

**BEFORE THE UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION**

Dominion Transmission Inc.)
) **Docket No. CP12-72**
Allegheny Storage Project)

**REQUEST FOR REHEARING BY JANET MILLWARD OF ORDER
ISSUING CERTIFICATE TO DOMINION TRANSMISSION INC.**

Pursuant to Rule 713 of the Commission's Rules of Practice and Procedure, I, Janet Millward hereby seek rehearing of the Commission's December 20, 2012 decision issuing a certificate for a 16,000 horsepower compressor station that will be located in Myersville, Maryland.¹ The Commission abused its discretion by issuing the certificate because facts and requests presented to the commission by the public were ignored or mistaken.

I. STATEMENT OF ISSUES

- 1. (Page 2 no. 4)FERC has misinterpreted the location of the site for the proposed Myersville compressor station. The agency describes the site as being “near Myersville” when it is in fact *inside the Myersville town limits* .**
- 2. (Page 6 no. 20)FERC states that DTI will be able to acquire all property rights for the property on Milt Summers Rd. in Myersville.**
- 3. (Page 34 no. 108) FERC misunderstood the status of available land for the proposed compressor station at alternate locations.**

¹ *Dominion Transmission, Inc., Order Issuing Certificate, 141 FERC ¶ 61,240 (December 20, 2012).*

4. FERC has ignored evidence regarding intended use of the Myersville compressor station. Pages 3 (footnote) page 2 (footnote 5) and pages 48 (footnote 109) address the intended usage of the Myersville Station as being “intermittent...for use as a peaking facility during periods of high demand” and FERC as well as DTI continue to deny that any of the gas passing through the compressor station is intended for export as LNG.
5. (Page 40 no 130,131) FERC has dismissed and disregarded a request to expand an residential impact radius based on the premise that the request is arbitrary and that requestors did not explain why DTI should be required to expand the radius.

II. ARGUMENT

- A. (Page2 no. 4) FERC has either misinterpreted the location of the proposed site for the proposed Myersville compressor station. The agency describes the site as being “near Myersville” when it is in fact *inside the Myersville town limits*. The agency has not taken steps to accurately understand the exact location of the proposed compressor. The fact that the location is *within the town limits* subjects the proposal to all of the regulations of the town code of Myersville and subsequently any state laws that apply to properties within the town limits.
- B. (page 6 no. 20) FERC states that DTI will be able to acquire all property rights for the property on Milt Summers Rd. in Myersville. DTI may be able to acquire property rights to the

Milt Summers Rd. property from the current property owner, however, they are still not able to obtain the required building permits from the town of Myersville as the proposal violates town zoning laws. Subsequently, DTI will not be able to obtain the required Air Quality Permit from the MD. Dept. of the Environment (MDE) as the MDE will not issue an AQ permit for a proposal that does not meet local zoning requirement and therefore is unable to obtain building permits.

- C. (Page 34 no. 108) FERC misunderstood the status of available land for the proposed compressor station at alternate locations. In the comparison of possible locations (Middletown, Jefferson and Myersville) the EA states that there is no land available for sale in either Jefferson or Middletown. This is simply incorrect because DTI already owns the necessary land on Marker Rd. in Middletown. The land was purchased by DTI in 2008 for the purpose of building and operating a compressor station under docket CP-07-12. Therefore there is no need for a parcel of land available for sale when DTI already owns the land that it needs. Furthermore, DTI should easily obtain the required Air Quality permit from the MDE since there would not be any town zoning laws to contend with.
- D. FERC has ignored evidence regarding intended use of the Myersville compressor station. Pages 3 (footnote) page 2 (footnote 5) and pages 48 (footnote 109) address the intended usage of the Myersville Station as being “intermittent...for use as a peaking

facility during periods of high demand” and FERC as well as DTI continue to deny that any of the gas passing through the compressor station is intended for export as LNG.

- a. First, DTI has applied for 6000 hours of operating time when only 4380 hours would be necessary to operate as a peaking station for a maximum of 6 months of the year for 24 hours/day. 6000 hours are enough hours for the compressor station to operate 250 days every year, or 16 hours every day of the year (average). If it is truly meant as a peaking station, then DTI should be granted no more than the hours that it needs to operate as it states it intends to operate.
- b. Second, DTI has not provided justification for a 16,000 hp compressor for a peaking station when other compressor stations range from 5000-11,000hp. It is obviously disproportionate to place such a large engine in a facility that is only meant for “peaking”.

E. (Page 40 no 130,131) FERC has dismissed and disregarded a request to expand a residential impact radius based on the premise that the request is arbitrary and that requestors did not explain why DTI should be required to expand the radius.

- a. The request to expand the impact radius was not an arbitrary request that would not produce a difference in the ruling of the commission. The request was clearly explained and based on the impact that recent explosions

had on the communities affected by them. In the case of Bedford, PA, residential areas of up to 2 miles were evacuated and it for exactly that reason that the request was made. I feel that this is an important consideration for our community. I personally live 1.5 miles from the site, but am very concerned for friends and relatives who live much closer to the site. The point of the request was to consider how many people would be affected in the more heavily populated Myersville community vs. the less populated rural/residential area surrounding the Middletown location.

WHEREFORE, for the foregoing reason, Janet Millward asks FERC to GRANT this rehearing request and DENY the certificate for the Myersville Compressor station.

Respectfully submitted,

/s/ Janet Millward

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