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October 15, 2018

Terry L. Turpin
Director, Office of Energy Projects
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

Re: Mountain Valley Pipeline, LLC
Mountain Valley Pipeline Project
Docket No. CP16-10-000
Request to Modify Stop Work Order

Dear Mr. Turpin:

On July 27, 2018, the United States Court of Appeals for the Fourth Circuit issued an order vacating and remanding decisions issued by the United States Forest Service and the Bureau of Land Management for the Mountain Valley Pipeline Project (“July 27 Order”). Following the Fourth Circuit’s July 27 Order, the Federal Energy Regulatory Commission issued a Stop Work Order for the Project. On August 29, 2018, the Commission issued an order modifying the Stop Work Order but excluded construction at the crossing of the Weston and Gauley Bridge Turnpike Trail in Braxton County, West Virginia because Mountain Valley “has not obtained the rights-of-way and temporary use permits from the federal government needed for the Project to cross” this federal land.

On October 10, 2018, the Fourth Circuit issued an order clarifying that its July 27 Order “does not vacate the portion of the [BLM’s] Record of Decision authorizing a right of way and temporary use permits for MVP to cross the Weston and Gauley Bridge Turnpike Trail.” A copy of the Fourth Circuit’s October 10 order is attached. In view of the Fourth Circuit’s clarification, Mountain Valley Pipeline, LLC requests that the Commission further modify its Stop Work Order to authorize construction at the crossing of the Weston and Gauley Bridge Turnpike Trail. This crossing is in an upland area.

Mr. Terry L. Turpin

October 15, 2018

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If you have any questions or require any additional information, please do not hesitate to contact me at (412) 553-5786 or meggerding@eqt.com. Thank you.

Respectfully submitted,

MOUNTAIN VALLEY PIPELINE, LLC

by and through its operator,

EQM Gathering Opco, LLC

By: 

Matthew Eggerding

Senior Counsel, Midstream

Attachment

cc: Rich McGuire, OEP
James Martin, OEP
All parties

FILED: October 10, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-2399 (L)

SIERRA CLUB, INC.; APPALACHIAN VOICES; WILD VIRGINIA, INC.

Petitioners

v.

UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF
AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

CHEROKEE FOREST VOICES; THE CLINCH COALITION; GEORGIA
FORESTWATCH; MOUNTAINTRUE

Amici Supporting Petitioner

No. 18-1012

THE WILDERNESS SOCIETY; PRESERVE CRAIG, INC.; SAVE MONROE, INC.

Petitioners

v.

UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

No. 18-1019

SIERRA CLUB, INC.; APPALACHIAN VOICES; WILD VIRGINIA, INC.

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; UNITED STATES BUREAU OF LAND MANAGEMENT; UNITED STATES FOREST SERVICE; UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

CHEROKEE FOREST VOICES; THE CLINCH COALITION; GEORGIA
FORESTWATCH; MOUNTAINTRUE

Amici Supporting Petitioner

No. 18-1036

THE WILDERNESS SOCIETY; PRESERVE CRAIG, INC.; SAVE MONROE,
INC.

Petitioners

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; UNITED STATES
BUREAU OF LAND MANAGEMENT; UNITED STATES FOREST SERVICE;
UNITED STATES DEPARTMENT OF AGRICULTURE

Respondents

MOUNTAIN VALLEY PIPELINE, LLC

Intervenor

ORDER

Intervenor Mountain Valley Pipeline (“MVP”) has filed a petition for rehearing in this case. Pursuant to Fed. R. App. Proc. 40(a)(4)(A) and (C), we grant rehearing for the limited purpose of clarifying that our prior opinion in *Sierra Club v. United States Forest Service*, 897 F.3d 582 (4th Cir. 2018), does not vacate

the portion of the Bureau of Land Management's Record of Decision authorizing a right of way and temporary use permits for MVP to cross the Weston and Gauley Bridge Turnpike Trail. The opinion otherwise remains in effect, and reargument is not necessary.

Entered at the direction of Judge Thacker with the concurrence of Chief Judge Gregory and Senior Judge Traxler.

For the Court

/s/ Patricia S. Connor, Clerk