 Minutes

Meeting of
Cape Cod Commission

February 28, 2013

The meeting was convened at 3:00 p.m., and the Roll Call was recorded as follows:

<table>
<thead>
<tr>
<th>Town</th>
<th>Member</th>
<th>Present</th>
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<tbody>
<tr>
<td>Barnstable</td>
<td>Royden Richardson</td>
<td>✓</td>
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<tr>
<td>Bourne</td>
<td>Michael Blanton</td>
<td>✓</td>
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<tr>
<td>Brewster</td>
<td>Elizabeth Taylor</td>
<td>Absent</td>
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<tr>
<td>Chatham</td>
<td>Vacant</td>
<td>Vacant</td>
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<tr>
<td>Dennis</td>
<td>Richard Roy</td>
<td>✓</td>
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<tr>
<td>Eastham</td>
<td>Joy Brookshire</td>
<td>✓</td>
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<tr>
<td>Falmouth</td>
<td>Andrew Putnam</td>
<td>✓</td>
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<td>Harwich</td>
<td>Vacant</td>
<td>Vacant</td>
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<tr>
<td>Mashpee</td>
<td>Ernest Virgilio</td>
<td>Absent</td>
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<tr>
<td>Orleans</td>
<td>Leonard Short</td>
<td>✓</td>
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<tr>
<td>Provincetown</td>
<td>Austin Knight</td>
<td>✓</td>
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<tr>
<td>Sandwich</td>
<td>Joanne O'Keefe</td>
<td>Absent</td>
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<td>Truro</td>
<td>Peter Graham</td>
<td>✓</td>
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<td>Wellfleet</td>
<td>Roger Putnam</td>
<td>✓</td>
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<tr>
<td>Yarmouth</td>
<td>John McCormack, Jr.</td>
<td>✓</td>
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<tr>
<td>County Commissioner</td>
<td>Mary Pat Flynn</td>
<td>Absent</td>
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<tr>
<td>Minority Representative</td>
<td>John Harris</td>
<td>Absent</td>
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<td>Native American Rep.</td>
<td>Vacant</td>
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<tr>
<td>Governor's Appointee</td>
<td>Herb Olsen</td>
<td>Absent</td>
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The meeting of the Cape Cod Commission was called to order on Thursday, February 28, 2013 at 3:00 p.m. in the Assembly of Delegates Chambers in Barnstable, MA. Roll was called and a quorum established.

**SUMMARY OF ACTIONS TAKEN/VOTES:**

**Sagamore Line Reinforcement Project Western Segment Phase I & II**

The Cape Cod Commission conducted a public hearing on the Sagamore Line Reinforcement Project Western Segment Phase I & II. After closing the hearing and the record, the Commission approved with 9 votes in favor and one abstention the Sagamore Line Reinforcement Project Western Segment Phase I & II as a Development of Regional Impact and approved the written decision as amended.

**EXECUTIVE DIRECTOR’S REPORT**

Paul Niedzwiecki said he had an opportunity to present the Wastewater MVP Program to the Boston Society of Civil Engineers at the Harvard School of Design. He said earlier in the week they were asked to present at a Federal Users Conference in Washington, DC on that same program. He said there is more developing on the 208 Plan. He said some outreach has been made to towns and they’ve had discussions with Town Managers. He said they will be speaking to Cape Cod Selectmen and the Counselors Association next week and hopefully a more formal communication with the towns by the end of next week.

**SAGAMORE LINE REINFORCEMENT PROJECT WESTERN SEGMENT PHASE I & II**

Acting as Chair, Vice-chair Jack McCormack noted that this is a continued hearing from the hearing that just ended with the Hearing Officer. The hearing opened at 3:05 p.m.

Mr. McCormack said there is a sign-in sheet at the back of the room for anyone who wishes to speak on the project and members of the public who have expressed that they wish to speak on the project.

Before the proceeding Vice-chair Jack McCormack asked all those who wish to speak at today’s hearing to stand and raise their right hand to be sworn in.

Michael Koehler said he is appearing today on behalf of the Colonial Gas Company who is the applicant in this proceeding. Mr. Koehler focused briefly on the supplemental information that was provided to the Commission and to again respectfully request that the Commission vote to adopt the Draft Decision and approve the project. He said on February 14, 2013 the Commission voted to remand the project back to the Hearing Officer in order to allow for the development of further information on the issues discussed on February 14. He said in regard to the company’s Visual Mitigation Program (VMP) they have provided a full explanation of the plan through their written testimony as initially filed on January 15 and in the company’s oral testimony from the public hearings on January 23 and February 14. He said their supplementary filing provides additional detail in response to certain points raised by the Commission and members of the public at the last hearing. He said as they have stated throughout they will work in good faith with each affected homeowner within 300 feet of the project layout to implement post-construction vegetative screening. He said to formalize the company’s commitment in this regard, the company had proposed that the final decision approving the project include a detailed condition and noted that the condition is in the materials distributed to Commission members. He said what it proposes is that prior to the issuance of a final Certificate of Compliance, the company will provide a full report to Commission staff. He said the report will detail how the VMP was implemented including a specific discussion of any situation where the company and an affected homeowner were not able to agree on a mutually satisfactory planting plan. He said if there are any such instances of a continued disagreement at the time of the filing, Commission staff will have the ability to review the specifics and to work with the homeowner and the company to resolve the matter. He said this condition should provide additional assurance to the Commission and the public with respect to the implementation of the VMP and for continuing Commission oversight in the event that any disagreements arise. He said they hope that the proposed condition also provides ample insurance to affected homeowners that the company will stand by its commitment to reasonably mitigate visual impacts. He said second, the company has provided additional expert witness testimony to further support the conclusion that the construction of the project will have no incremental adverse noise impacts. He said the incremental change in sound levels from Route 5, if any, associated with the proposed scope of vegetation clearing necessary to construct the project would simply not be discernible to the human ear. He said they believe that the additional information provided fully addresses the concerns expressed at the hearing two weeks ago. He said based upon the full record of this proceeding, the
company has shown that the project is consistent with the Commission’s standards and that the benefits of the project outweigh any potential detriments and they respectfully request that the Commission approve the project.

Paul Tilton, Sandwich DPW Director and Town Engineer, provided a history on the Town’s role concerning this project. He said the Town met with National Grid about two years ago and more extensively over the last year or so to talk about the project. He said along with the Water Department they had determined that the initial proposal for the gas line was not at the best location along the Service Road for a number of reasons and he then briefly explained those reasons. He said taking those reasons into consideration the company tried their best to accommodate their needs as well as the Town’s needs and also tried to minimize the amount of tree cutting there as much as possible. He said the Town understands that there will be vegetative impacts there and they understand the residents’ concerns. He said they agree that it’s very important to make sure that National Grid is committed to mitigating those impacts to provide to the vegetative buffer and restore that buffer as much as possible. He said as a part of any bike plan that the Town may have in the future, they would certainly try to supplement that with funding for trees as well to plant along that corridor. He said the Town does have access to tree grants as well which they would further install along Service Road to help mitigate that vegetative buffer.

Vice-chair Jack McCormack called for public comment and asked that they limit their time to no more than two minutes. He asked that they also be aware of the fact that somebody has already mentioned something once or twice that it’s not necessary to repeat it again.

Robert Doherty, resides at 2 Noel Henry Drive off of the Service Road, said he opposes the natural gas line. He said he understands that it’s going to be from 270 to 575 pounds per square inch pressure and that is truly high-pressure gas. He talked about the high numbers of natural gas line accidents that had occurred from 2010 to 2013 in different areas of the country. He said there are 50 homes on the Service Road or just adjacent to that would be easily incinerated if there was ever a gas line accident in the area. He said four roads in the area are dead ends and in case of an accident the fire department would not be able to get through, people would be trapped and they would have to escape somewhere through the conservation land.

Nancy Mann, resides at 15 Overlook Drive, said Cape Cod is a jewel and the Cape Cod Commission was created to protect the fragile nature of Cape Cod, its beauty, its wildlife and its people and they need the protection of the Commission more than ever. She made reference to an August 10, 2006 Commission Decision for KeySpan and said Cape Cod is a place for the company to make lots of money in the future; she said it’s only about the money for them and getting their way is more important than the safety of their customers. She said the Siting Board in Boston was willing to help them and negate the authority of the Commission and disregard the needs of the people of Cape Cod. She said they have repeatedly said no one got the public hearing notices and said there are people here today that never received them and for those who did it was vague. She referred to the incremental noise impact and said to say that it would not be discernible to the human ear is erroneous and said scientific studies are not always so accurate as to the effects on people. She talked about adverse visual impacts and said the grass that is going to be seeded would only be mowed once or twice a year. She said that would create a health situation and a breeding ground for ticks.

Curt Mann, resides at 15 Overlook Drive, said why does the gas company even draft alternative route plans for their pipeline when they have absolutely no intention of ever considering them. He said it’s bad enough that they have to ruin the natural ambiance nature provides by cutting all the trees and plants on the north side of the Service Road for 15 feet and said they will never come back. He said they are also putting people’s lives in harm’s way with the possibility of a breach of the line and explosion. He said does the Cape Cod Commission really have any teeth or are we going to let the people in Boston at the DPU and the Siting Board call all the shots. He also referred to the Commission’s August 10, 2006 Decision for KeySpan. He said the gas company just keeps cutting more and more trees down.

Richard Lyman, resides at One Noel Henry Drive, said Mr. Doherty has already mentioned that there has been over 242 accidents with natural gas pipelines. He said he has a brief listing of those accidents that he would enter into the record. He talked about the numbers of accidents that have occurred from high-pressure lines and said putting in this pipeline is a disrespect and disregard for the safety of the people in Sandwich. He said the safety of the people in Sandwich should be the utmost concern rather than the money going into the oil company and gas company’s pockets.
Rosemary Fariello said she did not receive notifications of previous meetings on this subject. She said she would have read them if they had gone to her. She said what concerns her is the high-pressure lines. She said she lives right on Service Road and she would be one of the homes that would disintegrate. She said that concerns her and it should concern other people who are in the same position. She said this past Thanksgiving Day there was a gas leak on Service Road and the road was shut down and there was no way she could leave the house. She said in case of a fire or a real breach in the gas line, there would be no way out and things like that should be considered.

Susan Oates, resides at 181 Service Road, said she has the same concerns as her neighbor and she did not receive any mailings. She said she would have read them if they had come to her mailbox. She said she did not know about other Commission meetings.

Lauren Nordahl, resides at 10 Robin Road, said her concern is similar; a safety concern if there's a problem and Service Road is closed or there's a fire explosion. She said there is one way in and out of her neighborhood and she has a daughter who can't walk and is in a wheelchair. She said she thinks there are other people who would not be able to leave the neighborhood through the woods or through a back way. She said it’s disturbing to think that they could be stuck there without a way to get her daughter out.

Kathy Shaughnessy, resides at 179 Service Road, said they all have the same issues. She said they did not receive any of the notices that were sent out. She said if they had they would have come to the meetings. She said she did experience the Thanksgiving Day small gas leak somewhere down the end of the road. She said the road was blocked off at her driveway. She said it was a small leak but with a big gas line that the company wants to put in she has great concerns.

Martha Flynn, resides at 13 Telegraph Hill Road off the Service Road, said her concerns are the same as what has already been said. She said she did not receive notification about any of the meetings.

Sally McMahon said she lives at 7 Cardinal Road and has been a resident of Sandwich since 1986. She said she is five houses in from the Service Road and she has major concerns about this service and where it’s going on the Service Road. She said she doesn’t understand why it doesn’t go down next to Route 6 away from the homes. She said she did not receive notification and a couple of her neighbors have said they did not get notification because they are not within the 300 feet. She said she is concerned about the knolls and berms and the noise. She said they do not have sewerage in her neighborhood or water and said it's only along the Service Road, not into the homes. She said if there is any kind of a leak or an explosion there’s a problem. She said she is concerned that she was not notified and this is the first time she has looked at the information.

Nancy Crossman, resides at 15 Telegraph Hill Road, said she finds it very disturbing the amount of people that live within the 300 feet of Service Road that did not receive notification on this. She said she doesn’t see any difference in what was proposed by National Grid from what was proposed before. She said basically they are saying they are only going to talk to the people who are on Service Road or within 300 feet and if they can't come to any kind of an agreement, then the Commission will be responsible for resolving it. She said her question at the last hearing was what about the rest of the residents who use the Service Road as an egress from their homes. She said she is also disturbed that there was no communication given in the prior two weeks and said they were hoping there would be something from National Grid. She said the Town of Sandwich has a bylaw she believes that if you take a tree down you put a tree back. She believes the vegetation should be restored between where the 10 to 15 foot cut will be made that would take care of the noise and visual issues. She said they did not get that.

Daryl Crossman said one of the biggest concerns is when they were here at the last meeting, they thought there was going to be some sort of contact or at least with those who attended the meeting who had concerns and they heard nothing. He said it’s obvious that there wasn’t even notification given to abutters of the other hearings and that is a very legitimate and serious concern. He said almost every development comes off of Service Road. He said that’s their access and if there is any kind of issue or problem they have no way of getting out. He said to say that only affected homeowners are within 300 feet is not being fair to the rest of the residents who obviously have concerns about where they live. He said the concerns are noise and also visual. He said removing more trees is going to have a big impact also on traffic concerns in the summer and other times when there are backups on the bridges. He questioned where other phases would be going beyond this and said he believes it’s only going to a certain portion of Sandwich and it’s just going to sit dormant. He questioned whether they would have to wait for other approvals before they can continue this moving forward.
Jim Hanlon said his concerns have also been mentioned but his first concern is about the noise and questioned whether there would be any noise mitigation. He said if what he understands is that noise is not of any concern and there will be no mitigation on that then that seems absurd to him. He said taking down 10 to 15 feet of tree line will make a difference as far as noise. He said he can’t understand how they can calculate it on a whole by saying there will be no noise impact when every home is different. He said basically they are going to have four and a half miles of fence line and right now they have shrubs on either side. He said to say that this isn’t going to change the character of that roadway is ridiculous. He said they did hear their concerns and they have come a long way regarding their mitigation plan and an arbiter so he commends them on that. But for safety, the aesthetics of the area, the noise and sight mitigation, they still have a long way to go on that.

Vice-chair Jack McCormack called on Jillian Basler and said Ms. Basler had come into the meeting after everyone had been sworn in. Mr. McCormack asked Ms. Basler to approach the podium and she was then sworn in.

Jillian Basler, resides at 215 Mill Road, said she also has concerns about safety and noise. She said she believes if the trees are taken down they are going to hear the noise. She said the project not only presents a safety risk but it’s going to deprecate the value of their homes. She said she, too, was trapped on Thanksgiving Day. She said the leak took place at the mouth of their road and she was trapped there for four hours. She said there were fire trucks, the police, the gas company and they couldn’t get in or out and she definitely has concerns with that.

A recess was called at 3:50 p.m. and the meeting reconvened at 4:00 p.m.

Michael Koehler said he appreciates the opportunity to comment and they do appreciate hearing from the public and are glad to hear the concerns that have been raised. He said the issue of safety is paramount to the company as well as the public. He asked Mr. Ed Wencis, the project manager, to comment on safety.

Ed Wencis said based on the feedback safety is a major concern among others that have been mentioned. He said they take safety very seriously. He said they are a utility company and they have been in the business for a long time. He said their major charge is to maintain and operate a safe distribution system for the benefit of all their customers. He said as a regulated entity they are required to follow federal as well as state requirements with regard to design, installation, and operation of their facilities. He said in addition, National Grid has taken a proactive approach where their internal procedures are more stringent than both the federal and state requirements. He referred to the terms of the collaboration that National Grid and the Town had in coming up with the proposed route alignment. He said the existing water main is in that north shoulder and as mentioned earlier a number of incidences that had occurred on various pipelines are often time the cause of third-party excavations. He said based on the proposed alignment of this main it’s going to be several feet beyond any of the existing infrastructure so the likelihood of a third-party excavation is highly unlikely. Mr. Wencis then explained the standard for the installation in terms of the design of the facility relative to the procurement of the material; the presence of an inspector at the manufacturing site, at the mill, and witnessing the manufacture of every stick of pipe; he explained the process when the pipe is delivered, welded together, tested via radiographic method, the installation of the pipe and the ongoing operations and maintenance of the pipeline for the life of the pipeline. He said based on their procedures and federal and state requirements, they are highly confident that there would be no issues with regard to safety as was mentioned earlier.

Michael Koehler said regarding the issue of noise what they are saying is that it’s the incremental effect of this project that is what they are talking about as being indiscernible to the human ear. He said they understand that people can hear Route 6 now and whatever noise they hear now is going to be exactly the same once the project is in place. He said that is what the 0.2dBA calculation supports. He said when they say it’s a conservative calculation that’s because it’s based on a number of conservative assumptions based on recognized science and recognized noise measurement standards.

Jim Hanlon questioned whether there would be noise mitigation.

Michael Koehler said what they are saying is that there are no noise impacts to mitigate because of the 0.2, at most, dBA increase.

Jonathan Idman said for clarification there was reference to a Cape Cod Commission document earlier in the discussion. He said it was actually to a 2006 decision which has no relevance or bearing on this review. He said to inform and assure the Commission and the public, the written materials which have been received today will be
entered into the revised project record. He said the written decision that is before the Commission today includes the applicant’s proposed condition which has been reviewed and found acceptable to Commission staff.

Austin Knight said for the benefit of the public could staff read the highlighted condition that was written in the decision. He said Commission members have it in front of them but it would be great to hear it from Commission staff.

Jonathan Idman read aloud the new condition GC15 that is included in the draft written decision.

Austin Knight said since the last hearing, for him, it’s a significant part of the process where it’s now in writing and he is happy to see that.

Michael Blanton said he echoes that same sentiment expressed by Mr. Knight that they didn’t have this before. He said he thinks it’s a credit to the applicant that they really heard a lot of the concerns that were voiced and the testimony that was given at the last hearing and the hearing before. He said they didn’t know this before and this is a direct response to that input and the concern that was shared by Commission members on their side of the table as well. He said he appreciates the fact that the applicant came forward with a requirement of condition in writing and there’s an enforcement measure that lies with the Commission should there be any dispute that the Commission can work on and come up with some sort of resolution that’s acceptable. He said it’s a step in good faith in the right direction.

Leonard Short said he was the one who made a rather big issue out of having an arbitrator involved in disputes. He said he agrees with his colleagues that the company has heard what was said and has attempted he thinks in good faith to correct that problem that concerned him a great deal the last time around.

Royden Richardson asked if someone from the company could answer the question “why is this project important.”

Ed Wencis said, as was mentioned previously, the driver of the project is to increase the capacity for natural gas distribution system on Cape Cod to allow assured service to their existing gas customers as well as providing capacity to offer future growth. He said other folks may want to convert to natural gas and they will have that opportunity with this project. He said additionally, as was mentioned earlier, presently we rely on LNG as well as a supplement to the pipeline during peak demand periods typically through the winter and this project will also reduce our reliance on that LNG. He said in total it’s providing more reliability to the greater Cape natural gas distribution system.

Joy Brookshire said condition GC15 refers to the VMP but it doesn’t explain it fully and asked that the applicant talk about the logistics, the program basics and the variations of their mitigation program. She said she thinks if impressive and they are trying to do the best for everybody. She said she thinks it would be interesting to the public here today who have not heard what the VMP is. She inquired about Robert O’Neal and asked what he would be doing since he seems to be the expert on sound.

Ted Barten, Epsilon Associates, said he is an environmental engineer by training and his company has provided most of the environmental analyses that have gone into not only the materials that are before the Commission but also the work that they provided for the Siting Board and to MEPA. He began with Ms. Brookshire’s second question and said Robert O’Neal is a sound expert and is one of the partners at Epsilon. Mr. Barten said Mr. O’Neal is the person that he relies on when they have noise issues to measure, analyze and discuss. He said his resume was included just to give folks on the Commission a sense for the depth of expertise that was brought to bear on the noise issue. He said if there was a noise issue of some sort that was to arise in construction or beyond Mr. O’Neal would be the resource that National Grid would call upon to look into that. Mr. Barten explained the various components of the VMP and said it is intended to deal with the effects of removing the 10 to 15 feet of trees recognizing that there will be very substantial amounts of vegetation left in place. He said it’s going to be a case-by-case exercise because there are variations in the amount of vegetation along the road. He said their intention once the construction is done by phase, the VMP would be implemented for the first roughly two miles in the late summer or fall of this year and for the second phase it would be next year in 2014. He then explained their approach to homeowners at the end of construction and the process for contacting and working with homeowners on a case-by-case basis. He said as was said previously it is not their intention to quibble with
homeowners; their intention is to try to do this right. He said and significantly, if they don’t get it right, there is now an umpire, the Cape Cod Commission staff who can make the final call.

Andrew Putnam said something he touched upon last time was the concern with the traffic on Route 6 noticing that there is another road and talked about issues with traffic that could affect the residents nearby. He said once people discover that there is another way around the traffic they are sitting in, they will take that road and now that road becomes clogged. He talked about areas on Service Road that are visible from Route 6 and asked for clarification on where trees will be taken down and where replanting will occur. He said he wants to make sure he is clear that there will be no replanting of trees on the area or around the area in which the pipeline is going in. He asked if the mitigation that they are talking about is strictly with the properties of the homeowners; and asked if he was correct in that.

Ted Barten said that part is correct but the supposition that there are places where Service Road is almost bare or easily visible from Route 6 is incorrect other than perhaps in a few limited instances where you’re talking about an interchange. He explained again the 10 to 15 feet of trees that will be removed and said it’s about 10 percent of what is there now. He said now when you drive on Route 6 in the defoliate season, you can certainly see Service Road more readily. He said during the summer when the leaves are out, in most places you cannot see it and you won’t be able to see it when this narrow strip of trees is removed as well. He said will somebody spot Service Road and bail off Route 6 and drive on it they don’t know the answer to that. He said the roads have been there for 50 years and are readily seen on any map and on any GPS system. He said if somebody is really anxious to find a detour, he thinks they can find it with or without whatever they are going to be doing out there.

Roger Putnam inquired about the mailing list and asked if the number of people who received notices and the people who should have received notices do we know for sure that it was correct.

Jessica Wielgus, commission counsel, said, yes, we do. She said in terms of an abutters list, the Cape Cod Commission Act requires that the list be certified by the Tax Assessor of the Town and the Commission would then use the certified list to notify those abutters who had been identified that are within the area that the Act requires.

Richard Roy said we’ve heard that the supplemental LNG would be diminished and not brought to the Cape and asked how it’s brought to the Cape now.

Edward Wencis said presently they have three LNG locations on the Cape; one in South Yarmouth, one is in Chatham, and one is in Eastham. He said South Yarmouth is a permanent facility and Chatham and Eastham are satellite—temporary or portable locations. He said all three locations receive LNG by truck. He said the South Yarmouth location has a fuel-directed tank for storage and that tank is filled by trucks. He said for National Grid to be able to reduce the volume of trucking helps the cause as well.

Richard Roy asked how many trips would be eliminated by this project. He also asked about the working pressure on the main.

Ed Wencis said they did go through that exercise but off-hand he can’t say. He said the main presently operates at 270 pounds and it will be operating at that pressure for the foreseeable future, however, they are designing it to operate at 575 pounds.

Michael Blanton said the concern regarding safety has been brought up several times and Mr. Wencis talked specifically about the makeup of the pipeline, materials, process, and the inspectors’ qualifications and asked if Mr. Wencis could speak briefly to the history of how the company has handled any kind of gas leaks or any kind of significant concerns with gas.

Edward Wencis said, as he touched upon briefly, they have a typical maintenance program/operating program where they survey all of their facilities in a given frequency every year so as a proactive approach, they are monitoring all the pipelines. He said if a leak is identified there are a number of methods determining that either through the survey process or a call from the general public. He said there is an odorant put in the gas and the reason for that is if there is a leak it will be detected. He said the gas company would be notified, they will respond and address it. He said with all of their local operations, and the Cape is no different, they have a staff of trained
personnel that respond appropriately to any call for leaks by going out and identifying if a leak exists and then repairing it and addressing it.

Austin Knight moved to close the hearing and the record. Michael Blanton seconded the motion. The motion passed with a unanimous vote.

Austin Knight moved to approve the Sagamore Line Reinforcement Project as a DRI and to approve the draft written decision as amended. Royden Richardson seconded the motion.

Michael Blanton said during the process of these hearings and the testimony given, it has been heartening to see testimony come forward from the public. He said it’s heartening to see that steps were taken and a lot of those concerns were addressed. He said he understands they’re not perfectly addressed and some people probably came forward with the idea that it would be best if the project were just not allowed whatsoever. He said he looks at the substantial condition GC15 that was added as a result of the testimony that was given two weeks ago and he believes a good faith movement has been made to try to answer some of the concerns of the general public and for that reason he feels more encouraged to support the project.

Vice-chair Jack McCormack said he assures the people here today that the Commission’s jurisdiction is limited. He said there are some things the Commission can rule on and others that they can only suggest. He said he thinks they have gone about as far as they can go on this function.

Joy Brookshire said the Commission’s jurisdiction is limited but if the Commission votes yes on the project, their jurisdiction is strong. She said it means that the Commission is overseeing the project and knows the concerns that have been expressed. She said the gas company has listened to their concerns and have incorporated solutions to their questions. She said by having the Commission oversee the project means the Commission will be there if there is a problem.

A vote called on the motion to approve the Sagamore Line Reinforcement Project as a DRI and to approve the draft written decision as amended passed with 9 votes in favor and one abstention.

- **DELEGATIONS OF AUTHORITY**
  Jessica Wielgus said this agenda item would not be taken up by the Commission today. She said it’s being postponed to a future date.

- **MULEN RULE**
  Jessica Wielgus said this agenda item would not be taken up by the Commission today. She said it’s being postponed to a future date.

A motion was made to adjourn at 4:35 p.m. The motion was seconded and voted unanimously.

Respectfully submitted,

Richard Roy, Secretary

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**LIST OF DOCUMENTS PRESENTED AT THE FEBRUARY 28, 2013 COMMISSION MEETING**

- Handout material: February 28, 2013 meeting agenda.
- Handout material: Sagamore Line Reinforcement Project Western Segment Phase I & II draft written decision.
- Materials submitted into the record by Robert Doherty regarding natural gas line accidents.
- Materials submitted into the record by Richard Lyman regarding natural gas line accidents.
- Letter submitted into the record from Nancy Mann.
- Letter submitted into the record from Curt Mann.