

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

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ATLANTIC COAST PIPELINE, LLC,)	
<i>et al.</i> ,)	
)	
Petitioners,)	
)	
LORA BAUM, <i>et al.</i> ,)	
)	
Petitioner-Intervenors,)	
)	
v.)	
)	No. 18-1224 (consolidated
FEDERAL ENERGY REGULATORY)	with 18-1280, 18-1308,
COMMISSION,)	18-1309, 18-1310, 18-1311,
)	18-1312, 18-1313)
Respondent,)	
)	
ATLANTIC COAST PIPELINE, LLC,)	
<i>et al.</i> ,)	
)	
Respondent-Intervenors.)	
<hr/>)	

**JOINT RESPONSE OF CONSERVATION PETITIONERS AND
LANDOWNER PETITIONERS WITHDRAWING PRIOR MOTION AND
CONSENTING TO HOLD CASES IN ABEYANCE**

As authorized by Fed. R. App. P. 27(a)(3), Conservation Petitioners¹ and Landowner Petitioners² submit this response withdrawing their prior Joint Motion to Remove Cases from Abeyance (Dkt. 1848050) and consenting to Atlantic Coast Pipeline, LLC, and Dominion Energy Transmission, Inc.'s Motion to Govern Further Proceedings (Dkt. No. 1851862).

1. On June 18, 2020, and pursuant to the Court's Order dated October 4, 2019 (Dkt. 1809511), Conservation Petitioners and Landowner Petitioners jointly requested that these consolidated petitions for review of the Federal Energy Regulatory Commission's ("FERC's") issuance of a certificate of public convenience and necessity ("Certificate Order") for the Atlantic Coast Pipeline be

¹ Conservation Petitioners (Petitioners in Nos. 18-1308 and 18-1312, collectively) are Alliance for the Shenandoah Valley, Appalachian Voices, Chesapeake Bay Foundation, Inc., Chesapeake Climate Action Network, Cowpasture River Preservation Association, Friends of Buckingham, Friends of Nelson, Highlanders for Responsible Development, Piedmont Environmental Council, Shenandoah Valley Battlefields Foundation, Sierra Club, Sound Rivers, Inc., Virginia Wilderness Committee, Wild Virginia, Inc., and Winyah Rivers Foundation.

² Landowner Petitioners (Petitioners in No. 18-1313) are Bold Alliance, Bold Educational Fund, Nancy Kassam-Adams, Shahir Kassam-Adams, Peter A. Agelasto III (individually and as chairman of Rockfish Valley Foundation), Judith Allen, Eleanor M. Amidon, Jill Averitt, Richard Averitt, Richard G. Averitt III, Dr. Sandra Smith Averitt, James R. Bolton, Constance Brennan, Joyce D. Burton, Carolyn L. Fischer, Bridget K. Hamre, Charles R. Hickox, Demian K. Jackson, Janice Jackson, Lisa Y. Lefferts, William Limpert, David Drake Makel, Carolyn Jane Maki, Nelson County Creekside, LLC, Rockfish Valley Foundation, Rockfish Valley Investments, Victoria C. Sabin, Alice Rowe Scruby, Timothy Mark Scruby, Marilyn M. Shifflett, Sharon Summers, Chapin Wilson, Jr., Wintergreen Country Store Land Trust, and Kenneth M. Wyner.

removed from abeyance. Joint Mot. of Conservation Pet'rs & Landowner Pet'rs to Remove Cases from Abeyance (June 18, 2020) (Dkt. 1848050).

2. On July 5, 2020, sponsors of the Atlantic Coast Pipeline cancelled the project. Mot. to Govern Further Proceedings 2 (July 15, 2020) (Dkt. 1851862). Further proceedings before FERC are necessary to address the effect of the cancellation on the Certificate Order. *See* Letter from Matthew R. Bley, Dominion Energy Transmission, Inc., to Kimberly D. Bose, FERC, Dkt. Nos. CP15-554 et al., CP15-555, et al., (July 10, 2020) (FERC eLibrary No. 20200710-5088) (requesting a one-year extension of the Certificate Order to implement “abandonment and restoration of [Atlantic Coast Pipeline] project areas” and a two-year extension “to construct and place portions of the [Supply Header Project] into service”).

3. As a result, Conservation Petitioners and Landowner Petitioners now jointly file this response withdrawing their prior Joint Motion to Remove Cases from Abeyance and consenting to Atlantic Coast Pipeline, LLC, and Dominion Energy Transmission, Inc.’s motion requesting that these cases remain in abeyance with regular status reports. Mot. to Govern 2-3.

Respectfully submitted,

/s/ Emily C. Wyche

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Dated: July 17, 2020

CERTIFICATE OF COMPLIANCE

1. This document complies with Fed. R. App. P. 27(d)(2) because it contains 457 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman.

/s/ Emily C. Wyche

Emily C. Wyche

SOUTHERN ENVIRONMENTAL LAW CENTER

Dated: July 17, 2020

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2020, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the District of Columbia Circuit through this Court's CM/ECF system, which will serve a copy on all registered users.

I served the following counsel via email:

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/s/ Emily C. Wyche
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Dated: July 17, 2020