

Oral Argument Not Yet Scheduled

**IN THE  
UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

DELAWARE RIVERKEEPER )  
NETWORK; MAYA VAN )  
ROSSUM, the Delaware )  
Riverkeeper, )

*Petitioners,* )

v. )

FEDERAL ENERGY REGULATORY )  
COMMISSION, )

*Respondent.* )  
\_\_\_\_\_ )

No. 18-1220

**Petition for Review**

This Petition for Review is submitted on behalf of the Delaware Riverkeeper Network and Maya van Rossum, the Delaware Riverkeeper (collectively “Petitioners”). Petitioners hereby petition this Court for review of the following orders issued by the Federal Energy Regulatory Commission (“Commission”): (1) PennEast Pipeline Company, LLC (“PennEast”), Order Issuing Certificate under Section 7(c) of the Natural Gas Act, Docket No. CP15-558-000, 162 FERC ¶ 61,053 (2018) (“Certificate”); (2) the August 10, 2018 Order Denying Rehearing, 164 FERC ¶ 61,098 (2018) (“Rehearing Denial”); (3) the February 22, 2018, Order Granting Rehearings for Further Consideration, which purports to grant the

Petitioners' request for rehearing for the sole purpose of granting the Commission more time to make a final decision on its request for rehearing ("First Tolling Order"); and (4) the April 13, 2018, Order Granting Rehearing for Further Consideration, which purports to grant the Petitioners' request for rehearing for the sole purpose of granting the Commission more time to make a final decision on its request for rehearing ("Second Tolling Order").<sup>1</sup> The Commission's Certificate Order authorizes PennEast to construct and operate the PennEast Pipeline Project in Pennsylvania and New Jersey.

Petitioners and their members have been, and will be, adversely affected by the proposed PennEast pipeline and appurtenant facilities because the pipeline, if constructed, operated, and maintained, would run through and adversely affect the Delaware River Basin watershed and Petitioners' members' property. This Court has jurisdiction and this petition is timely filed pursuant to Section 717r(a) and (b) of the Natural Gas Act. *See* 15 U.S.C. § 717r(a)-(b).

Respectfully submitted this 13<sup>th</sup> day of August, 2018.

/s/ Aaron Stemplewicz  
Aaron Stemplewicz Esq.,  
Senior Attorney, (Pa. Bar No. 312371)  
Delaware Riverkeeper Network  
925 Canal Street, Suite 3701  
Bristol, PA 19007  
Phone: 215.369.1188  
Fax: 215.369.1181

---

<sup>1</sup> All Attached as Exhibit A.

Counsel for: *Delaware Riverkeeper Network  
and the Delaware Riverkeeper*

**IN THE  
UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

DELAWARE RIVERKEEPER )  
NETWORK; MAYA VAN )  
ROSSUM, the Delaware )  
Riverkeeper, )

*Petitioners,* )

v. )

FEDERAL ENERGY REGULATORY )  
COMMISSION, )

*Respondent.* )

No. \_\_\_\_\_

**Corporate Disclosure Statement**

The Delaware Riverkeeper Network is a nonprofit 503(c)(3) membership organization that advocates for the protection of the Delaware River, its tributaries, and the communities of its watershed. DRN does not have any parent corporation, nor does it issue stock.

Respectfully submitted this 13<sup>th</sup> day of August, 2018.

/s/ Aaron Stemplewicz  
Aaron Stemplewicz, Esq.,  
Senior Attorney, (Pa. Bar No. 312371)  
Delaware Riverkeeper Network  
925 Canal Street, Suite 3701  
Bristol, PA 19007  
Phone: 215.369.1188  
Fax: 215.369.1181

Counsel for: *Delaware Riverkeeper Network  
and the Delaware Riverkeeper*

**IN THE  
UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

DELAWARE RIVERKEEPER )  
NETWORK; MAYA VAN )  
ROSSUM, the Delaware )  
Riverkeeper, )

*Petitioners,* )

v. )

FEDERAL ENERGY REGULATORY )  
COMMISSION, )

*Respondent.* )

No. \_\_\_\_\_

I, Aaron Stemplewicz, hereby certify under penalty of perjury that on August 13, 2018, I served a copy of the foregoing Petition for Review by mail or electronic mail on the following parties admitted to the proceeding before the Federal Energy Regulatory Commission for docket number CP15-558-000:

Robert Solomon  
FERC Solicitor  
888 First Street, N.E.,  
Washington, D.C. 20426

Frank Markle  
Counsel  
UGI Utilities Inc.  
PO Box 858  
Valley Forge, PA 19482  
marklef@ugicorp.com

Mark Morrow  
Senior Counsel  
UGI Corporation  
PO Box 858  
Valley Forge, PA 19482-0858  
morrowm@ugicorp.com

Jeremy C. Marwell  
Vinson & Elkins LLP  
2200 Pennsylvania Avenue, NW  
Suite 500W  
Washington, DC 20037-1701  
Firm: 202-639-6500  
Email: jmarwell@velaw.com

/s/ Aaron Stemplewicz  
Aaron Stemplewicz, Esq.,  
Senior Attorney, (Pa. Bar No. 312371)  
Delaware Riverkeeper Network  
925 Canal Street, Suite 3701  
Bristol, PA 19007  
Phone: 215.369.1188  
Fax: 215.369.1181

Counsel for: *Delaware Riverkeeper Network  
and the Delaware Riverkeeper*