

My name is Michelle Keith. I am a board member of South Coast Neighbors United in Massachusetts. Thank you for giving me this opportunity to testify specifically in opposition to FERC Docket PF16-1-000 and, generally, in regard to the illusory due process provided to the public for the current multitude of segmented projects concerning pipelines, compressor stations, and LNG facilities.

Attached to my testimony is a handout produced and distributed by FERC. It states, "FERC seeks written comments from the public and holds public scoping meetings." It also states, "After consideration of the environmental analysis; engineering, economic, legal, and policy reviews; and all public comments; FERC decides whether to approve or deny an application." Then it adds, "All parties . . . can ask FERC for rehearing, or a new decision, if they are unsatisfied" and "All final decisions from FERC can be appealed to federal courts."

The problem here is that the applicant submits reports by experts but the public cannot afford attorneys or scientific experts to refute what the applicant is claiming. The public can merely make comments based on common sense. The public comment is given very little weight because it lacks technical expertise.

If a final decision is appealed by the public to the federal courts, the court cannot look to the merits of FERC's decision. The federal court can merely evaluate whether FERC made its decision based upon technical expertise to ensure the decision was not arbitrary or capricious. Of course, because FERC has made the decision based upon the technical expertise provided by the applicant, the appeal is denied and the public has received illusory due process.

In all of FERC's history, it has denied one pipeline project and that was in this last year because of a lack of financial contracting, not because of public concern.

On October 3, 2016 at the Sustainability Summit in New Hampshire, I witnessed FERC Commissioner Cheryl LeFleur describe FERC's mission with these words: "Ultimately, we have to decide where the pipeline is going to go." I think that says it all.

FERC's decisions are not about the safety or concerns of the public. The law, procedures, and decisions indicate illusory due process for the public and favor the applicant industries.

With regard to FERC Docket PF16-1-000, two LNG facilities – each the approximate size of a football stadium – do not belong in a residential neighborhood. Folks did not purchase their homes in residential neighborhoods to later endure the toxic effects and dangers associated with commercial zones -especially pipelines, compressor station, and LNG facilities. I ask for a Government Accountability Office review of how FERC operates and a moratorium on all applications until the public can be guaranteed due process. Thank you for listening.