

No. _____

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

SIERRA CLUB and APPALACHIAN VOICES,

Petitioners,

v.

FEDERAL ENERGY REGULATORY COMMISSION,

Respondent.

PETITION FOR REVIEW

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*Counsel for Sierra Club and
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Under Section 19(b) of the Natural Gas Act, 15 U.S.C. § 717r(b), and Federal Rule of Appellate Procedure 15(a), Sierra Club and Appalachian Voices (“Petitioners”) hereby petition the United States Court of Appeals for the District of Columbia Circuit to review and set aside the following orders of the Federal Energy Regulatory Commission (“Commission”):

1. Order Issuing Certificate, *Tenn. Gas Pipeline Co., L.L.C.*, CP22-493, 186 FERC ¶ 61,046 (Jan. 18, 2024) (attached as Exhibit A).
2. Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration, *Tenn. Gas Pipeline Co., L.L.C.*, CP22-493, 186 FERC ¶ 62,143 (Mar. 22, 2024) (attached as Exhibit B).

These orders concern a proposal by Tennessee Gas Pipeline Company, L.L.C., to construct and operate the Cumberland Project, a 32-mile pipeline and appurtenant facilities that would provide gas transportation service to the Tennessee Valley Authority to support a proposed new gas-fired power plant in Stewart County, Tennessee.

Petitioners and their members have been and will be aggrieved by the approval, construction, and operation of the Cumberland Project. Petitioners were intervenors before the Commission and timely requested rehearing of the Order Issuing Certificate. The Commission issued its Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration on March 22, 2024.

This Court has jurisdiction and this petition is timely under Section 19(b) of the Natural Gas Act, 15 U.S.C. § 717r(b).

DATED: April 29, 2024

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Respectfully submitted,

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EXHIBITS

Exhibit A: Order Issuing Certificate, *Tenn. Gas Pipeline Co., L.L.C.*, CP22-493, 186 FERC ¶ 61,046 (Jan. 18, 2024).

Exhibit B: Notice of Denial of Rehearing by Operation of Law and Providing for Further Consideration, *Tenn. Gas Pipeline Co., L.L.C.*, CP22-493, 186 FERC ¶ 62,143 (Mar. 22, 2024).

Exhibit C: Official Service List in Federal Energy Regulatory Commission Docket Nos. CP22-493-000 and CP22-493-001.

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CORPORATE DISCLOSURE STATEMENT

Sierra Club is a non-profit organization incorporated under the laws of California. Sierra Club has no parent corporation and does not issue stock.

Appalachian Voices is a non-profit organization incorporated under the laws of North Carolina. Appalachian Voices has no parent corporation and does not issue stock.

DATED: April 29, 2024

/s/ Spencer Gall

Spencer Gall

Southern Environmental Law Center

CERTIFICATE OF SERVICE

I certify that, on April 29, 2024, copies of this Petition for Review and exhibits were served on all parties admitted to participate in the agency proceedings by email to the official service list in Federal Energy Regulatory Commission Docket Nos. CP22-493-000 and CP22-493-001. As required by Federal Rule of Appellate Procedure 15(c)(2), a list of those so served is attached as Exhibit C.

I further certify that, on April 29, 2024, copies of this Petition for Review and exhibits were served on Respondent Federal Energy Regulatory Commission by U.S. first class mail to the following:

Federal Energy Regulatory Commission
c/o Debbie-Anne A. Reese, Acting Secretary
888 First Street, N.E.
Room 1A
Washington, DC 20426

Robert Solomon, Solicitor
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 9A-01
Washington, DC 20426

DATED: April 29, 2024

/s/ Spencer Gall
Spencer Gall
Southern Environmental Law Center