

Congress of the United States
Washington, DC 20515

November 9, 2007

The Honorable Carlos M. Gutierrez
Secretary of Commerce
Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Gutierrez:

We are writing to request as strongly as possible that you uphold the decision of the Massachusetts Office of Coastal Management (MCZM) who objected to the certifications filed by Weaver's Cove Energy, LLC and Mill River Pipeline, LLC on the grounds that these companies did not yet have all of the required Massachusetts permits. In addition, the MCZM offered to extend the statutory deadline for these permits, but Weaver's Cove and Mill River declined this offer and have instead filed an appeal with the Department of Commerce requesting that you override the MCZM's objection. We believe that at these companies should not be rewarded for their failure to comply with the law, and their outright refusal to accept an extension offered from the state.

As you know, you may override the MCZM objection if you find that a national defense or other national security interest would be significantly impaired if the project were not permitted to go forward as proposed. It is clear that this proposed facility does not fall into either of those categories. In fact, we believe that inverse is true. The U.S. Coast Guard recently determined that the waterways leading to the proposed Weaver's Cove Liquefied Natural Gas facility are unsafe and unsuitable for LNG tanker traffic. The announcement that there is no safe way of delivering the LNG to the Weaver's Cove site came in an October 24 letter to the company from Captain Roy A. Nash of the Coast Guard. We are enclosing this letter for your review. An LNG facility that the Coast Guard has determined cannot safely receive LNG traffic, cannot by its very nature provide a positive national security interest.

An integral component of national security is the mitigation of future threats, and overriding a state objection for a LNG facility that has failed to comply its permitting requirements could have potentially damaging consequences. We therefore urge you to uphold MCZM objection, affirming that these companies should not be allowed to surp

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Massachusetts state enforceable laws and polices because of their failure to comply.
Thank you for your consideration of our request and we look forward to your reply.

Sincerely,



Congressman Barney Frank



Congressman James P. McGovern

ENCL.