

# Lenox joins advocacy group ahead of gas pipeline hearing

By Clarence Fanto / cfanto@yahoo.com / @BE\_cfanto on Twitter

POSTED: 05/29/2015 12:57:44 PM EDT

**LENOX >>** The town has joined a local advocacy group, giving members a seat at the table in an upcoming state hearing regarding the proposed Kinder Morgan natural gas pipeline.

The Select Board on Wednesday voted unanimously to join Great Barrington-based Northeast Energy Solutions (NEES). The action was taken on the advice of the special counsel hired by the town to protect its interests in connection with the highly controversial pipeline project.

So far, the state Department of Public Utilities has only allowed municipalities to participate in hearings related to the pipeline, Selectman Channing Gibson told board members at Wednesday night's meeting. Having a town as a member allows NEES to take part in those hearings, he said.

"What's at stake now is that Berkshire Gas has filed with DPU to have its relationship with the pipeline approved," he said.

The DPU has scheduled a hearing June 11 on the proposed natural gas pipeline access agreement between Berkshire Gas Co. and Kinder Morgan's Tennessee Gas Pipeline Co. The agreement specifies the amount of gas the company would purchase from the Tennessee Gas Pipeline Co.'s Northeast Energy Direct pipeline, if and when it is built.

NEES is among the groups planning to attend the hearing to "challenge some of the evidence presented, in order to study it and see if it is feasible, legal and living up to Berkshire Gas's requirement to serve the public interest," said Gibson.

"It's important that there's as much sunlight as there can possibly be on every facet of these pipelines," he said, "Remember, NEES is not saying no pipelines, no natural gas, no fracked gas, none of that. They just want to have a thorough investigation into the feasibility and reasonability of the Tennessee Gas Pipeline in particular."

The town would pay no fee to join NEES, he said. "We would essentially give them the ability to be intervenors in this hearing and, I presume, any other hearings that might be related to this," Gibson noted.

The Federal Energy Regulatory Commission (FERC) has the final say on the new \$5 billion pipeline network to ship natural gas from Pennsylvania's Marcellus shale fields through upstate New York into Massachusetts and southern New Hampshire.

The president of NEES is longtime environmental activist Eleanor Tillinghast. The group has challenged the financial basis of the pipeline proposal.

Gibson credited Tillinghast as "extremely helpful" to Lenox when it successfully resisted Kinder Morgan's original pipeline route that would have sliced through the town's watershed, Kennedy Park, and other key community resources.

The revised route would cross portions of Stephentown, N.Y., Hancock, Lanesborough, Cheshire, Dalton, Windsor, Hinsdale and Peru before proceeding into Franklin and Hampshire counties, as well as southern New Hampshire, returning to the Bay State in Dracut, a major natural gas terminal north of Lowell.

"We, as a town, might have an interest in these Berkshire Gas hearings," Gibson said. "It's possible that our residents here are affected by whether they're making appropriate decisions or not. Perhaps there's something there for us to be concerned about; perhaps there isn't. But we will know."

Selectman Kenneth Fowler said that although Lenox is no longer in the sights of the pipeline route, "for us to not stand with our neighbors is bad taste."

The town's special counsel on pipeline issues, Richard Kanoff of the Burns & Levinson law firm in Boston, was cited by Select Board Chairman Edward Lane as offering assurances that "there's no downside" for Lenox to join NEES as intervenors at the state DPU hearing.

Lane stressed that the Select Board previously agreed "not to sit back on our laurels and say, OK, we won. We have to continue to be involved."

In a recent three-page letter to FERC, Vincent DeVito, legal counsel to NEES, charged that Tennessee Gas has provided "inconsistent information" that is masking the "true facts" about the pipeline proposal.

The DPU hearing is slated for 7 p.m. Thursday, June 11, in the Greenfield Middle School at 195 Federal St. The state agency agreed to hold a Western Massachusetts hearing following a letter from state Senate President Stan Rosenberg, D-Amherst.

"This agreement will have a significant impact on the region, and I think it's critical that we ensure that the public is engaged in this process," Rosenberg wrote.

Berkshire Gas, based in Pittsfield, serves 20 Western Massachusetts communities but has cited a lack of supply for putting a hold on offering services to new customers. The deal with Tennessee Gas would entitle Berkshire Gas to 350 million cubic feet from the pipeline over 20 years.

At least five other energy companies in the region, including National Grid, have signed contracts with Tennessee Gas.

State DPU approval is required for each actual contract. If the pipeline is approved by FERC, it would go into service in November 2018, according to Kinder Morgan.

In his letter, Rosenberg described the quandary of how to best serve the region with power.

"The puzzle is how many transmission lines, how many pipelines, and how will those decisions impact upon the steady supply and price reliability, and how will it impact on our leading status in the country in green and conservation," he wrote. "That is the picture we're dealing with."

Information from the Daily Hampshire Gazette and the Greenfield Recorder was included in this report.

Contact Clarence Fanto at 413-637-2551.

## **At a glance ...**

Northeast Energy Solutions is an alliance of one town and numerous environmental groups.

### **Members:**

Town of Lenox

Green Berkshires

Berkshire Natural Resources Council

Richmond Land Trust

Trustees of Reservations

East Quabbin Land Trust

Franklin Land Trust

Nashua River Watershed

Massachusetts Land Trust Coalition (130 groups)

### **Officers:**

President: Eleanor Tillinghast, Green Berkshires.

Treasurer: Tad Ames, president of Berkshire Natural Resources Council.

### **Mission:**

"To investigate the effects of energy infrastructure development in the Northeast as it relates to economic vitality and environmental impact. We provide sound analysis, effective advocacy, and public education related to proposed energy transport projects, including Northeast Energy Direct."