitted to the Department of Natural Resources for review and comment prior to the initiation of fieldwork. The investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716).

We also concur that sites 12He294, 12Fr333, 12Fr334, and 12Fr481 do not appear eligible for inclusion in the National Register of Historic Places. Therefore, no further archaeological investigations are necessary for these sites. If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

We appreciate the levels of effort for identifying and evaluating cultural resources for this project and look forward to continuing our review. *A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at [www.achp.gov](http://www.achp.gov) for your reference.* If you have questions about archaeological issues please contact Cathy Draeger at (317) 234-3791. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #1562.

Very truly yours,

James A. Glass, Ph.D.  
Deputy State Historic Preservation Officer

JAG:CLD:old

cc: Kimberly Bose, Federal Energy Regulatory Commission  
emc: Ellen Saint Onge, Federal Energy Regulatory Commission  
Thomas Chadderton, Louis Berger Group  
Seth Mitchell, AK Environmental, LLC

Document Content(s)

REX East - Spread F Sept 26 Landowner Agreement-.PDF.....1-6