

Fax: 215.369.1181
aaron@delawareriverkeeper.org

II. INTEREST OF PETITIONER

In support of its motion to intervene, DRN states that it is a non-profit organization established in 1988 to protect and restore the Delaware River, its associated watershed, tributaries, and habitats. This area includes 13,539 square miles, draining parts of New Jersey, New York, Pennsylvania and Delaware, and it is within this region that a portion of the Project's construction activity will take place.

The Upper Delaware River is a federally designated "Scenic and Recreational River" administered by the National Park Service. The National Wild and Scenic Rivers System also includes parts of the Lower Delaware and the Delaware Water Gap. The Basin and River are home to a number of federal and state listed endangered or threatened species including the dwarf wedgemussel, Indiana bat, bog turtle, shortnose sturgeon, loggerhead and Kemm's ridley sea turtles, and Northeastern bulrush. Over 200 species of migratory birds have been identified within the drainage area of the Upper Delaware River within the Basin, including the largest wintering population of bald eagles within the Northeastern United States. Migratory birds breed in or migrate through the high quality riparian corridors of the Basin. The Delaware River and Delaware Bay are also home to dozens of species of commercially and recreationally important fish and shellfish species.

In its efforts to protect and restore the watershed, DRN organizes and implements stream-bank restorations, a volunteer monitoring program, educational programs, environmental advocacy initiatives, recreational activities, and environmental law enforcement efforts throughout the entire Delaware River Basin. DRN is a membership organization headquartered in Bristol, Pennsylvania, with more than 10,000 members with

interests in the health and welfare of the Delaware River and its watershed. DRN is uniquely qualified to comment on and provide relevant information concerning associated impacts to human health and the environment as a result of this Project. DRN brings this action on its own behalf and on behalf of its members, board, and staff.

DRN is particularly concerned about the portion of the proposed Project that would traverse several Pennsylvania communities and watercourses that lie within the Delaware River Basin. As proposed, the Project could adversely affect numerous sensitive freshwater wetlands, riparian vegetation, freshwater fisheries, and watercourses within the basin. In addition, the Project may negatively impact the recreational, aesthetic, and commercial interests of DRN's members.

DRN is concerned not only about the impact of the proposed construction activity, but also that Transco may be improperly segmenting its expansion projects in order to avoid its responsibilities under NEPA, and to avoid having to do more rigorous environmental studies. Over the last several years the pipeline industry has developed a pattern of improperly segmenting pipeline upgrade projects to meet a perceived need of higher pipeline capacity for natural gas without conducting the proper environmental reviews. For example, the Tennessee Gas and Pipeline Company has initiated three projects that effectively close loops along portions of its existing line in Pennsylvania and New Jersey (i.e. the 300 Line Extension, Northeast Upgrade, and MPP Project). Each of these projects was brought individually before FERC, rather than as a unified project, despite the fact that they were constructed within a short time period and perform the functional equivalent to one large upgrade project. It is DRN's concern that a similar strategy will likely be employed by Transco for their pipeline upgrade projects, and

that the immediate Project is merely the one of several (including Transco's Northeast Supply Link) functionally and operationally dependent projects. It is in the public's interest that DRN takes part in this proceeding as a full participant.

III. CONCLUSION

Wherefore, the Delaware Riverkeeper Network respectfully requests that the Commission to grant its Motion to Intervene as a party with full rights to participate in all further proceedings.

Respectfully submitted,

/s/ Aaron Stemplewicz
Aaron J. Stemplewicz, Staff Attorney
Delaware Riverkeeper Network
925 Canal Street, Suite 3701
Bristol, PA 19007
Tel: 215.369.1188
Fax: 215.369.1181
aaron@delawareriverkeeper.org