

SOUTH WESTERN REGION METROPOLITAN PLANNING ORGANIZATION

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March 3, 2006

Magalie R. Salas
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20406

RE: Docket Nos. CP06-54-000, et al.: Broadwater Energy, LLC Application for Authority to Site, Construct and Operate LNG Import Terminal Facilities

The South Western Region Metropolitan Planning Organization (SWRMPO) is the federally designated transportation planning organization for eight municipalities in Connecticut's South Western Region. As such, the SWRMPO has an interest in all transportation projects impacting the South Western Region including projects involving maritime travel and navigation on Long Island Sound and the transport of resources via pipeline.

The SWRMPO has reviewed the applications filed by Broadwater Energy, LLC on January 30, 2006, and has concerns about the status of the applications.

On October 5, 2005, the Federal Energy Regulatory Commission (FERC) published Order No. 665. This Order included both the official response to comments submitted during the rulemaking process and the final rule implementing certain provisions of the Energy Policy Act of 2005.

Specifically, Order No. 665 amended 18 CFR Part 157, establishing a mandatory pre-application process for projects involving the construction, operation and modification of facilities used for the import or export of natural gas. Application requirements also were defined as containing "all the information specified by the Commission staff after reviewing the draft materials filed by the prospective applicant during the pre-filing process, including required environmental material in accordance with the provisions of Part 380 of this chapter, 'Regulations Implementing the National Environmental Policy Act.'" (18 CFR §157.21(a)(2)(ii).) Order No. 665 also confirms that parties, like Broadwater Energy, engaged in voluntary pre-application activities at the time the final rule is implemented will be subject to the rule's requirements.

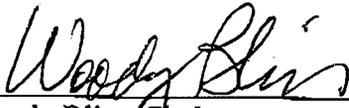
Review of the docket reveals that application filed by Broadwater Energy does not include all information specifically requested by FERC and the United States Coast Guard (USCG) during the pre-application process. The USCG, or example, initiated a second request for information initially requested in November 2005 on February 16, 2006. Other information requested by

FERC prior to the application filing date was transmitted by Broadwater Energy on February 7 and 16, 2006. In each of these cases, the information requested relates to the safety and security of operations.

Based on the facts stated above, it is the opinion of the SWRMPO that the application filed by Broadwater Energy is not "complete" under the requirements of the Energy Policy Act of 2005 and newly revised 18 CFR Part 157. We therefore request that filing date for this application be revised to reflect the date on which a complete application is available for public review and that a new, comment period be commenced on that date to allow for full and meaningful public participation.

Issues of safety and security are of particular interest to Connecticut's elected officials as part of the project's security zone will lie within the territorial waters of the State and will impact commerce, navigation and recreational use of Long Island Sound. It is our sincere hope that you will honor our request.

Respectfully submitted,



Woody Bliss, Chairman
First Selectman, Town of Weston

Submission Contents

SWRMPO comments on status of application and request for extended comment period.

SWRMPO_030306.pdf..... 1-2