



## **For Immediate Release**

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### **Delaware Riverkeeper Network Urges Court to Lift Abeyance Order on PennEast Pipeline Litigation**

**Washington, DC** – Tuesday, January 7, the Delaware Riverkeeper Network filed a request that the D.C. Circuit Court of Appeals lift the abeyance placed on the legal challenge to approval of the PennEast pipeline by the Federal Energy Regulatory Commission (FERC).

In an order issued October 1, 2019 the D.C. Circuit issued an order that cancelled oral argument that had been scheduled for October 4 and instead ordered that the case be “held in abeyance pending final disposition of any post-dispositional proceedings in the Third Circuit or proceedings before the United States Supreme Court resulting from the Third Circuit’s decision in No. 19-1191, In re: PennEast Pipeline Company, LLC (3rd Cir. Sept 10, 2019), or other action that resolves the obstacle PennEast poses.”

“As long as this case is in abeyance we are prohibited from challenging the FERC approval of the project but at the same time PennEast is free to continue to advance the project including continuing to pursue eminent domain proceedings, continuing to seek and secure agency approvals, and ultimately to continue to advance the project towards construction, and actually securing approval from FERC to proceed with construction activities. In short, the court’s abeyance order ties our hands and clears the way for PennEast to proceed full-steam ahead with its project,” explained **Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network**. “This abeyance order is just another example of how the public is given bottom class status when it comes to pipelines while the goals and needs of the pipeline companies are given top priority in the eyes of the agencies and the courts,” added van Rossum.

The filing states that if the court is to continue to keep the case in abeyance then, in order to maintain the status quo and prevent irreparable harm to people and the environment, the court should issue a stay of the PennEast FERC Certificate Order.

FERC issued its Certificate approval of PennEast on January 19, 2018. The Delaware Riverkeeper Network filed its legal challenge to the FERC approval on August 13, 2018. Challenges were subsequently filed by New Jersey Division of Rate Counsel, New Jersey Department of

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Environmental Protection and Delaware and Raritan Canal Commission, Township of Hopewell, New Jersey Conservation Foundation and Homeowners Against Land Taking.

If built, the PennEast pipeline would cut through creeks, wetlands, forests and communities in Luzerne County; Carbon County; Northampton County; and Bucks County, Pennsylvania, and through communities in Mercer and Hunterdon Counties, New Jersey. The 116-mile fracked gas pipeline would include three laterals extending off the mainline, a compression station, and appurtenant above ground facilities.

A copy of the Delaware Riverkeeper Network filing can be found at:

<https://www.delawariverkeeper.org/sites/default/files/Opposition%20to%20Continue%20Abeyance%20-%20FILED.PDF>

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### **About the Delaware Riverkeeper Network**

Delaware Riverkeeper Network (DRN) is a nonprofit membership organization working throughout the four states of the Delaware River Watershed including Pennsylvania, New Jersey, Delaware and New York. DRN provides effective environmental advocacy, volunteer monitoring programs, stream restoration projects, public education, and legal enforcement of environmental protection laws.