

On January 12, 1954 United Gas Pipeline Company, with the backing of the FPC, coerced my grandparents into signing a perpetual lease to allow gas to be stored under their property. A perpetual lease is a lease that can never be cancelled.

The Mississippi Supreme court has spoken against perpetual leases and many states have legislation against perpetual leases.ⁱ

The lease my grandparents were coerced into signing allowed a paltry annual payment of \$403.37/year to the family. In 2012 the current leaseholder, Boardwalk Pipeline Partners made \$84.7ⁱⁱ Million from underground storage including my grandparents' property.

I contacted officials at Boardwalk to ask if we could renegotiate the lease. Mr. Fleming said, "I cannot and will not renegotiate the lease."ⁱⁱⁱ

I contacted an attorney^{iv} to look at the lease for any possible relief for my family. The attorney said he could not find any way we could renegotiate the lease.

I contacted the FERC to see if they could talk to Boardwalk about possible renegotiation. The FERC refused to contact Boardwalk on my behalf. I then submitted an ecomment^v on the FERC website directing the FERC to address my issues on Fair compensation to Landowners for underground natural gas storage. The FERC said they will not respond to my ecomment.

I have contacted my senators^{viii} and representatives, federal and state, on the issues of fair compensation. The Rankin county, MS congressional representative, Gregg Harper, never responded to any of my mail^{ix}. I wrote to President Obama^x requesting help and he merely forwarded my request back to the FERC. A FERC official, Jerry Chiang,^{xi} responded saying they could not help.

I have contacted Bloomberg, Frontline and Vice TV^{xii} to implore them to investigate and expose this violation of the Fifth Amendment affecting thousands of landowners across the United States. The Federal Government, FERC, and courts have colluded with gas and pipeline companies to illegally take over private property from landowners and Native Americans in 31 states across the United States

The courts are using the wrong paradigm, diminution of surface land value, to determine compensation. The correct paradigm is the value of the scarce underground caverns to gas and pipeline companies.^{xiii}^{xiv}

The FERC is illegally using the 1938 Gas Act^{xv} to take over private property by eminent domain or “perpetual lease” to enrich private enterprise with millions of dollars annually with zero compensation to landowners who are the rightful owners of these very valuable underground caverns. The 1938 Gas Act was written for pipelines ONLY - not underground storage.

There are only a limited number - 410 underground storage areas - in the USA. They are very valuable resources to gas and pipeline companies. Accordingly, gas and pipeline companies should be required to fairly compensate landowners for the use of the resources owned by private landowners.

Congress needs to address the issue of Fair Compensation to landowners for underground storage. The 1938 Gas Act needs to be rewritten to provide fair compensation to landowners and Native Americans. Gas and Pipeline companies need to provide compensation retroactively from the date landowners were coerced into signing perpetual leases and threatened with eminent domain if they didn't sign.

ⁱ <http://law.justia.com/cases/mississippi/supreme-court/1976/48655-0.html>

ⁱⁱ Boardwalk Pipeline Partners 2012 consolidated statement of income

ⁱⁱⁱ Email from Mr. Dan Fleming dtd 12/17/2014

Dan Fleming
Director, Land Department
Gulf South Pipeline Company, LP
9 Greenway Plaza
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Houston, TX 77046

^{iv} **From:** Jim Nix <Jones-Nix@att.net>
To: Claude <cpbjr_99@yahoo.com>
Sent: Saturday, February 16, 2013 6:13 PM
Subject: Re: underground storage agreement

^v Ecomment FERC ID #F284221

File date: 9/29/2014

Accession number: 20140929-5373

Description: Formal Complaint of Claude P Bowie, JR under CP04-366.

^{vi} Ltrs Senator Thad Cochran and Roger Wicker Jan 29, 2014

^{vii} **From:** Claude [mailto:cpbjr_99@yahoo.com]
Sent: Friday, November 06, 2015 3:12 PM
To: Moody, James (Cochran) <James_Moody@cochran.senate.gov>
Subject: underground natural gas storage

^{viii} FERC Ltr August 26, 2014 Cheryl A. LaFleur Chairman to Senator Thad Cochran forwarded to Claude P. Bowie, Jr.

^{ix} Ltr dtd Jan 29, 2014 Claude P. Bowie, Jr. to Representative Gregg Harper

^x Ltr dtd July 29, 2015 Claude P. Bowie, Jr to President Barack Obama

^{xi} FERC Ltr dtd Oct 7, 2015 Office of External Affairs to Claude P. Bowie, Jr.

^{xii} **From:** Claude <cpbjr_99@yahoo.com>
To: "editor@vice.com" <editor@vice.com>
Sent: Sunday, December 27, 2015 10:35 AM
Subject: Underground Natural Gas Storage Compensation

^{xiii} http://www.emlf.org/clientuploads/directory/whitepaper/Noble_93.pdf

^{xiv} <http://www.condemnation-law.com/articles/ eminent-domain-valuation-of-natural-gas-storage-facilities/>

^{xv} FERC ltr dtd Aug 26, 2014 Cheryl A. LaFleur to Senator Thad Cochran Forwarded to Claude P. Bowie, Jr.