

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

PennEast Pipeline Company, LLC

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Docket No. CP15-558-000

**REQUEST FOR A STAY PENDING REHEARING AND
COMPLETION OF THE RECORD PURSUANT TO 15
U.S.C. § 717n(d) SUBMITTED BY MICHAEL WALLACE
SPILLE**

Pursuant to Rule 212 of the Rules of Practice and Procedure of the Federal Energy Regulatory Commission (“Commission”), 18 C.F.R. § 385.212 (2010), Michael Wallace Spille (“Mr. Spille”) hereby moves for a stay of the Commission’s January 19, 2018 Order (“Order”) granting a Certificate of Public Convenience and Necessity (“Certificate”) to PennEast Pipeline Company LLC (“PennEast”) to construct the PennEast Pipeline Project (“Project”), a stay of eminent domain powers for taking of lands via condemnation, and for a stay of any construction activity, any other land disturbance conducted under the Certificate, including both construction, surveying, and tree clearing activity, pending review of the Order on Rehearing.

Unless a stay is issued by the Commission, PennEast will go forward with attempts to immediately take 198 land parcels in New Jersey and Pennsylvania in Federal District Court. PennEast has filed hundreds of condemnation suits in

Federal District Court, including against 70% of the parcels along the route in NJ, and has asked the Courts for immediate taking of the land.

This will occur while the Commission has erred in not taking the scale of eminent domain into account in weighing the Project's impacts against landowner interests and the potential public benefit (or lack thereof) of the project.

Further, the project will go forward without the benefit of the meaningful environmental analysis that the National Environmental Policy Act requires.

These takings will also be attempted while both the New Jersey Department of Environmental Protection ("NJDEP") and the Delaware and Raritan Canal Commission ("D&R") have filed a Request for Rehearing and Recision of the Commission's Certificate Order. NJDEP and D&R's requests show grave errors in the Commission's Final Environmental Impact Statement ("FEIS") and Certificate Order. As a result of these issues, NJDEP has rejected the Project's applications for Clean Water Act 401 and 404 permits. Currently there is not *any* Clean Water Act 401 or 404 permits before the NJDEP.

Allowing PennEast to taking these 198 parcels under eminent domain without a proper environmental review and without proper purpose and need determination by the Commission or evaluation of the scale of eminent domain being attempted will irreparably harm both Mr. Spille and and numerous

additional movants in this matter. The Commission must provide this Stay so that they may review and respond to the 18 requests for Rehearing submitted thus far by agencies and individual movants in this matter.

Respectfully submitted this 19th day of January, 2018.

s/ Michael Spille

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