

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-1098**September Term, 2019**

FERC-CP15-138-000
FERC-CP15-138-001
FERC-CP15-138-003
FERC-CP15-138-004
FERC-CP17-212-000

Filed On: December 5, 2019

Allegheny Defense Project, et al.,

Petitioners

v.

Federal Energy Regulatory Commission,

Respondent

Anadarko Energy Services Company, et al.,

Intervenors

Consolidated with 17-1128, 17-1263, 18-1030

BEFORE: Garland, Chief Judge, and Henderson, Rogers, Tatel, Griffith,
Srinivasan, Millett, Pillard, Wilkins, Katsas, and Rao, Circuit Judges

ORDER

Upon consideration of the petition for rehearing en banc filed by Hilltop Hollow Limited Partnership, Hilltop Hollow Limited Partnership, LLC, and Stephen D. Hoffman, the responses thereto, and the vote in favor of the petition by a majority of the judges eligible to participate, it is

ORDERED that the petition be granted. These consolidated cases will be reheard by the court sitting en banc. It is

FURTHER ORDERED that the court's judgment filed August 2, 2019, be vacated. It is

FURTHER ORDERED that the oral argument before the en banc court be heard on Tuesday, March 31, 2020 at 9:30 a.m. It is

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FURTHER ORDERED that, in addition to filing briefs electronically, the parties file 30 paper copies of each of the briefs and the appendix, in accordance with the following schedule:

Joint brief for petitioners	January 10, 2020
Appendix	January 10, 2020
Brief for respondent	February 10, 2020
Joint brief for intervenors supporting respondent	February 10, 2020
Joint reply brief for petitioners	March 2, 2020

The parties are directed to address in their briefs the issues raised in Section II, Part C of the opinion and in the concurring opinion, including whether the Natural Gas Act, and specifically 15 U.S.C. § 717r(a), authorizes the Federal Energy Regulatory Commission to issue tolling orders that extend the statutory 30-day period for Commission action on an application for rehearing.

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See *D.C. Circuit Handbook of Practice and Internal Procedures* 41 (2018); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

Because the briefing schedule is keyed to the date of argument, the court will grant requests for extension of time limits only for extraordinarily compelling reasons. The briefs and appendix must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

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A separate order will issue regarding allocation of oral argument time.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk