



May 19, 2023

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington DC 20426

RE: Transcontinental Gas Pipe Line Company, LLC, Docket No. C117-101-005

COMMENTS OBJECTING TO TRANSCO REQUEST FOR EXTENSION

The League of Women Voters of New Jersey, New York, and Pennsylvania are nonpartisan public interest organizations founded on the principles of public participation, good government, and transparency. In addition, we have positions on public health and environmental issues, including the right to clean air and water, the protection of natural systems, the preservation of ecological integrity and biological diversity, and the safety of our food supply.

We ask for 30-day extension to the 15 day public comment period to allow interested organizations and members of the public time to research, prepare, and get comments through the necessary administrative approval processes. This project is for a massive methane gas compressor station and a 23.4 mile methane gas pipeline. The public has just 15 days to submit comments and this pipeline will significantly impact New Jersey and New York communities, as well as the Raritan Bay, Lower New York Bay, and the Atlantic Ocean from Sayreville, New Jersey to Rockaway, New York. Time is required to share this extension request with the hundreds of citizens who have objected to this project over many years. Additionally, organizations may need extra time to review draft response letters for approval.

In its May 15, 2020 "Notice of Denial of Water Quality Certification," the New York State Department of Environmental Conservation (NYDEC) ruled that **under the Clean Water Act, Section 401, this pipeline failed to meet the state's Water Quality Standards. There has been no indication that the construction and operation of NESE would comply with the water quality standards for which it was denied permits without the use of a 500-foot mixing zone for mercury, copper, PCB's and other metals and toxics.** No action has been taken to address this problem and the problem is fundamental to their building this pipeline both now and in the future.

In the past two years during the current extension of their FERC permit, we have seen no good faith efforts to obtain needed certificates and permits from the NYDEC and the New Jersey Department of Environmental Protection (NJDEP) for the NESE Pipeline Project. Nor have they claimed any unforeseen or extenuating circumstances preventing them from meeting FERC's current May 3, 2023 deadline. In fact, we have learned that in the summer of 2021, Transco canceled the lease agreement and

payments for the right to use a private road ---the only access -- to the area where they were to build Compressor Station # 206 in Franklin Township, New Jersey.

With no action taken or substantive efforts made to address the deficiencies of their application, and no forward action toward building and completing the construction of this Project and making it available for service by the May 3, 2023 deadline, it is hard to see why Transco's request for an additional two-year extension for the NESE Pipeline should be granted.

We understand that Transco's request for an extension now is based on their 'continuing need' to complete their 15-year contractual agreements with National Grid and that issues for alternative enhancements of supply from existing infrastructure are currently under discussion. Still we wish to point out in passing that a report by Synapse Energy Economics, Inc. (April 6, 2020), titled Assessment of National Grid's Long-Term Capacity Report, revealed that the National Grid's forecasts about the future need for the gas which they contracted for were based on misleading information. (<https://www.synapse-energy.com/assessment-national-grids-long-term-capacity-report-0>)

In Conclusion

The Governors of NJ and NY had good cause to deny this pipeline under the Clean Water Act, Section 401. NESE has submitted application after application for this pipeline since they began this effort and none of them have addressed the critical areas of insufficiency which have been pointed out.

No construction has begun. There are no construction delays to justify an extension. We have seen no real action to attempt to move this project forward since it was denied by the Governors of New Jersey and New York in May 2020 for its failure to meet Water Quality Standards in the Clean Water Act, Section 401.

For all these reasons we see no good reason for FERC to grant Transco an additional extension. Please deny this request for a Permit extension.

Thank you for this opportunity to comment.

Sincerely,

League of Women Voters of New Jersey
League of Women Voters of New York
League of Women Voters of Pennsylvania