

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

Rockies Express Pipeline LLC

)

Docket No. CP14-498-000

**ROCKIES EXPRESS PIPELINE LLC ANSWER TO MOTION TO
ANSWER AND ANSWER OF ALLEGHENY DEFENSE PROJECT AND
FRESHWATER ACCOUNTABILITY PROJECT**

Pursuant to Rules 212 and 213 of the Federal Energy Regulatory Commission’s Rules of Practice and Procedure, 18 C.F.R. §§ 385.212 and 385.213 (2014), Rockies Express Pipeline LLC (“REX”) hereby moves for leave to answer and files this answer to the motion to answer and answer of Allegheny Defense Project (“ADP”) and FreshWater Accountability Project (“FWAP”), filed February 2, 2015 (“February 2 Answer”).

The Commission permits the filing of answers that facilitate the Commission’s decisional process, aid in the explanation of issues, or correct the record.¹ Good cause exists to permit REX’s Answer because it is limited to the specific issues raised in the February 2 Answer. This Answer serves these goals as it will provide the Commission with additional information on which to base its decision in this docket.

The Commission should dismiss the February 2 Answer because it fails to aid the Commission in its decisional process, or aid in the explanation of the issues. Instead, it simply states (again) that FWAP’s Motion for Late Intervention should be granted, but (again) fails to demonstrate good cause—or even provide a reason—for missing the intervention deadline by over *six months* (*i.e.*, 196 days). The arguments for granting intervention continue to be premised on the belief that the Commission routinely permits

¹ See, e.g., *Sea Robin Pipeline Co.*, 132 FERC ¶ 61,277, at P 10 (2010); *El Paso Natural Gas Co.*, 104 FERC ¶ 61,303, at P 11 (2003); *Kern River Gas Transmission Co.*, 103 FERC ¶ 61,341, at P 9 (2003); *Transwestern Pipeline Co.*, 75 FERC ¶ 61,107, at p. 61,351 n.20 (1996), *order on reh’g*, 80 FERC ¶ 61,008, at p. 61,022 n.4 (1997); *Equitrans, Inc.*, 75 FERC ¶ 61,203, at p. 61,664 n.8 (1996); *Tennessee Gas Pipeline Co.*, 55 FERC ¶ 61,437, at p. 62,306 n.7 (1991), *reh’g denied*, 58 FERC ¶ 61,004 (1992).

late interventions. This simply is not good cause. FWAP's late intervention has disrupted, and will continue to disrupt this proceeding, and prejudices REX due to its extreme lateness.

Furthermore, the February 2 Answer simply repeats the arguments it presented in its joint comments filed nearly *five months* (i.e., 144 days) after the September 4, 2014 deadline for comments to be considered during the EA scoping period.

Finally, to the extent the joint commenters have concerns about the Commission's service list² or eSubscription here and in other dockets, REX respectfully submits that those issues are beyond the scope of this certificate proceeding and should be addressed separately. REX respectfully requests the Commission issue a certificate as expeditiously as possible.

Respectfully submitted,

/s/ Paul Korman

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² Since no decisional authority has acted on ADP or FWAP's late motions to intervene, it is not surprising that they do not yet appear on the official service list.

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 2nd day of February, 2015.

/s/ Barbara Deathe

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