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September 8, 2021

Secretary Kimberly Bose
Federal Energy Regulatory Commission
888 First Street, NE
Washington DC 20420

**Re: Spire Pipeline LLC Docket No. CP17-40
Landowner Response to Data Requests**

Dear Secretary Bose,

My firm represents some of the landowners along the Spire Pipeline and responds briefly to correct factual inaccuracies in Spire's recent filings regarding the landowners.

First, in its August 26, 2021 Answer to Landowners' Protest, Spire insists that it has engaged in ongoing efforts to negotiate just compensation with the landowners. However, it should go without saying that Spire's early efforts were not successful given that at least 62 tracts or roughly one third of the pipeline's length were condemned and have not settled since. By contrast, in my experience from other cases, even after a company condemns a large number of tracts, many of these cases settle soon after the court awards immediate possession. That has not happened here; once Spire gained possession by court order, its settlement efforts ceased. This is so even though Spire was aware that its certificate -- the source of the federal court's authority to grant possession via injunctive relief -- was vulnerable to reversal on judicial review.

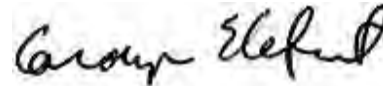
Second, leaving the history of the proceeding aside, Spire still has not taken steps to lock down legal title. In the two and a half months since the D.C. Circuit invalidated the Spire certificate, Spire has not approached landowners' counsel with settlement proposals to resolve acquisition of easement rights.

Spire's response to the Commission's data request confirms that it still has not acquired the majority of the properties. True, Spire received rulings in three just compensation cases held before Commissioners, but these rulings are preliminary and will be subject to several levels of review before they result in payment of compensation and transfer of title. More importantly, the Commission's awards are also entirely irrelevant because with the certificate invalid, the court had no jurisdiction to continue with a just compensation hearing - and the Commissioners were

never informed that Spire's certificate had been invalidated which surely would have altered their opinion.

The Commission should be gravely troubled at Spire's lax approach to acquiring property rights for the project. A pipeline's lack of site control puts investors at risk, jeopardizes public safety, and compromises the Commission's regulatory oversight and its very ability to grant an emergency certificate. That Spire is willing to inflict these harms all to avoid dealing fairly with landowners is reason enough to deny Spire the relief it seeks.

Respectfully submitted,

A handwritten signature in black ink that reads "Carolyn Elefant". The signature is written in a cursive, flowing style.

Carolyn Elefant
Law Offices of Carolyn Elefant, PLLC