

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/GB3
Docket No. CP06-54-000
Broadwater Energy LLC

August 17, 2006
James A. Thompson, Jr.
Attorney for Broadwater Energy
LeBoeuf, Lamb, Greene & MacRae LLP
225 Asylum Street, 13th Floor
Hartford, CT 06103

RE: Nomination of the American Bureau of Shipping

Dear Mr. Thompson:

In response to your letter dated June 13, 2006, the United States Coast Guard has recommended that FERC accept the nomination of the American Bureau of Shipping (ABS) as a third party Certifying Entity (CE) on the Broadwater project. As discussed in the enclosed copy of the Coast Guard's letter, this recommendation is contingent on the satisfactory outcome of a pre-acceptance meeting between ABS, FERC, and the Coast Guard. Pending a satisfactory outcome of the meeting and the conflict of interest review discussed below, FERC would accept the recommendation of ABS as a third party Certifying Entity.

In regards to the Broadwater project, the role of a third-party CE would be the functional equivalent of the contractor in the Office of Energy Project's "third-party contracting" (3-PC) program. This program involves the use of independent contractors to assist FERC staff in meeting the Commission's responsibilities under the National Environmental Policy Act of 1969. A third-party contractor is selected by, and works under the direct supervision and control of Commission staff, and is paid for by the applicant.

As with the 3-PC program, ABS would be required to submit a statement of **Organizational Conflicts of Interest Disclosure or Representations** (OCI Statement) prior to Commission approval of your nomination. The OCI Statement process, including all necessary forms, is detailed in Chapter 4, "FERC's Organizational Conflict Of Interest And Off-The-Record Communications (Ex Parte) Requirements," of the *Handbook For Using Third-Party Contractors To Prepare Environmental Documents For Natural Gas Facilities And Hydropower Projects* (September 2005).

Information concerning the 3PC program and related documents can be found on the FERC website at <http://www.ferc.gov/industries/gas/enviro/tpc.asp>. Thank you for your cooperation. If you have any questions, please call Phil Suter at 202-502-6368 or Terry Turpin at 202-502-8558.

Sincerely,

Jim Martin,
Environmental Project Manager

Enclosure

cc: Public File, Docket No. CP06-54-000

Sandra Barnett
Environmental Affairs Manager
TransCanada Corporation
450 -1 Street SW
Calgary, Alberta, Canada T2P5H1

Captain L.W. Thomas
Chief, Office of Operating and Environmental Standards
United States Coast Guard
2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-PSO-2

CDR J. P. Nadeau
Tank and Vessel Offshore Division
United States Coast Guard Marine Safety Center
Staff Symbol: MSC-3
2100 2nd St, SW
Washington, DC 20593

LCDR Alan L. Blume
Chief, Prevention Department
U.S. Coast Guard Sector Long Island Sound
120 Woodward Ave.
New Haven, CT 06512