

Federal Energy Regulatory Commission
888 First Street NE
Washington, D.C. 20426
May 1, 2016

Re: Spectra Energy, Atlantic Bridge Project Environmental Assessment
Docket No. CP16-9-000

To the Federal Energy Regulatory Commission:

I am a pediatrician practicing in Dorchester, MA. My patients include infants, children, and adolescents living near the planned Weymouth compressor station site.

I am writing to publicly acknowledge serious allegations of a conflict of interest involving Natural Resources Group (NRG). This organization was reportedly retained by the Commission as consultants in preparing the Atlantic Bridge Environmental Assessment for Algonquin Gas, a subsidiary of Spectra Energy. Yet, NRG also appears to work directly for Spectra Energy as a member of the PennEast coalition.

In other words, Spectra Energy pays NRG to assist with the PennEast pipeline. In turn, NRG is hired by the Commission to prepare the EA for another Spectra Energy project, the Atlantic Bridge expansion.

These allegations are based on investigative journalism published here:

<http://www.desmogblog.com/2016/05/26/revealed-contractors-hired-ferc-review-new-spectra-energy-pipeline-work-spectra-related-project>

- By Itai Vardi

I will quote several sections to demonstrate these allegations:

“On February 20, 2015, FERC sent a letter to Spectra, announcing the selection of NRG as contractor for Atlantic Bridge. Yet at the time, NRG was already [working](#) directly for PennEast LLC, a major pipeline consortium of which Spectra is a member. NRG has been conducting public affairs for PennEast since at least 2014.”

“In other words, NRG, which works directly for PennEast, has a financial stake in the approval of Atlantic Bridge, the project it was hired by FERC to review as third-party-contractor.”

“According to FERC’s own [guidelines](#) for hiring third-party contractors, a conflict of interest exists when the contractor “has a past, present, or ongoing financial interest in a project to be covered by the third-party contractor.” This exists, for instance, when the contractor “has a financial or other interest in the outcome of the Commission’s decision.””

Chapter 4. FERC's ORGANIZATIONAL CONFLICT OF INTEREST AND OFF-THE-RECORD COMMUNICATIONS (EX PARTE) REQUIREMENTS

An OCI exists when the nature of the work to be performed may, without some restriction on future activities:

- result in an unfair competitive advantage to a contractor; or
- impair the contractor's objectivity in performing the contract work.

OCIs typically exist where the contractor and/or its employees have a past, present, or ongoing financial interest in a project to be covered by the third-party contract. For example, an OCI exists if the contractor:

- has been involved with the applicant on the project before it is proposed to the Commission, or while it is pending before the Commission;
- has an ongoing relationship with the applicant;
- would be called on to review its own prior work; or
- has a financial or other interest in the outcome of the Commission's decision.

The contractor may work on the project for the applicant after the Commission has decided whether to approve the project as long as there was no prior agreement or expectation that approval of the project would result in such involvement.

“The EA – prepared largely by NRG staff, who were funded by Spectra – found the project not to “constitute a major federal action significantly affecting the quality of the human environment.””

“...Spectra and NRG participated in a [panel](#) at an industry-funded conference on the Marcellus Shale in September 2015.”

“...while Spectra-funded contractor NRG was conducting the EA for FERC on Spectra’s Atlantic Bridge project, both companies met with other industry representatives to offer tips on successfully maneuvering a FERC application. All while being moderated by an NRG public affairs specialist who was simultaneously working for a Spectra pipeline related to Atlantic Bridge.”

10:00 am - 12:00 pm

119 AB

How Applicants Can Manage Effectively a FERC Project: Permitting, Communication and Compliance

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The United States is now the largest producer of hydrocarbons in the world; however, this distinction retains its significance only to the extent that oil and gas can be delivered safely to meet the energy needs of consumers. This workshop will aid operators in navigating the comprehensive review process of the Federal Energy Regulatory Commission (FERC), which has jurisdictional review of interstate natural gas pipelines and other related energy infrastructure projects.

1.0 Professional Development Hour

Moderator

*Patricia Kornick, Senior Public Affairs Consultant
Natural Resource Group (NRG) LLC*

Panel

*Larry Brown, Partner
Natural Resource Group (NRG) LLC*

*Andrea Grover, Director, Stakeholder Outreach
Spectra Energy*

“A FERC spokesperson denied third-party contractors are generally in a conflict of interest and said that such relationships are transparent.”

“FERC was asked specifically to comment on NRG’s alleged conflict of interest in the Atlantic Bridge project. Again, the spokesperson referred DeSmog to the handbook.”

Conclusions

While many residents have been carefully reviewing and identifying safety, health, and environmental concerns related to the Atlantic Bridge EA, the consultant who prepared the favorable EA has been paid by Spectra Energy to manage their public outreach for the PennEast pipeline.

This would explain the farcical product put forth as the Environmental Assessment.

I would ask the Commission to explain, but I cannot expect to receive anything resembling a reasonable response at this time since they appear to have hired Spectra Energy's consultants to prepare

the EA for the Atlantic Bridge.

Actions

It is inconceivable that the environmental review for the Atlantic Bridge project can proceed with any legitimacy given these allegations. The current review process needs to be canceled. Spectra Energy and the Commission need to find a less biased option for reviewing this project in the future.

Signed,

Curtis Nordgaard MD Msc
Newton MA
Pediatrician