

DAILY LOCAL – February 7, 2009

## County seeks intervenor status with Transco pipeline

**Intervenors may legally petition for re-hearings; commissioners also ask to delay related proceedings or condemnation hearings**

By ANNE PICKERING, Staff Writer

WEST CHESTER — After being petitioned by residents, local watershed groups, two state senators and two state representatives, Chester County commissioners Friday asked for intervenor status in the Williams Transco pipeline expansion project.

The commissioners also asked for a new hearing and a stay of the proceedings, including any condemnation actions.

Attorneys for Williams are negotiating with landowners for additional rights of way for the expansion of natural gas pipeline. Many residents are being threatened with eminent domain proceedings if they object to the intrusion on their property.

In a statement, Commissioner Kathi Cozzone said she has been an advocate for the citizens in their struggle to be heard and treated fairly by the Federal Energy Regulatory Commission.

"I'm glad to say that I have worked with my colleagues to reach agreement that Chester County become an intervenor in this process. Chester County has committed many years and a significant amount of hard-earned taxpayer money protecting and preserving our land in accordance with our Landscapes and Watersheds plans," said Cozzone.

Although several county departments — including the Chester County Planning Commission, the Water Resources Authority and the Conservation District — have submitted detailed comments regarding the pipeline's impact, opponents of the project wanted the county commissioners to also lend their support.

The number of pipeline projects in the county has been increasing yearly. Eight companies have pipelines for natural gas, liquid gas or other petroleum products in the county and many converge in the Eagle area.

At least three pipeline projects involve either the expansion of an existing pipeline or the addition of new pipelines:

The Williams Transco project is a 7-mile loop through five townships and involves replacing a 30-inch diameter pipe with a 42-inch diameter pipe.

The AES Sparrows Point project creates a new terminal in Sparrows Point, Md., and builds 88 miles of pipeline from Maryland to Eagle.

And Dominion natural gas company plans to bring natural gas from Marcellus shale in Greene County to Chester County.

All three companies want additional rights of way from residents who, in some cases, say they have lost trees when the companies put pipelines near their homes. County officials have likewise complained about inadequate safeguards for stream crossings and streamside tree buffers.

While the Federal Energy Regulatory Commission supervises gas companies, opponents say the agency rubber stamps whatever the companies want.

Recently, state Sen. Andy Dinniman, D-19, of West Whiteland, accused the commissioners of dragging their feet and not coming out more strongly against the pipeline companies because Commissioner Carol Aichele's husband works for Saul Ewing, the Williams attorney who has been sending threatening letters to residents.

Aichele said although her husband works for Ewing, he does not work on the Transco account. Even so, she has recused herself on any vote regarding Transco.

Aichele also recused herself from the discussions regarding the county asking for intervenor status and did not sign the official motion sent to the Federal Energy Regulatory Commission.

Anyone can ask for intervenor status, but it is up to the federal agency to grant it. Intervenors may legally petition the federal agency and ask for re-hearings.

In the Williams case, it is probably too late in the process for the county commissioners to be granted legal intervenor status, but the action has symbolic significance.

The commissioners also asked for intervenor status regarding the AES project.

John Hoekstra, director of watershed advocacy for the Green Valleys Association, was pleased to hear the commissioners had asked for intervenor status.

"That's wonderful news that they joined the process," said Hoekstra on Friday.

He noted that when some townships were fighting a bid by water bottling company Perrier to sink a well, the commissioners came out against the plan and ultimately it was defeated.

"The pipeline has so much more at stake. The state should really be joining as well," Hoekstra said.

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