

September 7, 2021

Ms. Kimberly D. Bose, Secretary
Federal Regulatory Energy Commission
888 First Street, NE
Washington, D.C. 20426

**Protest of/Comment on Spire STL Pipeline LLC's Application For a Temporary Emergency Certification,
or, in the Alternative, Limited-Term Certificate**

Dear Secretary Bose,

Spire STL's 65-mile pipeline runs through nearly 2 miles of our family farmland in central Illinois. We want to clear the record for Spire's assertions toward easement acquisition and restoration of our property.

Throughout the project Spire has treated us with the utmost disrespect, bullied us, and literally laughed in our face. We have documented numerous violations of the FERC *Upland Erosion Control, Revegetation, and Maintenance Plan* and *Agricultural Impact Mitigation Agreement* which caused tremendous damage to our land. (See CP17-40 docket posts accession 20210112-5056, 20201231-5279, 20201127-5020, 20210302-5034) Now, here we sit, with our land a wreck, continuing to lose farm income, while Spire tries to convince FERC they are committed to restoring all land and restoration is proceeding satisfactorily. Spire's restoration is a far cry from proceeding satisfactorily, in fact, the restoration list is growing faster than it recedes. (see last page)

Spire's injunction on our property and false claims that we "denied them access"

On June 15 Spire filed an injunction to gain access to our property for incomplete restoration work without prior landowner discussions. This is nothing more than Spire's attempt to take our property once again with claims that we "denied them access", rather than working with the landowner.

In a June 22 conversation with Spire's Alex Sammot, we asked for proof of "denied access", but never heard back. Months went by with Spire continuing to seek an injunction while reporting to FERC that we denied them access. In mid-August we reached out to Spire again asking for proof of denied access. We were stunned when Alex told us there was no physical proof, and they just ASSUMED since we didn't respond to an email in time! Spire has been reporting to FERC for months that we "denied them access" on an assumption. Since then, Spire started reporting that we agreed to discuss access, yet they still pursue an injunction. We have been clear since the March 18 order that we do not deny Spire access, but simply want to see detailed plans in compliance with the AIMA and FERC Plan. To date, we have only seen plans of how Spire would like to "patch" things together, not in compliance with the AIMA and FERC Plan.

The temporary workspace Spire is trying to steal through an injunction was given up BY SPIRE claiming they are 100% done with restoration but knowing they had not done any restoration to our property. This is a problem of their own creation. Spire clearly had high hopes FERC and IDOA would turn their heads and let them walk away, but thanks to IDOA, that did not happen. Spire will likely claim restoration takes years and they “thought” they were done. We are not talking about failed restoration here, we are talking about restoration that was NEVER EVEN ATTEMPTED. Simply another example of Spire's dishonesty and NOT taking care of the land. Shouldn't FERC be asking Spire why certain restoration was intentionally never performed, instead of just telling them to finish their work?

Spire's (NOT SO) “fair” offer for us to self-restore our property.

On April 16, 2021 we received a self-restoration offer from Spire. Shortly after, we contacted Spire's contractor, Midwest Services Group, and asked if they could fix our property for the price we were offered if we were to hire them directly. MSG started back peddling and said the prices they gave were to get started on a property, but not necessarily a price for complete restoration. To top it all off, the final restoration price we were provided was an excel sheet from Spire showing some daily/hourly Midwest rates, and Spire's estimated hours, to come up with a number they would be extremely happy paying us. This is NOT “good faith” “fair” negotiations like Spire claims they are doing.

On June 21, 2021, our family sat down with David Feeman and Alex Sammet to review all damages done to our property throughout the project. This was a 2-hour meeting going over each item of damage that the Spire pipeline created on our property. At that time, we provided Spire with a fare, realistic price, to self-manage our damages with contractors of our choice, on our schedule. After we presented the offer, Spire told us they clearly know we have way more damages than the offer we were presented, but basically, they had to start somewhere. Spire admitted they did not make us a “fare” offer like they claim. Since then, Spire has reached out wanting more of a breakdown of our offer, however, we feel our offer is sufficiently supported.

Last spring, FERC's Dispute Resolutions reached out to us about their assistance in mediating a remedy. Shortly after, those conversations stopped and most recently I was told by FERC staff that Spire refused to work with Dispute Resolutions. Why would Spire refuse? It is not because they are handling it themselves. This should be a RED FLAG to FERC.

In Spire's status report 23 for Aug. 20 – Aug. 27, Spire told FERC they had “scheduled discussions with the Browns” for the next reporting period. This is simply another example of Spire's dishonesty to FERC, as we did not have any scheduled discussions with Spire. Spire only sent a quick email on Friday, Sept. 23 at 11:25, which is far from a scheduled discussion with the landowner. Spire is continuously portraying false images to FERC that they are working with landowners.

Summary

Spire abuses any power they are given. There is no doubt, if they are given any type of temporary certificate, this abuse will continue. It is hard to believe Spire's extreme claims of "lives are at risk" and "400,000 people will lose gas" with their track record of dishonesty to landowners and FERC. We have high hopes that the commission will see right through their claims and make the right decision. But, most importantly, the commission must ensure the landowners are taken care of, which is NOT happening as Spire claims. Our properties have LONG lists of restoration issues. Many of these issues are on the ROW, not currently in agricultural production, and not far off a public road, but Spire STILL has not corrected them. Spire has NOT done ANY restoration to our land since their gas was turned on. Many of the items were required to be complete within certain time frames per the AIMA and FERC plan, the March 18 order put even more on them, but still NOTHING has been done to our property. They have flat out told us they would rather pay us to fix it, but yet they don't want to pay us to fix it. There is no doubt that we would rather manage the restoration to our property, but with the Spire admitted "low" offer we were given, this cannot happen.

We encourage the commission to reach out to us directly with any questions. We would love the opportunity for conversation about how Spire has treated us, what they have done to our land, and answer any questions the commission may have. We are a simple family farm facing a large company with legal power beyond belief. If this pipeline is so crucial to Spire and Missouri, why wouldn't they take care of the land that made the Spire STL Pipeline possible?

Keep in mind the way Spire is treating landowners.

Sincerely,

Phil Brown
217-248-6357

Zena Brown
217-248-9117

Philip & Zena Brown	IL-GC-078.000-IL-GC-081.000	13.93-15.10	<p>Concern: Decompaction, compliance with the Agriculture Impact Mitigation Agreement (“AIMA”) and FERC Plan, farming concerns due to the state of the right-of-way, crop loss/reduction, damage to farm equipment, erosion on and off right-of-way, soil mixing, topsoil loss, compaction, improper grade, ponding, well testing – post project, rocks/debris in topsoil, drain tiles, silt fence removal, Conservation Reserve Program (“CRP”) seeding, dry dam seeding, waterway seeding, driveway repair, temporary fencing removed, and pasture fencing replaced to original condition. Landowner was concerned that all their issues were not being reported to FERC in the status reports. These issues were reported in previous status reports with FERC and again here.</p> <p>Response: The landowner has not granted access to the temporary right-of-way, which is delaying remediation activities required by the March 18 Order. Nevertheless, Spire STL will continue to try to reengage in settlement negotiations and remediation discussions with the landowner in August.</p>
	IL-GC-091.000-IL-GC-092.000	17.08-17.83	<p>Concern: Decompaction, references to the AIMA and FERC Plan, farming concerns due to the state of the right-of-way, crop loss/reduction, damage to farm equipment, erosion on and off right-of-way, soil mixing, topsoil loss, compaction, improper grade, ponding, rocks/debris in topsoil, water tile line issues, silt fence removal, waterway seeding, temporary fencing removed, and pasture fencing replaced to original condition. Landowner was concerned that all their issues were not being reported to FERC in the status reports. These issues were reported in previous status reports with FERC and again here.</p> <p>Response: The landowner has not granted access to the temporary right-of-way, which is delaying remediation activities required by the March 18 Order. Nevertheless, Spire STL will continue to try to reengage in settlement negotiations and remediation discussions with the landowner in August.</p>