

165 FERC ¶ 61,081
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Neil Chatterjee, Chairman;
Cheryl A. LaFleur and Richard Glick,

Constitution Pipeline Company, LLC
Iroquois Gas Transmission System, L.P.

Docket Nos. CP13-499-000
CP13-502-000

ORDER GRANTING EXTENSION OF TIME

(Issued November 5, 2018)

1. On December 2, 2014, the Commission issued an order authorizing Constitution Pipeline Company, LLC (Constitution) and Iroquois Gas Transmission System, L.P. (Iroquois) to construct and operate the Constitution Pipeline Project and Wright Interconnect Project, respectively, in Susquehanna County, Pennsylvania, and Broome, Chenango, Delaware, and Schoharie Counties, New York (Certificate Order).¹ The Certificate Order required that Constitution and Iroquois construct their projects and make them available for service by December 2, 2016.² Upon requests from Constitution and Iroquois, Commission staff granted two-year extensions of time to December 2, 2018.³

2. On June 25, 2018, Constitution filed a request for a second two-year extension of time.⁴ On August 1, 2018, Iroquois also filed a request for a second two-year extension of time.⁵ The Commission received filings from four entities who oppose Constitution's

¹ *Constitution Pipeline Co., LLC*, 149 FERC ¶ 61,199 (2014) (Certificate Order).

² *Id.* at ordering para. (E)(1).

³ *Constitution Pipeline Co., LLC*, Docket No. CP13-499-000 (July 26, 2016) (delegated order); *order denying reh'g*, 157 FERC ¶ 61,145 (2016) (CP13-499-003); *Iroquois Gas Transmission System, L.P.*, Docket No. CP13-502-000 (Aug. 2, 2016) (delegated order).

⁴ Constitution June 25, 2018 Request for Extension of Time.

⁵ Iroquois August 1, 2018 Request for Extension of Time.

request. For the reasons discussed below, the Commission grants the requested extensions.

I. Background

3. The Constitution Pipeline Project will be an approximately 124-mile-long pipeline extending from Susquehanna County, Pennsylvania, through Broome, Chenango, Delaware, and Schoharie Counties, New York. The Wright Interconnect Project will add new compression facilities and modify existing compression facilities at the Wright Compressor Station in Schoharie County, New York. The Certificate Order required that Constitution and Iroquois must complete the authorized construction of the proposed facilities and make them available for service within 24 months, i.e., by December 2, 2016.⁶ Constitution and Iroquois are prohibited from commencing construction, however, until they have obtained “all applicable authorizations required under federal law (or evidence of waiver thereof).”⁷

4. On July 22, 2016, Constitution requested a two-year extension of the Certificate Order’s time limit, to December 2, 2018, because the New York State Department of Environmental Conservation (New York DEC) had denied Constitution’s application for a water quality certification required under section 401 of the Clean Water Act and Constitution had appealed to the U.S. Court of Appeals for the Second Circuit.⁸ The Director of the Commission’s Division of Pipeline Certificates granted Constitution’s request for a two-year extension.⁹ On rehearing, the Commission affirmed the decision to grant the requested extension for good cause.¹⁰

5. On July 29, 2016, Iroquois requested a two-year extension of the Certificate Order’s time limit, to December 2, 2018, because the New York DEC had not issued a final approval of Iroquois’s application for a State Facility & Title V air permit under the Clean Air Act and Iroquois had initiated review in the U.S. Court of Appeals for the District of Columbia to compel the New York DEC to act.¹¹ The Director of the

⁶ Certificate Order, 149 FERC ¶ 61,199 at ordering para. (E)(1).

⁷ *Id.* at appendix, envtl. condition 8.

⁸ Constitution July 22, 2016 Request for Extension of Time.

⁹ *Constitution Pipeline Co., LLC*, Docket No. CP13-499-000 (July 26, 2016) (delegated order).

¹⁰ *Constitution Pipeline Co., LLC*, 157 FERC ¶ 61,145 at P 13.

¹¹ Iroquois July 29, 2016 Request for Extension of Time.

Commission's Division of Pipeline Certificates granted Iroquois's request for a two-year extension for good cause.¹²

6. On August 18, 2017, the U.S. Court of Appeals for the Second Circuit upheld the New York DEC's decision to deny Constitution's application for a water quality certification¹³ and concluded that it lacked jurisdiction to address the question of whether New York DEC had waived its authority under section 401 of the Clean Water Act through delay.¹⁴ On October 11, 2017, Constitution filed with the Commission a petition for a declaratory order requesting that the Commission find that New York DEC had waived its authority under section 401 by failing to act on Constitution's application within a "reasonable period of time," as required by the statute.¹⁵ On January 11, 2018, the Commission denied the petition.¹⁶ On July 19, 2018, the Commission denied Constitution's request for rehearing of the January 2018 order.¹⁷ On September 14, 2018, Constitution filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit.¹⁸

7. On June 25, 2018, while rehearing was still pending before the Commission, Constitution requested a second two-year extension of the Certificate Order's time limit

¹² *Iroquois Gas Transmission System, L.P.*, Docket No. CP13-502-000 (Aug. 2, 2016) (delegated order).

¹³ *Constitution Pipeline Co., LLC v. New York DEC*, 868 F.3d 87, 102-103 (2d Cir. 2017), *cert. denied*, 138 S.Ct. 1697 (2018).

¹⁴ *Constitution Pipeline Co., LLC v. New York DEC*, 868 F.3d at 99-100.

¹⁵ Constitution, Petition for Declaratory Order, Docket No. CP18-5-000 (filed Oct. 11, 2017).

¹⁶ *Constitution Pipeline Co., LLC*, 162 FERC ¶ 61,014, P 23 (2018) (January 2018 Waiver Order).

¹⁷ *Constitution Pipeline Co., LLC*, 164 FERC ¶ 61,029 (2018) (September 2018 Waiver Rehearing Order).

¹⁸ Constitution, Petition for Review in U.S. Court of Appeals for the D.C. Circuit, Docket No. CP18-5-000 (filed Sept. 14, 2018).

from December 2, 2018, to December 2, 2020.¹⁹ On August 1, 2018, Iroquois requested a second two-year extension to the same date.²⁰

8. The Commission received filings in opposition to Constitution's request for an extension of time from affected landowner Capital Region Board of Cooperative Educational Services (Capital Region Board),²¹ a group of environmental organizations (collectively, Catskill Mountainkeeper),²² affected landowners Catherine Holleran and her family (Holleran Landowners),²³ and the organization Stop the Pipeline.²⁴ On July 18, 2018, Constitution filed a combined answer to the Holleran Landowners' petition to rescind the certificate and to all other filings in opposition to the request for extension of time. On September 11, 2018, the Holleran Landowners filed a renewed motion to rescind the certificate.

II. Discussion

9. Commission regulations do not establish a particular time period to complete construction of an authorized natural gas facility.²⁵ The Commission's certificate orders include completion deadlines, in part, because the information supporting our public convenience and necessity determinations can go stale with the passage of time.²⁶ The

¹⁹ Constitution June 25, 2018 Request for Extension of Time.

²⁰ Iroquois August 1, 2018 Request for Extension of Time.

²¹ Capital Region Board June 29, 2018 Filing.

²² Catskill Mountainkeeper July 3, 2018 Filing. Catskill Mountainkeeper filed jointly with Clean Air Council; Delaware-Otsego Audubon Society; Delaware Riverkeeper Network; Riverkeeper, Inc.; and Sierra Club.

²³ Holleran Landowners June 26, 2018 Petition to Rescind Certificate. The Holleran landowners include Patricia Glover, Catherine Holleran, Dustin Webster, and Michael and Maryann Zeffer.

²⁴ Stop the Pipeline July 2, 2018 Filing.

²⁵ 18 C.F.R. § 157.20(b) (2018) (requiring, among other things, that authorized construction be completed and made available for service within the period of time to be specified by the Commission in each order).

²⁶ *Arlington Storage Co., LLC*, 155 FERC ¶ 61,165, at P 8 (2016) (citing *Iroquois Gas Transmission System, L.P.*, 104 FERC ¶ 61,307, at P 14 (2003)).

purpose of conditioning certificate authority with a deadline for completion of construction is to “diminish[] the potential that the public interest might be compromised by significant changes occurring between issuance of the certificate and commencement of the project.”²⁷ However, construction deadlines may be extended for good cause.²⁸ The completion date specified in a certificate order provides what the Commission believes—based on its assessment of circumstances relevant to the specific project—to be a reasonable period of time for the project sponsor to complete construction and make the project available for service.²⁹ But if a certificate holder files for an extension of time within a timeframe during which the environmental and other public interest findings underlying the Commission’s authorization can be expected to remain valid, the Commission, or staff wielding delegated authority, generally will grant an extension of time if the movant demonstrates good cause.³⁰ As the Commission has explained, “good cause” can be shown by a project sponsor demonstrating that it made good faith efforts to meet its deadline but encountered unforeseeable circumstances.³¹ The Commission has previously found that providing more time for a project applicant to obtain necessary permits can be an appropriate basis for granting an extension of time.³²

²⁷ *Altamont Gas Transmission Co.*, 75 FERC ¶ 61,348, at 62,103 (1996).

²⁸ 18 C.F.R. § 385.2008(a) (2018) (allowing the relevant decisional authority to extend for good cause the time by which any person is required or allowed to act under any statute rule or order).

²⁹ *Arlington Storage Co., LLC*, 155 FERC ¶ 61,165 at P 8 (citing *Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149, at P 11 (2012)).

³⁰ *Id.*; 18 C.F.R. § 385.2008(a) (2018); *see also* 18 C.F.R. § 375.308(w)(4) (2018) (authorizing the Commission’s Director of the Office of Energy Projects to take appropriate action on “applications for extensions of time to file required reports, data, and information and to perform other acts required at or within a specific time by any rule, regulation, license, permit, certificate, or order of the Commission.”).

³¹ *See, e.g., Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149, at P 11 (2012) (denying request for extension of time).

³² *Arlington Storage Co., LLC*, 155 FERC ¶ 61,165 (granting a two-year extension of time to accommodate the project applicant’s ongoing efforts to obtain a permit from the New York State Department of Environmental Conservation). *See also Perryville Gas Storage LLC*, Docket Nos. CP09-418-000, et al. (Oct. 12, 2016) (delegated order) (granting two-year extension of time to complete construction to accommodate delays in obtaining a permit from the Louisiana Department of Natural Resources); *Columbia Gas Transmission, LLC*, Docket No. CP13-8-000 (Sept. 30, 2015) (delegated order) (granting *(continued ...)*)

A. Constitution's Request for an Extension of Time

10. In its request, Constitution explains that the New York DEC's denial of Constitution's application for a water quality certification remains in effect and Constitution is diligently pursuing all available legal remedies.³³

11. The Commission noted in *Chestnut Ridge Storage LLC*³⁴ that "an extension of time which results in limitations in the use of a landowner's property might not be warranted unless the company can demonstrate credible prospects for its project's completion."³⁵ The opponents to Constitution's request for an extension of time all assert that Constitution has effectively exhausted its avenues to appeal New York DEC's denial of its application for a water quality certification.³⁶ Catskill Mountainkeeper acknowledges that Constitution can still pursue judicial review but describes Constitution's effort as "an extremely difficult task" that does not suffice as a credible prospect for completion.³⁷ The Capital Region Board and the Holleran Landowners criticize Constitution's request for failing to describe further events or steps that might or will occur to allow Constitution to construct the Constitution Pipeline Project and

pipeline project two-year extension of time to complete construction due to delays in obtaining waterbody crossing permits); *Bobcat Gas Storage*, Docket Nos. CP09-19-000 et al. (Mar. 25, 2015) (delegated order) (granting a two-year extension of time because applicant had not yet obtained required permit from a state agency).

³³ Constitution June 25, 2018 Request for Extension of Time at 1-2.

³⁴ *Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149 at PP 2, 24 (denying extension of time where project sponsor had suspended development activities before the Commission even issued the certificate and had since noted that "[p]rospective gas storage service customers are currently unwilling to enter into new long term arrangements for storage services at rates developers such as Chestnut Ridge would need to support construction of new capacity.").

³⁵ *Id.* at P 10.

³⁶ Capital Region Board June 29, 2018 Filing at 1-2; Holleran Landowners June 27, 2018 Filing at 4-8; Holleran Landowners Sept. 11, 2018 Filing at 3-4; Stop the Pipeline July 2, 2018 Filing at 2-3.

³⁷ Catskill Mountainkeeper July 3, 2018 Filing at 4 (quoting *Chestnut Ridge Storage LLC*, 139 FERC ¶ 61,149 at 62,133).

commence service by the requested second extension of time to December 2, 2020.³⁸ The Capital Region Board asserts that Constitution provides no reason to add two more years of uncertainty over the pending condemnation and disturbance of the Capital Region Board's heavy equipment outdoor teaching facility.³⁹ The Holleran Landowners similarly complain that Constitution has not demonstrated its project's viability to justify the extended prohibition against property owners making incompatible uses of their encumbered land.⁴⁰

12. Constitution is empowered by section 19(b) of the Natural Gas Act (NGA) to seek judicial review of the Commission's January 2018 Waiver Order and September 2018 Waiver Rehearing Order. On September 14, 2018, Constitution filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit of those waiver orders.⁴¹ The appeal is pending. Constitution also noted in response to the opponents that New York DEC's denial does not prohibit Constitution from reapplying for a water quality certification.⁴² There is no reason for the Commission to believe that Constitution, if granted the requested two-year extension, will not construct its facilities and place them into service by December 2020, assuming a timely favorable decision from the court.

13. The Holleran Landowners assert that Constitution failed to satisfy the good cause standard because the Commission cannot determine from Constitution's request for an extension of time whether Constitution has made new efforts to obtain the section 401 authorization after the first extension of time.⁴³ Catskill Mountainkeeper states that good cause does not exist because the delay in obtaining a water quality certification from New York DEC was a foreseeable obstacle of Constitution's own making given that Constitution did not provide requested information to New York DEC and given that Constitution has pursued improbable legal remedies—a waiver determination—at the

³⁸ Capital Region Board June 29, 2018 Filing at 1, 2; Holleran Landowners June 27, 2018 Filing at 9.

³⁹ Capital Region Board June 29, 2018 Filing at 2.

⁴⁰ Holleran Landowners June 27, 2018 Filing at 8, 10.

⁴¹ Constitution, Petition for Review in U.S. Court of Appeals for the D.C. Circuit, Docket No. CP18-5-000 (filed Sept. 14, 2018).

⁴² Constitution July 18, 2018 Answer at 4.

⁴³ Holleran Landowners June 27, 2018 Comments at 8-9.

Commission and now before the D.C. Circuit in bad faith rather than submitting a new application to New York DEC.⁴⁴

14. Constitution is free to decide how to satisfy the Certificate Order's prerequisites for construction. Constitution's decision to argue that New York DEC waived its section 401 authority rather than to file a new application with New York DEC is informed by Constitution's assessment of the relative probabilities of timely success. The chosen strategy does not show bad faith. Constitution's loss in the Second Circuit and Constitution's unsuccessful efforts to seek a declaratory order from the Commission finding waiver constitute new demonstrations of good cause for delay. The waiver question is now pending before the U.S. Court of Appeals for the D.C. Circuit. Given that our regulations allow an extension of time for good cause, we find no reason to terminate Constitution's project by denying the extension before the court reaches its decision.⁴⁵

15. Catskill Mountainkeeper contends that the Commission's decision to extend the deadline for construction will be arbitrary unless the Commission revisits the Certificate Order's analysis of market need, economic benefits, landowner and community burdens, and environmental impacts.⁴⁶ Catskill Mountainkeeper asserts that the evidence that supported the Certificate Order will be stale when compared to the changed circumstances in the ensuing six or more years to 2020.⁴⁷

16. We conclude that extending the deadline to construct the Constitution Pipeline Project and place it into service within six years will not undermine the Commission's findings in the Certificate Order that the project is required by the public convenience and necessity and is an environmentally acceptable action. The Commission has frequently authorized infrastructure projects with initial deadlines of four, five, or six years without expressing concerns about the certificate order's economic or environmental findings becoming stale.⁴⁸ The Certificate Order found market need for the Constitution Pipeline

⁴⁴ Catskill Mountainkeeper July 3, 2018 Filing at 3.

⁴⁵ *Cf. Altamont Gas Transmission Co.*, 75 FERC ¶ 61,348 at 62,103-04 (granting an extension of time pending an appellate decision on a new Commission rule that could have an impact on the certificate-holder's project).

⁴⁶ Catskill Mountainkeeper July 3, 2018 Filing at 5.

⁴⁷ *Id.*

⁴⁸ *See, e.g., Golden Triangle Storage, Inc.*, 121 FERC ¶ 61,313, at ordering para. (M) (2007) (six years to complete gas storage project); *Trunkline Gas Co., LLC*,

(continued ...)

Project based on Constitution's long-term precedent agreements for 100 percent of the project's capacity.⁴⁹ The term of these agreements extends many years beyond December 2, 2020, and Catskill Mountainkeeper provides no evidence to suggest that this two-year extension would impact those agreements.⁵⁰

17. We recognize that environmental impacts are subject to change, and that the validity of our conclusions and environmental conditions cannot be sustained indefinitely. However, we do not believe that any changes of fact or of law require that we reconsider our prior findings that the project, as conditioned, is an environmentally acceptable action. The Council on Environmental Quality issued regulations to address circumstances where supplemental environmental analysis is necessary due to stale environmental information; for example, where an agency "makes substantial changes in the proposed action that are relevant to environmental concerns" or where there are "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts."⁵¹ New information must be sufficient to show that the remaining federal action will affect the environment in a significant manner or to a significant extent not already considered.⁵² Constitution requests to change only the timing of the Constitution Pipeline Project. The Commission is not aware of any new circumstances or information that were not already considered. Catskill Mountainkeeper provides no contrary evidence. Moreover, Commission staff will review all environmental conditions before Constitution will receive any authorization to proceed with construction. This will help to ensure that no changes of fact or law are overlooked. The Commission may at any time impose additional environmental mitigation measures as necessary.⁵³

153 FERC ¶ 61,300, at ordering para. (B)(1) (2015) (four years to complete pipeline project).

⁴⁹ Certificate Order, 149 FERC ¶ 61,199 at PP 27-28.

⁵⁰ Moreover, construction of the project cannot commence until service agreements have been executed for the volume of service subscribed under the precedent agreements. Certificate Order, 149 FERC ¶ 61,199 at ordering para. (G).

⁵¹ 40 C.F.R. § 1502.9(c)(1)(i)-(ii) (2018).

⁵² *Marsh v. Or. Natural Res. Council*, 490 U.S. 360, 374 (1989).

⁵³ Certificate Order, 149 FERC ¶ 61,199 at appendix, envtl. condition 2 (Commission may modify any of the environmental conditions and/or "implement additional measures . . . (including stop-work authority) to assure continued compliance

(continued ...)

18. The Holleran Landowners state that an extension of time will violate section 401's prohibition that "[n]o license or permit shall be granted if certification has been denied" and will make the Commission vulnerable to a citizen suit under the Clean Water Act.⁵⁴

19. This is not so. Section 401(a)(1) does not prohibit all "license[s] or permit[s]" issued without state certification, only those that allow the licensee or permittee "to conduct any activity ... which may result in any discharge into the navigable waters."⁵⁵ The Commission's conditional certificate orders do not authorize any activity that could result in a discharge to New York waters.⁵⁶ This is true for the Certificate Order including extensions of time.

20. Stop the Pipeline contends that in 2016 the Commission lost its ability to alter the Certificate Order's deadline for construction when Stop the Pipeline petitioned the U.S. Court of Appeals for the Second Circuit to review the Certificate Order. Stop the Pipeline bases its position on section 19(b) of the NGA, which states, in part, that the appellate court's jurisdiction "shall be exclusive, to affirm, modify, or set aside such order in whole or in part."⁵⁷

21. We disagree. The requested extension of time does not change the Certificate Order in a manner barred by section 19(b) of the NGA.⁵⁸

with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact[s]. . . .").

⁵⁴ Holleran Landowners September 11, 2018 Filing at 3-4.

⁵⁵ *Del. Riverkeeper Network v. FERC*, 857 F.3d 388, 398-99 (D.C. Cir. 2017) (quoting 33 U.S.C. § 1341(a)(1) (2012)).

⁵⁶ *Id.*

⁵⁷ 15 U.S.C. § 717r(b) (2012).

⁵⁸ *Cf. Alabama Power Co. v. FPC*, 511 F.2d 383, 388 (D.C. Cir. 1974) (explaining that the Federal Power Commission "retain[ed] power under the Federal Power Act [which has substantially similar judicial review provisions to the NGA] to consider a petition for amendment" during a pending appeal); *see also Chamber of Commerce v. SEC*, 443 F.3d 890, 898 (D.C. Cir. 2006) (rejecting argument that the Securities and Exchange Commission lacked authority to consider modifications of a rule prior to the issuance of the appellate court's mandate).

22. Catskill Mountainkeeper contends that the Commission must provide public notice and consider comments before reaching a decision on Constitution's requested extension of time.⁵⁹

23. The Commission is not required to solicit public input before acting upon a certificate-holder's request for an extension of time. Nothing in the Commission's regulations suggests that an opportunity for notice and comment is necessary.⁶⁰ "Due process requires only a 'meaningful opportunity' to challenge new evidence,"⁶¹ and, rehearing provides parties that meaningful opportunity.⁶² The absence of a discrete opportunity to comment on Constitution's extension request prior to the issuance of this Commission order granting the extension in no way adversely affects Catskill Mountainkeeper's rights. Moreover, we have considered and addressed their concerns, and those from the other protestors, in this order.

24. Because we find that Constitution has demonstrated good cause for the delay, we will grant the request for a two-year extension to complete construction of the Constitution Pipeline Project and to make it available for service by December 2, 2020.

B. Iroquois's Request for an Extension of Time

25. Iroquois states that good cause exists for the extension because Iroquois has worked diligently and in good faith to obtain all approvals to construct the Wright Interconnect Project and because the delay related to the pending State Facility and

⁵⁹ Catskill Mountainkeeper July 3, 2018 Filing at 1-2.

⁶⁰ Cf. *Bangor Hydro-Elec. Co.*, 87 FERC ¶ 61,035 (1999) (grant of extension of time administrative matter between Commission and licensee; intervention denied and request for rehearing rejected); *Wis. Valley Improvement Co.*, 88 FERC ¶ 61,054 (1999) (motion to intervene and request for rehearing in proceeding granting extension of time for post-license compliance dismissed; proceeding not type in which intervention and rehearing lie); *Felts Mills Energy Partners, L.P.*, 86 FERC ¶ 61,120, *reh'g denied*, 87 FERC ¶ 61,094 (1999) (motions to intervene and requests for rehearing regarding extensions of time generally are not entertained).

⁶¹ *Myersville Citizens for a Rural Community, Inc. v. FERC*, 783 F.3d 1301, 1327 (D.C. Cir. 2015) (quoting *BNSF Ry. Co. v. Surface Transp. Bd.*, 453 F.3d 473, 486 (D.C. Cir. 2006), and *Mathews v. Eldridge*, 424 U.S. 319, 349 (1976)).

⁶² See *Minisink Residents for Environmental Preservation and Safety v. FERC*, 762 F.3d 97, 115 (D.C. Cir. 2014); *Jepsen v. FERC*, 420 F. App'x. 1, 2 (D.C. Cir. 2011) (unpublished opinion); *Blumenthal v. FERC*, 613 F.3d 1142, 1145-46 (D.C. Cir. 2010).

Title V air permit was unforeseeable and beyond Iroquois's control.⁶³ Iroquois explains that it executed a Stipulation of Settlement with New York DEC as part of the pending litigation in the U.S. Court of Appeals for the D.C. Circuit.⁶⁴ Under this settlement, if Constitution prevails in any forum against New York DEC with respect to Constitution's application for a water quality certification, then New York DEC has 15 business days to forward its draft State Facility and Title V air permit for the Wright Interconnect Project to the U.S. EPA for its review and approval. If Constitution does not prevail, then Iroquois and New York DEC will confer within 30 days regarding the processing of Iroquois's air permit application.⁶⁵

26. Because we find that Iroquois has demonstrated good cause for the delay, we will grant the request for a two-year extension to complete construction of the Wright Interconnect Project and to make it available for service by December 2, 2020.

The Commission orders:

Constitution Pipeline Company, LLC, and Iroquois Gas Transmission System, L.P., are granted an extension of time to December 2, 2020, to construct the facilities and make available for service the Constitution Pipeline Project and Wright Interconnect Project.

By the Commission. Commissioner McIntyre is not voting on this order.

(S E A L)

Kimberly D. Bose,
Secretary.

⁶³ Iroquois August 1, 2018 Request for Extension of Time at 3.

⁶⁴ *Id.* at 2 (citing Joint Motion to Hold Petition in Abeyance Pending Performance of Stipulation of Settlement, *Iroquois Gas Transmission System, L.P. v. Seggos*, No. 16-1241 (D.C. Cir. Oct. 6, 2016), and related court documents).

⁶⁵ *Id.* at 2.

Document Content(s)

CP13-499-000.DOCX.....1-12