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April 17, 2015

Mr. Gregory H. Friedman
Inspector General
Office of the Inspector General
UNITED STATES DEPARTMENT OF ENERGY
1000 Independence Avenue, SW
Washington, DC 20585

Re: PennEast Pipeline Company, LLC.
Federal Energy Regulatory Commission
Docket No. PF15-1
Selection of Tetra-Tech, Inc. as Third Party Contractor
For Environmental Reviews and EIS

Dear Mr. Friedman:

The undersigned represents a municipal government, the Township of Lower Saucon, Northampton County, Pennsylvania. PennEast Pipeline Company, LLC is proposing a 110-mile high pressure natural gas pipeline whose preferred mainline route will traverse the township and which will also extend a 2.1 mile lateral into the township.

On February 25, 2015, on behalf of the Township, we filed EIS scoping comments to the docket (accession number 20150225-5312). In those comments, we raised objections to FERC's selection of Tetra-Tech, Inc. as the agency's third-party contractor for the preparation of the environmental impact statement for the project. For your convenience, I am attaching a copy of the portion of our scoping comments that relate to our objections to Tetra-Tech. While the full comments speak for themselves, in brief summary our objections to Tetra-Tech's involvement in preparing the EIS include the following:

- Tetra-Tech has corporate interests that should disqualify it from performing services as FERC's third-party contractor for environmental reviews of the project, including: technical consulting for natural gas industry groups, marketing and services for the natural gas industry, including pipeline engineering and sales, in the Pennsylvania shale gas plays;
- Tetra-Tech will perform environmental reviews of the types of activities it markets and performs for natural gas industry interests,

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and thus has a vested corporate interest in avoiding recognition of adverse environmental impacts of those activities.

- Tetra-Tech is a member of, and technical consultant to, an industry group whose explicit mission is to represent the industry to government and regulators.
- A federal court found evidence of Tetra-Tech industry-bias and misconduct in the preparation of an environmental impact statement for the United States Forest Service; as a result of these problems, the Forest Service had to conduct an entirely new environmental review.
- A federal court found that Tetra-Tech destroyed evidence relating to improper communications concerning the EIS with the project proponent by erasing the computer hard drive of its employee, resulting in a finding that the agency administrative record filed with the Court was “incomplete.”

As we stated in our comments:

The public cannot, and will not, trust Tetra-Tech to perform an unbiased environmental review based on the best science and data in such an important matter. Tetra-Tech’s conduct will affect thousands of lives and will be the basis for a decision that may involve seizure of private property, threats of adverse impacts to endangered species, and permanent damage to natural resources. FERC cannot permit such an entity to perform the environmental review in this case.

Other organizations have requested your office to open an investigation into the selection of Tetra-Tech as FERC’s consultant in this docket. *See, e.g.*, letter of Michael L. Pisauro, Jr., Policy Director of Stonybrook Millstone Watershed Association, dated March 24, 2015. In our scoping comments, in addition to our specific objections to the selection of Tetra-Tech, we requested FERC to order Tetra-Tech to continuously preserve all communications relating to its performance of services in this matter and to advise FERC if it has already destroyed any communications. To our knowledge, FERC has taken no action on this matter.

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For these reasons, Lower Saucon Township respectfully joins in the requests made by other organizations that your office open an investigation into the selection of Tetra-Tech as the third-party contractor in this matter. At the direction of the Township governing body, I am also copying on this correspondence the elected representatives named in the attached list.

Very truly yours,

Charles W. Elliott

CWE/wp
Attachment: Lower Saucon Township Scoping Comments,
Docket No. PF15-1 pp. 3-11

cc: see attached list (w/ attachment)

ELLIOTT & ELLIOTT

cc: Honorable Robert Casey
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Honorable Pat Toomey
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