

# Consortium of conservation groups, land trusts opposes pipeline intervention by Irving Oil Terminals

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A consortium of conservation groups and land trusts is protesting a petition to intervene in the Northeast Energy Direct project proposed by the Tennessee Gas Pipeline Co. The consortium also called for a formal hearing into what it says are inaccuracies in the company's filing with the Federal Energy Regulatory Commission.

Northeast Energy Solutions Inc., whose members include Franklin Land Trust and a 130-member statewide land-trust alliance that includes Mount Grace Land Trust, formally objected to a Jan. 6 intervention application by Irving Oil Terminals Operations Inc., saying the company's plans to export liquefied natural gas at a proposed terminal in Saint John, New Brunswick, were misidentified as an "industrial" use of gas from the planned Northeast Energy Direct pipeline, which would be constructed through Plainfield in Hampshire County and eight Franklin County towns on its way from Pennsylvania shale oil fields to Dracut.

Dracut is the hub for the Maritimes and Northeast pipeline running through New Hampshire, Maine and New Brunswick to Point Tupper in northern Nova Scotia, with plans to have its southward flow reversed to carry U.S. gas northward into northern New England and Canada.

The Jan. 20 filing by Northeast Energy Solutions calls for a formal hearing on Irving's proposed intervention, pointing to what it says are contradictions between Tennessee Gas Pipeline's application to the federal commission and Irving's intervention describing itself as "an end-user of natural gas in New Brunswick."

Tennessee Gas Pipeline's application for its project states it has a precedent agreement to sell Irving 10,160 dekatherms of gas a day for 15 years as an industrial end-user at a new location in the Canadian Maritimes.

Canaport, the LNG import terminal in Saint John, New Brunswick, owned by the Spanish energy giant Repsol and Irving Oil, is seeking approval for a 1.2 Bcf/day export terminal.

"As term of industry, an 'industrial end-user' is typically a facility that uses an energy supply on site," Northeast Energy Solutions attorney Vincent DeVito wrote. "However,

Irving Oil asserts that they intend to transport gas beyond a facility accepting gas for on-site operations.”

The filing asserts Tennessee Gas Pipeline “is not being accurate and forthright with regulators, elected officials, stakeholders and the public. It is unjustifiable for Tennessee to state that ‘NED is being developed specifically to provide much needed natural gas for regional electrification and local distribution companies that need to serve increasing customer demand in their New England service territories.”

In Irving’s response to the federal commission on Wednesday, the company denied any inaccuracies suggested by Northeast Energy Solutions, adding, “The statements that NEES references speak for themselves, and the Commission is fully capable of analyzing these statements. Irving Oil nevertheless objects to any suggestion that it has made an inaccurate or misleading statement in this proceeding.”

DeVito told The Recorder, “The significance is that the TGP application is riddled with inaccuracies and, as such, should be rejected by FERC. Also, I note that Irving did not object to our requesting a hearing so FERC should conduct a hearing as we requested.”

Richard Wheatley, a spokesman for Tennessee Gas Pipeline parent company Kinder Morgan, recently told The Recorder, “We have no LNG export customers. We currently have one industrial customer in Atlantic Canada, Irving Oil, which is listed in the Nov. 20 NED Project FERC Certificate filing. The Atlantic Canada market has the same type of customers/shippers as New England, including industrial users, gas distribution concerns and electric generators.”