



Wiley Rein Represents HALT PennEast in Effort to Stop Construction of New Jersey Gas Pipeline

February 4, 2016

Washington, DC—In an effort to stop Federal approval of a proposed \$1.2 billion PennEast natural gas pipeline in New Jersey's Mercer and Hunterdon counties, homeowners who could be directly impacted have joined forces to create the group HALT PennEast (Homeowners Against Land Taking). Wiley Rein LLP has been retained by HALT PennEast for the effort with a team led by Steven Richardson, partner in the firm's Environment & Safety Practice and former deputy director of the U.S. Department of the Interior's Bureau of Land Management. Federal and state lawmakers also have joined forces with HALT PennEast in calling for the pipeline's review process to be restarted because environmental and market questions posed by federal regulators have gone unanswered by project sponsors.

Commenting on the launch of HALT PennEast, Mr. Richardson said: "Given the unprecedented level of energy infrastructure development that is occurring across the United States, it now is more important than ever that natural gas pipeline companies engage with the communities in which they propose to operate in a respectful, informative, and clear manner. HALT PennEast was created, in part, because PennEast has utterly failed to treat landowners fairly or respectfully."

The planned 114-mile natural gas pipeline would originate in Pennsylvania and cut through Hunterdon and Mercer counties, terminating with another existing pipeline in Hopewell Township. Proposed by six major natural gas companies, including all four major companies in New Jersey, the PennEast Pipeline project is currently pending before the Federal Energy Regulatory Commission (FERC). While PennEast officials have said the pipeline would lower utility bills and that PennEast will work to restore property disruption caused by the construction, the affected community has remained steadfast in its opposition.

"Contrary to PennEast's assumptions, the outcome of its FERC application is not a certainty," Mr. Richardson said. "Based on our experience, 1,400 parties do not intervene at FERC when an application is well conceived and executed, or when there is clear and convincing evidence that the project provides a public benefit. Taking the HALT PennEast landowners' property, businesses, and cultural and historic treasures for the benefit of this unnecessary, greenfield pipeline would be unjust and irresponsible. Granting eminent domain authority for PennEast would eliminate the distinction between private and public use of property, effectively deleting the words 'for public use' from the Takings Clause of the Fifth Amendment of the U.S. Constitution. HALT PennEast is determined to stop this ill-advised project."

Wiley Rein's Environment & Safety Practice represents businesses and trade associations at both the federal and state levels and in international forums. The group is a recognized leader in handling pesticide and chemical competition and regulatory matters, battery and electronics industry issues, the regulation of the transportation of hazardous products, environmentally-based land use programs such as the Endangered Species Act (ESA), and the laws applicable to product stewardship. The Practice publishes a periodic environment newsletter, Natural Resources and Endangered Species Report that examines natural resources law and policy matters from land use disputes, climate change, and energy to Endangered Species Act litigation.