

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

**In Reply Refer To:**  
OEP/DG2E/Gas Branch 3  
Mountain Valley Pipeline LLC  
CP16-10-000

August 3, 2018

Matthew Eggerding, Counsel  
Mountain Valley Pipeline LLC  
625 Liberty Ave., Suite 1700  
Pittsburgh, PA 15222

**Re: Notification of Stop Work Order**

Dear Mr. Eggerding:

On July 27, 2018, the United States Court of Appeals for the Fourth Circuit issued an order vacating decisions by the Department of the Interior's Bureau of Land Management (BLM) and by the Department of Agriculture's Forest Service (Forest Service) authorizing the construction of the Mountain Valley Pipeline Project (Project) across federal lands and remanding to those agencies for further proceedings to address issues identified in that opinion. In light of this development, Mountain Valley Pipeline, LLC (MVP) has not obtained the rights-of-way and temporary use permits from the federal government needed for the Project to cross federally owned lands.

There is no reason to believe that the Forest Service or the Army Corps of Engineers, as the land managing agencies, or the BLM, as the federal rights-of-way grantor, will not be able to comply with the Court's instructions and to ultimately issue new right-of-way grants that satisfy the Court's requirements. However, Commission staff cannot predict when these agencies may act or whether these agencies will ultimately approve the same route. Should the agencies authorize alternative routes, MVP may need to revise substantial portions of the Project route across non-federal lands, possibly requiring further authorizations and environmental review. Accordingly, allowing continued construction poses the risk of expending substantial resources and substantially disturbing the environment by constructing facilities that ultimately might have to be relocated or abandoned.

**MVP is hereby notified that construction activity along all portions of the Project and in all work areas must cease immediately, with the exception of any measures deemed necessary by those land managing agencies or FERC staff to ensure the stabilization of the right of way and work areas.** Commission staff intends to 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.

In addition, within 5 days, MVP must provide an interim right-of-way and work area stabilization plan for review and written approval by the Director of the Office of Energy Projects.

Sincerely,

Terry L. Turpin  
Director  
Office of Energy Projects

Document Content(s)

Mountain Valley Pipeline Letter 08-03-2017.PDF.....1-2