



TO: BOARDS OF ASSESSORS  
FROM: JOANNE GRAZIANO, CHIEF, BUREAU OF LOCAL ASSESSMENT  
DATE: JUNE 13, 2018  
TOPIC: CERTIFIED PIPELINE VALUATIONS FISCAL YEAR 2019

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The Commissioner of Revenue has determined and hereby certifies the full and fair cash valuation of taxable pipelines used for the transmission of natural gas, petroleum or their products or by-products with a distance of twenty-five miles or more as of January 1, 2018. These valuations are certified for fiscal year 2019 under Massachusetts General Laws Chapter 59, Section 38A. The property owner or the board of assessors must appeal the valuations to the Appellate Tax Board (ATB) on or before July 15, 2018<sup>1</sup>.

#### *Taxable Properties*

The Commissioner values only those designated pipeline assets that are taxable under the General Laws. Pipeline companies doing business as corporations, or as partnerships, trusts, limited liability companies (LLCs) or other unincorporated entities treated as corporations for federal income tax purposes, are subject to central valuation and local taxation on poles, wires, underground conduits, pipes and machinery used to provide pipeline service, including Federal Energy Regulatory Commission's (FERC) Uniform Code of Accounts - 368 (compressor station equipment), 369 (measuring and regulating station equipment), 370 (communication equipment) and 371 (other equipment). M.G.L. c. 59, § 18, Second and M.G.L. c. 59, § 5, cl. 16(2). Pipeline companies organized and filing federally as partnerships, trusts, LLCs or other unincorporated legal entities are also subject to central valuation and local taxation on any other machinery, equipment and personalty used to provide pipeline service. M.G.L. c. 59, § 38A; M.G.L. c. 59 § 18, First and Sixth. See also RCN-BecoCom, LLC v. Commissioner of Revenue, 443 Mass. 198 (2005). The Commissioner also values taxable pipeline personal property that is construction work in progress (CWIP) or owned by not necessarily in service. Verizon New England, Inc. v. City of Boston, 81 Mass. App. Ct. 444 (2012).

#### *Company Local Filing Requirements*

With respect to **local filing requirements**, pipeline companies organized and filing federally as partnerships, trusts, LLCs or other unincorporated legal entities are not entitled to any corporate property tax exemptions. M.G.L. c. 59, § 5, cl. 16; M.G.L. c. 63, §§ 30(1), 30(2), 38A and 68C. The Department of Revenue's Bureau of Local Assessment has received FY2019 pipeline data and a listing of all machinery, equipment and other personalty used for pipeline purposes from Algonquin Gas Transmission, LLC, Maritimes & Northeast Pipeline, LLC and Tennessee Gas Pipeline Company, LLC. Except for the centrally valued pipeline property, they are subject to local valuation on all other taxable personal property situated in the community.

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<sup>1</sup>Consult your legal counsel for determination of the jurisdictional filing deadline as July 15<sup>th</sup> falls on a Sunday this year. See G.L. c. 4, § 9 ("Except as otherwise provided, when the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required by statute or by contract, falls on Sunday or a legal holiday, the act may, unless it is specifically authorized or required to be performed on Sunday or on a legal holiday, be performed on the next succeeding business day.")

For the gas pipeline companies, in past years, CWIP was reported and valued as part of the system Utility Plant and not reported separately for Massachusetts. By FY2016, the companies were able to identify and separately report the Massachusetts CWIP. The CWIP is valued and the growth is part of the total growth reported. For FY2019, the CWIP growth from FY2018 was backed out of this year's calculation to avoid being doubled counted.

#### *Pipeline Company Issues*

The following describes changes from the prior valuation year:

1. *Algonquin Gas Transmission, LLC* has reported an increase in their Utility Plant Assets on their FERC (Federal Energy Regulatory Commission) Form No. 2 that was filed for end of year 2017. Allocation of Massachusetts' share of the national system is derived from this amount and the company's return that is submitted to BLA. This resulted in an increase in the assessment for FY2019. For FY2019, three communities, Boston, Dedham, and Westwood, have increased mileage constructed due to the AIM (Algonquin Incremental Market) Expansion Project.
2. *Maritimes & Northeast Pipeline, LLC* has no change in pipeline, machinery and equipment assets in Massachusetts for this fiscal year. Overall, the value decreased due to additional depreciation for FY2019.
3. *Tennessee Gas Pipeline Company, LLC* has reported an increase in their Utility Plant Assets on their FERC (Federal Energy Regulatory Commission) Form No. 2 that was filed for end of year 2017. Allocation of Massachusetts' share of the national system is derived from this amount and the company's return that is submitted to BLA. This resulted in an increase in the assessment for FY2019. For FY2019, Agawam and Sandisfield have increased mileage constructed due to the Connecticut Expansion Project.
4. *Buckeye Pipe Line Company, LP* acquired the Exxon-Mobil Pipeline's Massachusetts assets in May of 2015. The pipeline was then idled and the abandonment process began. The FERC Tariff was cancelled on July 31<sup>st</sup> 2015, but the company has still not filed the formal application to abandon the pipeline. Until the formal abandonment certificate has been issued, the Commissioner will continue to value the pipeline, but with significant obsolescence. For FY2019, Buckeye has a slight increase in the assessment due to updated cost data.

#### *New Growth*

1. *Algonquin Gas Transmission, LLC* has additional pipeline, machinery, and equipment assets and CWIP reported for FY2019. The increase in reported CWIP is primarily due to Algonquin's work on the Atlantic Bridge Expansion Project and the Access Northeast Project .
2. *Maritimes & Northeast Pipeline, LLC* has additional pipeline, machinery, and equipment assets and CWIP reported for this fiscal year.
3. *Tennessee Gas Pipeline Company, LLC* has additional pipeline, machinery, and equipment assets and CWIP reported for this fiscal year.

### *Company List and Addresses*

Centrally valued pipeline company billing names and addresses as reported by the companies are posted on our [website](#) for your convenience.

Questions regarding valuations may be directed to Stephen Sullivan at (617) 626-2393 or email at [sullivanst@dor.state.ma.us](mailto:sullivanst@dor.state.ma.us)