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12 N.H. Towns Retain Legal Counsel to Challenge Proposed Pipeline

Officials from 12 New Hampshire towns announced today they have retained Boston Attorney Richard Kanoff to represent them in response to Kinder Morgan's Northeast Energy Direct (NED) proposal to construct a 36-inch natural gas pipeline through 70 miles of the state's southern tier.

"We are thrilled to have attorney Kanoff in our corner and advocating for our towns and residents," said Tad Putney, Brookline's Town Administrator. "His over 25 years of experience in the permitting process of energy projects is invaluable as we organize our opposition to the project."

Kanoff is a partner in the Boston firm of Burns & Levinson and chairs its Energy/Cleantech section.

The towns formed the N.H. Municipal Pipeline Coalition in January when Kinder Morgan shifted its NED pipeline route to New Hampshire. At its bi-weekly meeting on June 16th, select board members, town administrators and other municipal officials from Brookline, Fitzwilliam, Greenville, Litchfield, Mason, Milford, New Ipswich, Pelham, Richmond, Rindge, Temple and Troy signed a representation agreement with Kanoff.

Putney cited the coordination of resources as a reflection of fears and concerns shared by residents. "The 12 towns believe that NED is wrong for New Hampshire and there are better alternatives to meet our energy needs, including other gas pipelines that will be far less disruptive to our state," Putney said. "The retention of an experienced attorney to coordinate efforts across the towns is clearly in our best interests, we don't want to be dealing with this project solely on a town-by-town basis. There's strength in numbers given our shared interests."

Particular issues uniting the 12 towns include eminent domain seizure, lowering of property values of affected homeowners, adverse environmental impacts on wetlands and town conservation lands, and additional demands on local emergency responders.

"We have heard and understand the concerns raised by the business community in particular about electricity rates. However, we firmly believe that challenge can be addressed by pursuing plans to enhance existing gas pipelines as opposed to the significant disruption of constructing an entirely new pipeline," Putney said.

Kinder Morgan has proposed the pipeline deliver natural gas from Wright, New York to Dracut, Massachusetts. Late last year, a portion of that original proposed route was shifted from Massachusetts to southern New Hampshire. As currently proposed, the pipeline would cross 17 New Hampshire towns before heading back into Massachusetts.

The project will be subject to approval by both the Federal Energy Regulatory Commission (FERC) and the New Hampshire Site Evaluation Committee. Filings with these agencies are expected in the fall.