

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

Petitions for Review of an Order of the)	
Federal Energy Regulatory Commission:)	MCP No. _____
<i>PennEast Pipeline Co., LLC</i> , 164 FERC ¶ 61,098,)	
Issued on Aug. 10, 2018)	

NOTICE OF MULTICIRCUIT PETITIONS FOR REVIEW

Pursuant to 28 U.S.C. § 2112(a)(3) and the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, the Federal Energy Regulatory Commission (“FERC” or the “Commission”) notifies the Judicial Panel of the filing of multicircuit petitions for review of Commission orders issued in *PennEast Pipeline Co., LLC*, FERC Docket No. CP15-558. The FERC orders at issue are: (1) Order Issuing Certificates, 162 FERC ¶ 61,053 (issued Jan. 19, 2018) (“Certificate Order”), and (2) Order on Rehearing, 164 FERC ¶ 61,098 (issued Aug. 10, 2018) (“Rehearing Order”).

As required by Panel Rule 25.2, the Commission submits with this Notice: (1) a schedule listing petitions for review filed in the circuit courts of appeals within ten days after the issuance of the final agency order and received by the Commission within that time period (Attachment A), and (2) copies of each petition (Attachment B). In accordance with Panel Rule 25.3, as indicated in the attached certificate of service, the Commission is filing and serving this notice on the clerks of the courts of appeals where petitions for review have been filed, along with counsel for all parties in the petitions for review.

Pursuant to Panel Rule 25.2(c), this notice exclusively embraces petitions for review filed in the courts of appeals within the ten-day period following the Commission's issuance of the Rehearing Order on August 10, 2018. Accordingly, the attached schedule does not include petitions for review filed outside of this ten-day period, including petitions that were filed prior to the Rehearing Order. *See* Natural Gas Act, 15 U.S.C. § 717r(a)-(b) (establishing a period of 60 days after issuance of Commission orders on rehearing for the filing of petitions for review in the courts of appeals).

Respectfully Submitted,

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August 28, 2018

ATTACHMENT A

Rule 25.2(b)(ii) Schedule

Issuance Date of the FERC Order: August 10, 2018

Case Name	Circuit Court	Docket Number	Filing Date	Date Received by FERC
<i>Delaware Riverkeeper Network, et al. v. FERC</i>	D.C. Circuit	No. 18-1220 ¹	Aug. 13, 2018	Aug. 13, 2018
<i>New Jersey Division of Rate Counsel v. FERC</i>	3d Circuit	No. 18-2853	Aug. 20, 2018	Aug. 20, 2018

¹ The petition for review in D.C. Circuit No. 18-1220 has been consolidated with a number of other petitions filed in the D.C. Circuit: No. 18-1128 (filed May 9, 2018), No. 18-1144 (filed May 21, 2018), No. 18-1225 (filed Aug. 21, 2018), and No. 18-1226 (filed Aug. 23, 2018). Pursuant to 28 U.S.C. § 2112(a)(3) and Panel Rule 25.2(c), because these additional cases were not filed within the ten-day period following issuance of the Commission's August 10 Rehearing Order, they are not individually listed on this Schedule.

ATTACHMENT B

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,

No. 18-1220

v.

FEDERAL ENERGY REGULATORY
COMMISSION,
Respondent.

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").¹ 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).

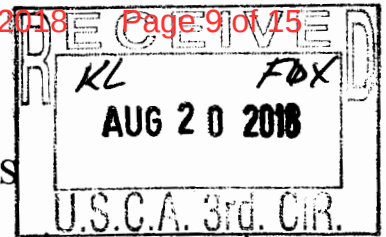
Respectfully submitted this 13th day of August, 2018.

/s/ Aaron Stemplewicz
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¹ All Attached as Exhibit A.

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

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IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NEW JERSEY DIVISION OF RATE
COUNSEL, Petitioners,

v.

FEDERAL ENERGY REGULATORY
COMMISSION, Respondent

CASE NO.

\$500.00, pd
78639
18-2853

PETITION FOR REVIEW

Pursuant to Section 313(b) of the Federal Power Act, 16 U.S.C. § 8251(b) and Rule 15(a) of the Federal Rules of Appellate Procedure, the New Jersey Division of Rate Counsel (“NJ Rate Counsel”) hereby petitions the court for review of the following orders of the Federal Energy Regulatory Commission (“FERC” or the “Commission”):

- (1) *PennEast Pipeline Co.*, Order Issuing Certificates, 162 FERC ¶ 61,053 (January 19, 2018); and
- (2) *PennEast Pipeline Co.*, Order on Rehearing, 164 FERC ¶ 61,098 (August 10, 2018).

Copies of each of these orders are contained in Attachment A to this petition.

NJ Rate Counsel is the regulatory agency charged with protecting the interests of New Jersey ratepayers, N.J. Stat. Ann. § 52:27E-50 *et seq.* The NJ Rate Counsel participated fully in the proceedings before the FERC and sought timely rehearing of the January 19, 2018 Order Issuing Certificates to the

PennEast Pipeline Company. The NJ Rate Counsel is aggrieved by the Commission's rulings.

In accordance with Rule 15(c) of the Federal Rules of Appellate Procedure, a list of parties served with a copy of this Petition and copies of the orders is attached hereto.

Respectfully submitted,

/s/ Scott H. Strauss

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August 20, 2018

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August 20, 2018

CERTIFICATE OF SERVICE

In accordance with Rule 25.3 of the Judicial Panel on Multidistrict Litigation and Federal Rule of Appellate Procedure 25(a)(2)(D), I certify that, on this 28th day of August, 2018, a copy of the foregoing was served electronically, in accordance with the applicable ECF procedures of the following courts:

Mark J. Langer
Clerk of the Court
U.S. Court of Appeals for the D.C. Circuit
E. Barrett Prettyman U.S. Courthouse
333 Constitution Ave., NW
Room 5423
Washington, DC 20001

Patricia S. Dodszeweit
Clerk of the Court
U.S. Court of Appeals for the Third Circuit
21400 U.S. Courthouse
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Philadelphia, PA 19106

Copies of the foregoing notice were also served on the following counsel through the ECF systems of the U.S. Court of Appeals for the District of Columbia Circuit and the U.S. Court of Appeals for the Third Circuit:

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August 28, 2018