



*national fuel*

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*Attorney*

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February 5, 2016

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Re: National Fuel Gas Supply Corporation and Empire Pipeline, Inc.  
Northern Access 2016 Project  
Docket Nos. CP15-115-000 and CP15-115-001

Dear Ms. Bose:

On March 17, 2015, National Fuel Gas Supply Corporation (“National Fuel”) and Empire Pipeline, Inc. (“Empire”) (collectively “Applicants”) submitted an application, pursuant to Sections 7(b) and 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity for the construction and operation of facilities comprising their Northern Access 2016 Project (the “Project”) and for the requisite authorization to abandon certain related facilities. On November 2, 2015, Applicants filed an amendment to their Joint Abbreviated Application (“Amendment”), which, among other things, amended the revised preferred location for the Pendleton Compressor Station, provided supplemental pipeline routing and facility changes, and revised Applicants’ requested issuance date for the necessary Federal Energy Regulatory Commission (“Commission”) authorizations (collectively, the “Authorizations”) from December 31, 2015 to February 27, 2016. This date was requested to give Applicants sufficient time to accommodate tree clearing windows that might be imposed on the Project, and to commence site work and access road construction, so as to place the Project in service by November 1, 2016, the date requested by the Project’s foundation shipper, Seneca Resources Corporation (“Seneca”).

As a result of Seneca’s slowed drilling activity, what is now an exceptionally tight regulatory and construction timeline, and other considerations, Applicants and Seneca have revised the Project’s target in-service date to November 1, 2017. This revised Project timeline allows Applicants additional time to complete necessary development activities, and prepare for efficient construction of the Project facilities.

As a result of this revised target in-service date, Applicants hereby amend their requested date for the Authorizations from February 27, 2016 to May 1, 2016. The Commission’s expedited review of the Amended Application, and Applicants’ receipt

of the Authorizations by May 1, 2016, are critical in that they would, among other things:

- provide Applicants with an opportunity to commence hand felling of trees and/or mechanized timber clearing along the pipeline route during windows that would limit potential impacts to migratory birds and the Northern Long-Eared Bat\* ;
- provide Applicants with the flexibility to commence construction with respect to a portion(s) of the proposed pipeline facilities, as well as to complete site work for the Project's above-ground facilities, in late summer/early fall of 2016 (historically the driest period of the year), thus minimizing potential environmental impacts and maximizing construction efficiency\* ;
- provide Applicants with the opportunity to commence various specialized construction in calendar year 2016, including horizontal directional drilling and road bores, avoiding potential contractor availability limitations during the 2017 construction season (due to the expected commencement of numerous large scale infrastructure projects during 2017)\* ;
- allow Applicants to timely procure construction materials, some of which are long lead time items (such as large diameter pipe and fittings), necessary to complete the Project; and
- allow Applicants to resolve any outstanding local zoning issues and to complete property acquisition in advance of construction.

Based on the above, Applicants hereby respectfully request that the Commission continue its expedited review of the Amended Application and grant the requested Authorizations by no later than May 1, 2016. Additionally, Applicants respectfully request that the Commission's order concerning the Project allow Applicants two years from acceptance of the Authorizations to place the Project's proposed facilities into service.

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\* Assumes Applicants' receipt of applicable federal and state permits and authorizations in advance of construction, to the extent necessary.

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Please direct any questions concerning this filing to the undersigned at (716) 857-7067 or by email at [websterk@natfuel.com](mailto:websterk@natfuel.com).

Very truly yours,

*/s/ Kenneth Webster*

Kenneth Webster  
Attorney  
National Fuel Gas Supply Corporation and  
Empire Pipeline, Inc.

Enc.

cc: Christine Allen - OEP  
Office of General Counsel

CERTIFICATE OF SERVICE

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I hereby certify that I have this day served, in accordance with the provisions of Rule 2010 of the Commission's Rules of Practice and Procedure, the foregoing document upon each person designated on the official service list compiled by the Secretary of the Commission in this proceeding.

Dated at Williamsville, New York this 5th day of February, 2016.

/s/ Janet R. Bayer

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