

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALLCO RENEWABLE ENERGY LIMITED, *et al.*,

Plaintiffs,

vs.

DEBRA HAALAND, *et al.*,

Defendants.

Civil Action No. 1:21-cv-11171-IT

Hon. Indira Talwani

**INTERVENOR-DEFENDANT VINEYARD WIND 1 LLC'S MOTION TO JOIN IN
DEFENDANTS' MOTION IN THE ALTERNATIVE TO SEVER CLAIMS
RELATING TO FEDERAL APPROVAL OF THE SOUTH FORK OFFSHORE
WIND PROJECT**

Intervenor-Defendant Vineyard Wind 1 LLC ("Vineyard Wind") hereby requests that the Court permit it to join the Federal Defendants' Motion in the Alternative to Sever Claims Relating to Federal Approval of the South Fork Offshore Wind Project, Doc. # 67 (Mar. 14, 2022) ("Motion to Sever"). As grounds for this motion, Vineyard Wind states as follows:

1. On March 14, 2022, the Federal Defendants filed the Motion to Sever. Vineyard Wind could have moved for the same relief for similar reasons detailed in the Motion to Sever.
2. Vineyard Wind seeks to join the Motion to Sever. By permitting Vineyard Wind to join the Motion to Sever, the Court will avoid unnecessary duplication of argument, which will serve the interests of justice and desire for efficiency. Vineyard Wind hereby incorporates the arguments set forth therein as well as the reasons stated below.
3. In addition to the reasons discussed by the Federal Defendants in the Motion to Sever, Vineyard Wind states that it has an interest in the speedy resolution of the Plaintiffs' challenges to the Federal Approval of the Vineyard Wind Project. In order to prepare for offshore construction, Vineyard Wind is subject to numerous complex commercial obligations, tight construction

schedules, and the limited availability of contractors and material resources. *See* Vineyard Wind 1 LLC's Motion for Leave to Intervene, Doc. # 6 (Sept. 16, 2021) at 8, 11-12. Significant delays could fundamentally jeopardize the Project. *Id.* at 8. Vineyard Wind states that considering Plaintiffs' challenges to the Federal approvals of both the Vineyard Wind Project and the South Fork Offshore Wind Project together will unnecessarily delay the existing briefing schedule and ultimate resolution of Plaintiffs' challenge to the Vineyard Wind Project.

WHEREFORE, Vineyard Wind hereby requests that the Court permit it to join the Motion to Sever and grant the relief requested for the reasons set forth in the Motion to Sever.

Dated: March 15, 2022

Respectfully submitted,

/s/ Jack. W. Pirozzolo

Jack W. Pirozzolo (BBO # 564879)

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Counsel for Vineyard Wind 1 LLC

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I, Jack W. Pirozzolo, hereby certify that on March 15, 2022, counsel for Vineyard Wind conferred with counsel for the Plaintiffs, who stated that Plaintiffs oppose this motion; and that on March 15, 2022 counsel for Vineyard Wind conferred with counsel for the Defendants, the United States Department of Justice, who stated that Defendants take no position on this motion.

Dated: March 15, 2022

/s/ Jack W. Pirozzolo
Jack W. Pirozzolo

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this Fifteenth Day of March 2022, a true and complete copy of the foregoing has been filed with the Clerk of the Court pursuant to the Court's electronic filing procedures, and served on counsel of record via the Court's electronic filing system.

Dated: March 15, 2022

/s/ Jack W. Pirozzolo
Jack W. Pirozzolo