

BEGIN TRANSCRIPT

Senator Kelly Ayotte: Thank you Chairman. I want to thank you Ms. Dominguez for your service and this is obviously a very important position that you've been nominated for. As I understand it, FERC is charged with issuing permits for natural gas pipelines. Is that right?

Deputy Administrator Marie Therese Dominguez: That's correct

SKA: And however, according to FERC's own website, it says the commission has no jurisdiction over pipeline safety or security, but actively works with other agencies with safety and security responsibilities. And I would assume that would be PHMSA given the important safety responsibilities you have for safety of pipelines?

MTD: Yes, Senator.

SKA: If FERC by its own admission has no jurisdiction over pipeline safety, how does PHMSA interact with FERC to make sure that when there is a proposed pipeline application, that it's actually being sited in a way that protects people's safety?

MTD: Thank you for the question Senator Ayotte and I appreciate the opportunity to meet with you and understand the concerns of the citizens of New Hampshire. You shared your concerns about a siting of a pipeline that's under consideration. And in answer to your question, PHMSA works aggressively with FERC, we are... Well FERC actually is responsible directly for the permitting. That permitting process includes a very robust public process and PHMSA partners with FERC in public meetings if there are questions about the safety and integrity, moving forward of a potential pipeline. We talk about our roles and responsibilities and we look to partner with FERC as often as we can and we would be happy to follow up with you as there is additional opportunity in public forums to communicate that.

SKA: Excellent. Because when you and I met, I told you about a pipeline project being done by Kinder Morgan that's proposed to travel through New Hampshire. It's called the Northeast Energy Direct Pipeline. Right now, the project is its pre-filing stage. I've heard a lot of concerns from my constituents about safety – pipeline safety in their communities. In fact, recently in Merrimack, New Hampshire, the Merrimack School District voted unanimously to oppose any route to the Kinder Morgan pipeline that comes within 1000 feet of a district school building. So as we talk about PHMSA's role and overseeing safety, would you agree with me that pipeline routes also can impact safety depending on whether they're near a school or wetlands and that is an important responsibility, and not just what FERC does, but making sure FERC takes safety into account when they're looking at a proposed route for a pipeline?

MTD: Yes, Senator. I appreciate your commitment to safety and making sure that things are sited, as well as constructed, properly. Again, our mission is to make sure that we protect people and the environment from any risk of hazardous materials transportation. So in working with

FERC, through the process of actually siting a pipeline, we will bring our safety expertise to bear, as best we can, in partnership with the agency.

SKA: So one thing that, as I look at the process, will your role as PHMSA Administrator also be engaged in the pre-application filing process – the pre-filing process – to ensure that the safest route possible is determined for the location of the pipeline?

MTD: I appreciate what you're saying. I would have to actually go back and understand the level of detail to which we work with FERC, in terms of the actual pre-application. I do know that during the course of the pre-application process, to the degree that there is [sic] public meetings and FERC is doing due diligence, we do participate and share the safety components the actual construction of the pipeline. I would be happy to get back with you and make sure that we provide you with the accurate data.

SKA: Well this is really important to my constituents –

MTD: I understand.

SKA: - And I've been listening to what they've had to say to me about this and their concerns. And I want to make sure they're addressed. And this pipeline process, would you commit to coming to New Hampshire, if confirmed, to directly hear from citizens and stakeholders regarding the safety concerns of this pipeline in coordination with FERC, and would you commit to working with FERC and others to ensuring the safety of this pipeline?

MTD: Yes, Senator. I'd be happy to do that. I'd be happy to work with you and your staff to visit New Hampshire and talk to your citizens. Make sure that we've got a safe -

SKA: I appreciate that. Thank you

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