

Congress of the United States

Washington, DC 20510
August 13, 2018

OFFICE OF
EXTERNAL AFFAIRS
2018 AUG 13 P 3 46
FEDERAL ENERGY
REGULATORY COMMISSION

Secretary Kimberly Bose
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**RE: Mountain Valley Pipeline, Docket No. CP161-0-000; Atlantic Coast Pipeline, LLC,
Docket Nos. CP15-554-000 and CP15-554-001**

Dear Secretary Bose,

It has come to our attention that the developers of two major pipelines, which will traverse numerous West Virginia counties once complete, have halted construction and are experiencing challenges following decisions issued by the United States Court of Appeals for the Fourth Circuit (the "Court"). We write to bring our concerns to your attention, as well as to encourage FERC and the relevant permitting agencies to quickly reconsider, correct, and reissue the necessary permits for these projects.

On July 27, 2018, the Court issued a decision vacating authorizations for the Mountain Valley Pipeline ("MVP") issued by the Department of the Interior's Bureau of Land Management ("BLM") and the Department of Agriculture's Forest Service ("Forest Service"). On August 3, 2018, Terry L. Turpin, Director of the Office of Energy Projects at the Federal Energy Regulatory Commission ("FERC"), notified MVP's developers to stop construction activity "along all portions of the Project." Mr. Turpin also noted that the Commission's staff would "review the need for this stop work notification in light of further actions that the Forest Service, the Army Corps of Engineers and the BLM will take with respect to the issues raised in the Court's opinion and stand ready to assist to achieve a prompt resolution."

On August 6, 2018, the Court issued a decision nullifying two permits issued to the Atlantic Coast Pipeline ("ACP") by the Fish and Wildlife Service ("FWS") and the National Park Service ("NPS"). In the case of the FWS permit, the Court found that the agency had not set forth clear limits for impacts on threatened or endangered species along 20 miles of the proposed route in West Virginia and about 80 miles of the proposed route in Virginia. The Court also took issue with a right-of-way permit issued by the National Park Service (NPS) required for the project's proposed crossing of the Blue Ridge Parkway. On August 10, 2018, Mr. Turpin notified ACP's developers to stop construction activity "along all portions of the ACP and Supply Header Project."

In the meantime, thousands of workers and dozens of communities are in need of certainty as soon as possible with respect to these two projects. In fact, the stop work order issued to Mountain Valley Pipeline puts over 5,000 jobs at risk, including 2,600 jobs directly related to the

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construction of the pipeline. The Mountain Valley Pipeline project anticipates spending almost \$811 million directly in West Virginia and, at peak employment, will contribute over 4,400 jobs in West Virginia alone. The project will also create about \$71 million in tax revenue for our state.

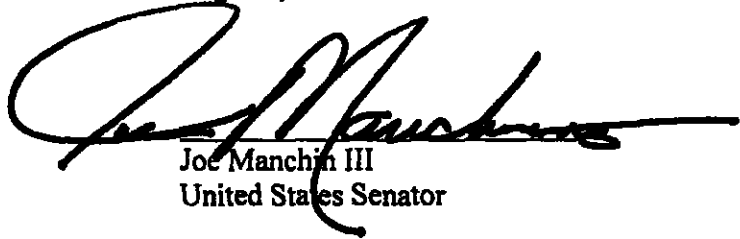
According to ACP's developers, the pipeline will provide approximately \$59 million in local tax revenue to West Virginians from 2019 through 2025. Across the mid-Atlantic region, the ACP anticipates creating over 17,000 construction jobs and nearly \$2.7 billion in economic activity.

We strongly believe that pipeline infrastructure is critical for the enhancement of our nation's energy security, economy and workforce. As our state continues to face economic challenges, natural gas infrastructure creates economic activity that offers good-paying jobs and tax revenue for communities in need. Along with our fellow West Virginians, we believe strongly in the environmentally responsible development of our natural resources and infrastructure.


We strongly encourage you to work with the permitting agencies in question to resolve the outstanding issues as quickly as possible in a manner that allows for reissuance of these permits and recommencement of construction. We also ask that you consider amending or lifting the stop work orders on these projects to ensure that the shortest possible portions of the proposed routes are affected by these delays.

We are happy to discuss this matter further and appreciate your consideration.

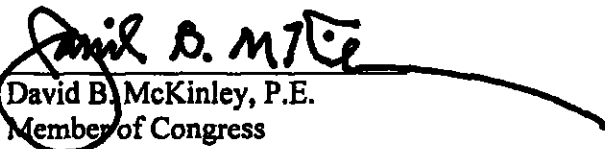
Regards,



Joe Manchin III
United States Senator



Shelley Moore Capito
United States Senator



David B. McKinley, P.E.
Member of Congress

Cc: Secretary Rick Perry, Department of Energy
Vicki Christiansen, Forest Service
Greg Sheehan, Fish and Wildlife Service
Jon Balash, Deputy Assistance Secretary for Lands and Minerals Management
Scott A. Spellman, U.S. Army Corps of Engineers
Susan Combs, Acting Assistant Secretary for Fish and Wildlife
Dan Smith, Deputy Director, National Park Service
Brian Steed, Bureau of Land Management

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