

May 10, 2017

Hon. Cheryl A. LaFleur,  
Acting Chairman  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Re: Rover Pipeline, LLC Request for Formal Alternative Dispute Resolution

Acting Chairman LaFleur,

Rover Pipeline, LLC agrees that the Commission's assistance is needed to resolve a dispute regarding the "*Memorandum of Agreement Among the Federal Energy Regulatory Commission, the Advisory Council on Historic Preservation, the Ohio State Historic Preservation Office, and Rover Pipeline LLC*" (the "MOA"). Certain facts regarding the generation and completion of the MOA and the handling of the mitigation monetary provision were misleading and in error, and therefore we do believe that there is an impasse to resolution at this time.

Rover respectfully requests that the Commission refer this matter to the Commission's Office of Administrative Law Judges and Dispute Resolution for formal dispute resolution. Given the high-profile nature of this project, Rover requests that this matter be assigned directly to the director of the Dispute Resolution Service, Deborah Osborne, for further proceedings. Rover also requests that an Administrative Law Judge be assigned to oversee the limited discovery that may be needed to resolve and illuminate these issues.

This letter therefore also serves as notice that the Ohio SHPO, the Advisory Council on Historic Preservation, and the Commission's Office of Energy Projects must immediately take all necessary steps to preserve and not destroy any and all documents or information relating to the Commission's consideration of the Rover project, including but not limited to all documents and communications related to the negotiation, execution, and performance under the MOA.

Rover desires and will continue to attempt to reach a mutually satisfactory resolution to this matter with the Ohio SHPO and others. However, Rover has already contributed a significant amount of money to the Ohio SHPO in accordance with the original agreement between Rover and the Ohio SHPO. Rover believes any additional contribution is unwarranted and unfair, and

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Rover is willing to vigorously defend itself against any attempts to leverage any additional contribution.

Sincerely,

/s/ William S. Scherman

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*Counsel to Rover Pipeline, LLC*

cc: Hon. Colette D. Honorable, Commissioner, FERC  
J. Rich McGuire, Director, Gas Environment and Engineering, FERC  
Deborah Osborne, Director, Dispute Resolution Services, FERC  
Terry Turpin, Director, Office of Energy Projects, FERC  
Lox A. Logan, Ohio State Historic Preservation Office,  
Executive Director & CEO, Ohio History Connection (by U.S. Mail)  
John M. Fowler, Executive Director, ACHP (by U.S. Mail)  
Kimberly D. Bose, Secretary, FERC