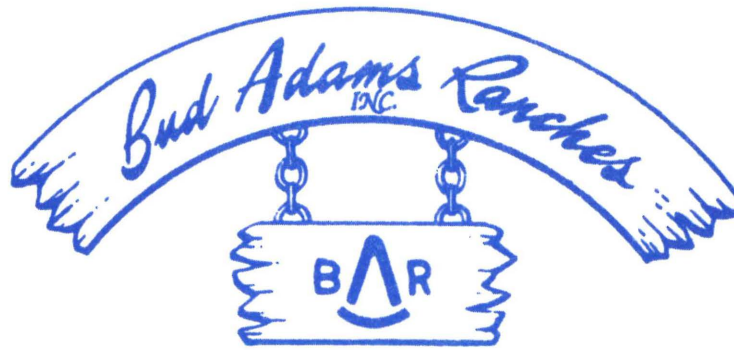


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May 20, 2020

Mr. Neil Chatterjee, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Chairman Chatterjee,

In response to my letter to the FERC of May 18, 2020, my Administrative Assistant received an email response on May 19, 2020, from Sarah McKinley of the FERC Office of External Affairs as follows:

"Our agency does not regulate railroads. Is this related to a specific pipeline project now before the Commission? If so, I would recommend that you file it using eFiling under the appropriate docket number."

We are, of course, aware that FERC does not regulate railroads. That was not the purpose of my initial email, which was to bring to FERC's attention that it does regulate many of the 142 pipelines that will be deleteriously impacted by a proposed Texas high-speed rail project. The Federal Railroad Administration is racing now to finalize and approve a draft Environmental Impact Statement (EIS) regarding the proposed project. To the best of our knowledge, there has been no safety impact review by FRA, FERC, or the Pipeline and Hazardous Materials Safety Administration regarding the proposed massive construction project atop these 142 existing pipelines.

I have attached a schedule of the pipelines I believe will be impacted.

Unfortunately, the high-speed rail developer has either not considered the impact on pipeline safety, or deliberately failed in its draft EIS to provide the public any information regarding the logistics of how the public will be protected from these pipeline hazards. The developer has never owned, operated, or constructed a railroad, most of the company's key management personnel have no previous background in building or operating railroads, and the company is inadequately capitalized to propose, plan, or engineer a railroad infrastructure project of this magnitude.

In the FRA public comment virtual meeting of May 6, 2020, FRA officials stated to me and to hundreds of Texans on the call that FRA is not required to contact FERC for any input on these

impacted pipelines, and that as of May 6 had no plans to contact FERC. The draft EIS originally filed with FRA indicates the high-speed rail developer plans to rely solely on the companies that operate these pipelines to "self-supervise and regulate pipeline impacts."

I am requesting the FERC immediately contact FRA to coordinate, provide consultation and assist in ensuring that FRA's draft Rule of Particular Applicability and final EIS both properly examine and address the impact a massive construction project crossing these 142 pipelines will have on pipeline operations and on public safety and disclose said impacts to the public for review. This information should be presented to the public in an amendment to the draft EIS before FRA issues a final EIS.

Thank you for your consideration with respect to the critical issue created by this dangerous and deeply flawed high-speed rail project. Please feel free to have your office contact me directly with any additional questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "W. R. Scofield", written in a cursive style.

William R. Scofield

cc: Administrator, Ronald Batory

CC: All Parties of Record