

EXHIBIT-10

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Lovelace et al., v United States

Letter from Counsel to Kinder Morgan

December 30, 2015

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December 30, 2014

James L. Messenger, Esq.
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One International Place
Eleventh Floor
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RE: *In the Matter of the Deerfield BOH Regarding Kinder Morgan and Affiliated Companies and/or Subsidiaries.*

Dear Mr. Messenger:

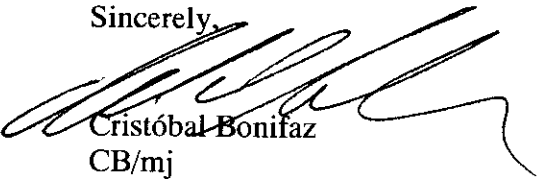
Please allow me to first wish the best for you and your family for the New Year.

I am responding to your letter to me dated December 24, 2014. The BOH of Deerfield has asked me to forward to you the enclosed Op-Ed provided in draft form to BOH by David Gilbert Keith a well-known environmental researcher. The piece concludes after a detailed analysis that the inescapable conclusion is that most of the gas to be transported through Massachusetts by Kinder Morgan is for export to foreign countries rather than for exclusive use in the North East of the United States.

If this is correct I would appreciate any legal citations to the effect that FERC has exclusive jurisdiction over the installation and operation of the pipeline as you have asserted in your previous two letters. I believe it is uncontested that if all the gas to be transported was exclusively for export to foreign countries the installation and operation of such a pipeline would fall outside FERC's jurisdiction. The question BOH wants to raise with you is whether or not Massachusetts has joint jurisdiction with FERC on the proposed pipeline given that a portion of the gas projected to be transported through the pipeline is for export.

I thank you in advance for the attention you will give to this letter.

Sincerely,


Cristóbal Bonifaz
CB/mj