

UNITED STATES JUDICIAL PANEL

on

MULTIDISTRICT LITIGATION

IN RE: FEDERAL ENERGY REGULATORY COMMISSION,
BUILDING FOR THE FUTURE THROUGH ELECTRIC REGIONAL
TRANSMISSION PLANNING AND COST ALLOCATION, 187 FERC
61,068 ISSUED MAY 13, 2024, AND DENIAL OF REHEARING BY
OPERATION OF LAW AND PROVIDING FOR FURTHER
CONSIDERATION, 188 FERC 62,025 JULY 15, 2024

MCP No. 190

(SEE ATTACHED SCHEDULE)

CONSOLIDATION ORDER

The Federal Energy Regulatory Commission issued a final rule on May 13, 2024, and denial of rehearing dated July 15, 2024. On August 2, 2024, the Panel received, pursuant to 28 U.S.C. § 2112(a)(3), a notice of multicircuit petitions for review of that order. The notice include petitions pending in the following nine courts of appeal: First Circuit, Second Circuit, Fourth Circuit, Fifth Circuit, Sixth Circuit, Seventh Circuit, Ninth Circuit, Eleventh Circuit and District of Columbia Circuit.

The Panel has randomly selected the United States Court of Appeals for the Fourth Circuit in which to consolidate these petitions for review.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 2112(a)(3), the petitions on the attached schedule are consolidated in the United States Court of Appeals for the Fourth Circuit and that this circuit is designated as the circuit in which the record is to be filed pursuant to Rules 16 and 17 of the Federal Rules of Appellate Procedure.

FOR THE PANEL:

Chelsea Thomas

Chelsea Thomas, Case Administrator
Random Selector

Ajonee A. Miller

Ajonee Miller, Case Administrator
Witness

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SCHEDULE OF PETITIONS

| <u>CIRCUIT NO.</u> | <u>CASE CAPTION</u> |
|--------------------------------|---|
| First Circuit, No. 24-1659 | Environmental Defense Fund, et al. v. FERC |
| Second Circuit, No. 24-1932 | Natural Resources Defense Council v. FERC |
| Fourth Circuit, No. 24-1650 | Appalachian Voices, et al. v. FERC |
| Fifth Circuit, No. 24-60355 | Louisiana Public Service Commission, et al. v. FERC |
| Fifth Circuit, No. 24-60362 | State of Texas v. FERC |
| Sixth Circuit, No. 24-2615 | Public Utilities Commission of Ohio's Office of Federal Energy Advocate, et al. v. FERC |
| Seventh Circuit, No. 24-2232 | ITC Midwest, LLC v. FERC |
| Ninth Circuit, No. 24-4388 | Sierra Club v. FERC |
| Eleventh Circuit, No. 24-12310 | State of Georgia, et al. v. FERC |
| D.C. Circuit, No. 24-1254 | Advanced Energy United, et al. v. FERC |
| D.C. Circuit, No. 24-1255 | Invenergy Solar Development Defense Fund v. FERC |