

SIERRA CLUB,)
 Petitioners,)
) No. _____
 v.)
)
 FEDERAL ENERGY REGULATORY)
 COMMISSION,)
 Respondent.)
 _____)

Pursuant to Section 19(b) of the Natural Gas Act, 15 U.S.C. § 717r(b), Federal Rule of Appellate Procedure 15, and Circuit Rule 15, Sierra Club hereby petitions the United States Court of Appeals for the District of Columbia Circuit for review of the following order of the Federal Energy Regulatory Commission (“Commission”):

- By extension, this petition also seeks review of the FERC order of which rehearing was sought, which Petitioners have already challenged in D.C. Cir. Case 23-1031. That underlying FERC decision is:

2. *Order Granting Extension of Time Request*, 181 FERC ¶ 61,023, FERC Docket No. CP17-470 (Oct. 13, 2022), available at https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20221013-3088&optimized=false. This order is attached as Exhibit B.

Petitioner Sierra Club was granted intervention in this Commission Proceeding. Petitioner timely filed a request for rehearing of the Order Granting Extension of Time Request on November 14, 2022. Accordingly, this Court has jurisdiction pursuant to 15 U.S.C. § 717r(b).

Petitioner files this petition in an abundance of caution. Petitioner's position is that FERC's February 23, 2023 Order on Rehearing is already properly before this Court, in Case 23-1031. That case challenges FERC's October 13, 2022 Order Granting Extension in FERC Docket CP17-470; the Order on Rehearing at issue here is already deemed part of the record under review in that case pursuant to 15 U.S.C. § 717r(b). However, because FERC previously took a contrary position, Petitioner files this additional petition in an abundance of caution. Petitioner will request that this case be consolidated with the previously filed case.

Because the Order on Rehearing is merely a supplemental order in the same FERC proceeding at issue in Case 23-1031, and because FERC

was already required to compile the administrative record for that case, Petitioner contends that the filing of this second, protective petition should not extend or reset FERC's deadline filing the administrative record under Fed. R. App. P. 17(a).

Dated: March 6, 2023

Respectfully submitted,
/s/ Thomas Gosselin
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Attorneys for Sierra Club

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SIERRA CLUB,)	
Petitioners,)	
)	No. _____
v.)	
)	
FEDERAL ENERGY REGULATORY)	
COMMISSION,)	
Respondent.)	
_____)	

PETITIONER’S RULE 26.1 STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Petitioner makes the following disclosures:

Sierra Club has no parent companies, and there are no publicly traded companies that have a 10 percent or greater ownership interest in Sierra Club.

Sierra Club, a corporation organized and existing under the laws of the State of California, is a nonprofit organization dedicated to the protection and enjoyment of the environment.

Dated: March 6, 2023

Respectfully submitted,

/s/ Thomas Gosselin

Thomas Gosselin

Sierra Club

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Attorney for Sierra Club

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on March 6, 2023, I caused a copy of the foregoing Petition for Review and Corporate Disclosure Statement to be served by email on the following parties, including all members of the service lists in FERC docket CP17-470 (other than Petitioner), as indicated by https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20221013-3088&optimized=false.

These documents were also filed in the official FERC docket, publicly accessible through FERC's eLibrary system.

Party

Contact to be Served

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and

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