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Subject: Washington Energy Report January 29, 2018

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Washington Energy Report

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JANUARY 29, 2018

[FERC Approves PennEast Pipeline Project Despite Need and Environmental Impact Protests](#)

By [Russell Kooistra](#) & [Jasmine Hites](#) on January 29, 2018

POSTED IN [NATURAL GAS](#)

On January 19, 2018, FERC approved PennEast Pipeline Company, LLC's ("PennEast") proposal to construct its 116-mile pipeline project from Pennsylvania to New Jersey ("Project"). FERC approved the Project despite protesters challenging the Project's need given that affiliated shippers subscribed to most of the Project's capacity, as well as FERC's limited environmental impact analysis after PennEast could not complete certain surveys along the Project's route due to landowners denying PennEast access to their property.

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[D.C. Circuit Rejects Challenge to FERC Orders on ISO-NE Scarcity Pricing Rules](#)

The Washington Energy Report is a weekly publication written by the Troutman Sanders Federal Energy Regulatory Commission ("FERC") practice that monitors and reports on significant developments in FERC and energy-related matters around the country.

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By [Jamond Perry](#) & [Thomas DeVita](#) on January 29, 2018

POSTED IN [MARKET POLICY](#)

On January 19, 2018, the United States Court of Appeals for the District of Columbia (the "D.C. Circuit") rejected the New England Power Generators Association's (the "Association") challenge to two FERC orders on ISO New England Inc.'s ("ISO-NE") scarcity pricing mechanisms in ISO-NE's real-time and capacity markets. The D.C. Circuit rejected the challenge both on procedural grounds and on the merits.

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[New York ZEC Challenges Move Forward at the State Level](#)

By [Adrienne Thompson](#) & [Christopher Zentz](#) on January 29, 2018

POSTED IN [MARKET POLICY](#)

On January 22, 2018, a New York state trial court largely rejected motions to dismiss various challenges to the state's zero emission credit ("ZEC") program established in 2016 by the New York Public Service Commission ("NYPSC"). The ZEC program, which is also being challenged in federal court, provides subsidies to financially struggling in-state nuclear energy generators.

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[FERC Staff Directs Rover Pipeline to Cease HDD Activity at the Tuscarawas River Site](#)

By [Russell Kooistra](#) & [Jasmine Hites](#) on January 29, 2018

POSTED IN [NATURAL GAS](#)

On January 24, 2018, FERC staff directed Rover Pipeline LLC ("Rover") to stop horizontal directional drilling ("HDD") activity—which involves using a drill to bore

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horizontally underground and drilling mud to remove drill cuttings and maintain the bore for a newly constructed pipeline to “cross” beneath rivers and other areas—at the Tuscarawas River site due to inadvertent losses of drilling mud.

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