

June 11, 2010

Via E-Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17105

Re: *En Banc* Hearing of the Pennsylvania Public Utility Commission on
Jurisdictional Issues Related to Marcellus Shale Gas Development, Docket
No. I-2010-2163461

Dear Ms. Chiavetta:

Thanks to the Pennsylvania Utility Commission for the opportunity to submit this testimony for inclusion in the record of the June 16, 2010, *en banc* hearing on PUC jurisdictional issues related to Marcellus Shale gas development. I am encouraged that the Commission is taking the time now, before the extensive development of miles of gas pipelines, to examine how the Marcellus Shale industry will affect PUC functions and by extension the residents of the commonwealth.

The Marcellus Shale gas industrial development does not function independently from our communities or other public utilities. Every resident of Pennsylvania will feel the affect of pipeline growth.

I ask the Commission to take a comprehensive view of PUC jurisdictional issues and to implement all measures necessary to safeguard the public and public utilities from inadequately controlled gas exploration and production

As a citizen the I believe the issue of eminent domain achieved by granting public utility status to pipeline companies effectively removes from us the benefit of our natural resources and the right to the use of our land, by removing the ability to be fairly compensated for the actual present and future value of the use of our ROW.

The resource, natural gas, will be gathered, transported and sold beyond our state borders; the pipeline companies who are petitioning the PUC are realistically going to function as interstate transmission lines for the gas companies operating in PA. Public Utilities serve the residents of the state in which they hold that status; this status if awarded may harm Pennsylvania landowners.

One of the stated reasons the PUC is convening the *en banc* hearing is because of concerns about public safety. The PUC has affirmed that the existing regulations are woefully dated. Safety is of paramount importance.

The Marcellus Shale development will require immense gathering and transmission infrastructure. Until the safety requirements are fully assessed, moving forward with pipelines would not be prudent nor would it protect the residents of PA.

The PUC has determined that Class 1 areas will not be subject to inspections. Much of Pennsylvania is rural. The fact that many areas have a low population does not erase the potential catastrophic effects of the real possibility of pipeline failure on the people who do live in sparsely populated areas.

Rural residents are being put at unacceptable risk. The exclusion of Class 1 areas mean the safety of a selected class of citizens will be deemed expendable. This amounts to unequal protection.

Lastly, I would like to comment on the composition of the invited guests to the *en banc* hearings. The list of invitees is heavily weighted by gas industry representatives with no outreach made to the constituents of the commonwealth, and virtually no representation from organizations that have the public interests, which are numerous and vital, in mind. The notable exception is the inclusion of the highly respected organization EarthWorks, who were not invited but are participating through their own initiative and volition.

Moreover, the commenting process hinders ordinary citizens from participation because of the cumbersome E-filing system that requires internet access, and because of lack of public notice outside of the confusing density of the PUC website and because of the lateness of the publication of the secretarial letter which combined with website failure with days of the hearing making public comment nearly insurmountable.

I urge you to consider a more user-friendly method of engaging the citizens of Pennsylvania in a process that will have profound and long lasting effect on their daily life and business.

Sincerely,

Lynn Senick
26 Cherry St.
Montrose, PA. 18801