

From: Tammy Daly [mailto:tammyldaly@gmail.com]
Sent: Wednesday, August 09, 2017 8:37 AM
Subject: Fwd: Update on Complaint in Federal Court v FERC and Nexus: Aug 9

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From: **Paul Gierosky** <plgierosky@gmail.com>
Date: Wed, Aug 9, 2017 at 7:15 AM
Subject: Update on Complaint in Federal Court v FERC and Nexus
To: Paul Gierosky <plgierosky@gmail.com>

Friends and Neighbors:

As you know on Thursday of last week we were FERC'd by the Senate when they reestablished a quorum of Commissioners with no recorded vote and without holding hearings into its abuse of power and law, as we have repeatedly requested. The process employed was as much an abuse of power by the Senate as that which we are fighting to end at FERC.

To make matters worse, Monday 8/7/17 our request to stay the issuance of a Certificate by FERC on the Nexus Project was denied by the Sixth District Court. See attached Order for specifics.

MY OPINION

Basically the District Court said a) we do not want to deal with this political hot potato and draw attention to ourselves and b) the Plaintiffs need to make our appeal to FERC. (Ya, like that is going to do any good). The Court also said, if we have the money to hire expensive attorneys in DC we can file our Complaint in the DC Court of Appeals.

Q: Why the DC Court of Appeals you ask?

A: That's the way Congress wrote the appeal process into the Natural Gas Act.

Q: Wait a minute, so we have to play an away game even though the pipeline is on our home field?

A: Yep.

Q: Why?

A: This makes the FEIS unassailable and the appeal process predetermined.

Those crafty swamp dwellers in Washington know all the tricks!

Damn the Constitution, boys, full speed ahead!

SUNG TO THE TUNE OF RAWHIDE

written by Ned Washington

Flow'n, flow'n, flow'n
Keep those campaign contributions flow'n.

Though are bank accounts are swollen,
Keep those dollars roll'n

It's..... Election Time.

Through rain and wind and weather,
we all stick together,
to get ourselves re-elected every term.

There is noth'n that we are miss'n,
Good healthcare, wealth and recognition,
are waiting at the end of our time.

Not to make light of the matter but I feel we have been FERC'd twice within a week.

PS On a related note, the Ontario Energy Board asked whether the delay of the in service date for Nexus would impact available gas supplies to Ontario this winter.

Nexus replied, "If NEXUS is delayed, the Company will maintain its ability to fill the Vector capacity designated for NEXUS supply with other supply from Chicago."

So NEXUS is not for public convenience or necessary because other sources exist. And, it certainly does not deserve the power to use eminent domain.

Paul L Gierosky

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Donate to: "Coalition To Reroute Nexus"

- * Deposit: Any Huntington Bank. Acct #...9150
- * Mail: c/o 919 East Turkeyfoot Lake Rd, Suite B, Akron, OH, 44312
- * Mail: c/o 7782 Spieth Rd, Medina, OH 44256
- * Paypal: www.facebook.com/MedinaNoNexus/
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