

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

**IN THE MATTER OF** )  
 )  
**Iroquois Gas Transmission System, L.P.** ) **Docket No. CP13-502-003**

**MOTION TO INTERVENE  
BY STOP THE PIPELINE**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission (“FERC” or “Commission”) Rules of Practice and Procedure, 18 C.F.R. § 385.214, Stop the Pipeline (“STP”) hereby submits this timely motion for intervention in the above-captioned proceeding.

**I. COMMUNICATIONS AND CORRESPONDENCE**

The following people should be included on the service list for this docket, and all communications should be addressed to them as follows:

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## II. BACKGROUND

Stop the Pipeline (“STP”) was formed in June 2012 after the Constitution Pipeline Company, LLC (“Constitution” or “Company”) requested a pre-filing review by the Federal Energy Regulatory Commission (“FERC” or “Commission”),<sup>1</sup> which assigned docket number PF12-9 to the Project. STP held large community meetings, used the Company’s maps to compile mailing lists of affected landowners, and went door to door to discuss the Project with people in the community. That fall, over 1200 local citizens went to scoping hearings to give FERC an earful about why this potentially explosive project would be bad for landowners, farmers, members of the community, and for the environment in which they lived and depended on for healthy food and clean water. Over 400 STP members intervened after the Company filed its application on June 13, 2013, which was assigned docket number CP13-499.<sup>2</sup> The Iroquois Gas Transmission System, L.P. (“Iroquois”) filed a concurrent application with the Commission to construct the Wright Interconnect Project (“WIP”),<sup>3</sup> which would have connected the proposed pipeline to two existing interstate gas pipelines. Over 3000 individually written public comments were filed in opposition to the Project by the time the Commission granted a Certificate of Public Convenience and Necessity to Constitution and Iroquois on December 2, 2014 (“Certificate Order”).<sup>4</sup> STP requested rehearing of the Certificate Order,<sup>5</sup> but the Commission did not issue an Order on Rehearing until January 28, 2016.<sup>6</sup> STP then filed a

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<sup>1</sup> *Constitution Pipeline Company, LLC*, Docket No. PF12-9, Request for a Pre-filing Review (April 5, 2012) Accession No. 20120405-5066.

<sup>2</sup> *Constitution Pipeline Company, LLC*, Docket Nos. CP13-499-000, *et al.* Application for Certificate of Public Convenience and Necessity (June 13, 2013) Accession No. 20130613-5078 (“Application”). Constitution’s 2013 application was assigned docket number CP13-499.

<sup>3</sup> *Iroquois Gas Transmission System, L.P.*, Docket Nos. CP13-502, *et al.* Application for Certificate of Public Convenience and Necessity (June 13, 2013) Accession No. 20130613-5142. Iroquois’ proposed interconnection was assigned docket number CP13-502.

<sup>4</sup> *Constitution Pipeline Co., LLC*, 149 FERC ¶ 61,199 (2014), *reh’g denied*, 154 FERC ¶ 61,046 (2016), *vacated sub nom. New York State Dep’t of Env’t. Conservation v. FERC*, No. 19-4338 (2d Cir. Nov. 18, 2021) (“Certificate Order”).

<sup>5</sup> *Constitution Pipeline Company, LLC*, Docket Nos. CP13-499-000, *et al.* STP’s Request for Rehearing, Accession No. 20150102-5158.

<sup>6</sup> *Constitution Pipeline Co., LLC*, 154 FERC ¶ 61,046 (2016).

Petition for Review in the United States Court of Appeals for the Second Circuit.<sup>7</sup> The issues raised were fully briefed by October 21, 2016, but oral arguments were never held.<sup>8</sup>

On February 24, 2020, the Company publicly announced that it no longer intended to pursue the Constitution Pipeline project (“Project”).<sup>9</sup> Iroquois subsequently notified the Commission that it would no longer be moving forward with the Wright Interconnect Project given that Constitution had terminated its precedent agreement with Iroquois for the lease of the incremental capacity that would have been created by the project.<sup>10</sup> FERC then moved to dismiss all the pending cases in the Second Circuit concerning the Certificate and Waiver Orders.<sup>11</sup> STP filed two case-specific cross motions for dismissal and vacatur.<sup>12</sup> The Second Circuit granted FERC’s motions to dismiss for reasons of mootness and also granted STP’s motions for vacatur.<sup>13</sup>

On December 19, 2025, the Company filed a Petition purporting to seek “Reissuance of Certificate and Reaffirmance of Waiver Determination.”<sup>14</sup> Shortly thereafter, STP and others

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<sup>7</sup> Stop the Pipeline’s Notice of Petition for Review (Feb. 05, 2016), Accession No. 20160205-5057.

<sup>8</sup> See *Catskill Mountainkeeper, Inc., et al., v. Fed. Energy Regul. Comm’n*, 16-345 (2d. Cir.), 16-361 ECF Nos. 171, 172, 177, 179, 219-352.

<sup>9</sup> See *Constitution Pipeline Co., LLC*, 194 FERC ¶ 61,064 (2026) at P 6 (“Remand Order”).

<sup>10</sup> *Iroquois Gas Transmission System, L.P.*, Docket No. CP13-502-000, Notice of Iroquois Gas Transmission System, L.P. Regarding Wright Interconnection Project (Mar. 31, 2020), Accession No. 20160331-5025.

<sup>11</sup> Mot. to Dismiss, *Catskill Mountainkeeper, Inc., et al., v. Fed. Energy Regul. Comm’n*, 16-345 (2d. Cir. Jan. 26, 2021), 16-361 ECF No. 352; Mot. to Dismiss, *N.Y. State Dep’t of Env’t Conservation, et al. v. Fed. Energy Regul. Comm’n*, 19-4338 (2d. Cir. Jan. 25, 2021), 20-158 ECF No. 107

<sup>12</sup> Stop the Pipeline’s Opposition to Resp’t [FERC’s] Mot. to Dismiss for Mootness and in Support of Stop the Pipeline’s Mot. for Vacatur of the Orders, *Catskill Mountainkeeper, Inc., et al., v. Fed Energy Regul. Comm’n*, 16-345 (2d. Cir. Feb. 5, 2021), 16-361 ECF No. 357; see also Stop the Pipeline’s Opposition to Resp’t [FERC’s] Mot. to Dismiss for Mootness and in Support of Stop the Pipeline’s Mot. For Vacatur of the Orders, *N.Y. State Dep’t of Env’t Conservation, et al. v. Fed. Energy Regul. Comm’n*, 19-4338 (2d. Cir. Feb. 4, 2021), 20-158, ECF No. 122.

<sup>13</sup> See *Catskill Mountainkeeper, Inc., et al., v. Fed. Energy Regul. Comm’n*, 16-345 (2d. Cir. Nov. 18, 2021), 16-361 ECF No. 409; *N.Y. State Dep’t of Env’t Conservation, et al. v. Fed. Energy Regul. Comm’n*, 19-4338 (2d. Cir. Nov. 18, 2021), 20-158 ECF No. 159. (“Vacatur Order”).

<sup>14</sup> *Constitution Pipeline Co., LLC*, Docket Nos. CP13-499-006 & CP18-5-005, Petition for Reissuance of Certificate Authority and Reaffirmance of Waiver Determination (Dec. 19, 2025), Accession No. 20251219-5626 (“2025 Petition”).

submitted letters to FERC requesting correction of what was presumed to be a ministerial error, namely allowing the Company to file its 2025 Petition, and further urged the Commission to dismiss the proceedings consistent with the Second Circuit's vacatur and dismissal instructions.<sup>15</sup> On January 23, 2026, FERC issued the Remand Order dismissing the agency proceedings that were the subject of the Second Circuit's mandate.<sup>16</sup> After acknowledging the Second Circuit's vacatur of the Certificate and Waiver Orders, as well as its remand instructions, the Commission stated "[f]or clarity and avoidance of doubt, we now confirm that the proceedings referenced in the caption of this order are dismissed."<sup>17</sup> However, in the same Remand Order, it noted that "[t]he 2025 Petition is currently pending, and the Commission is not in any way pre-judging the merits of the 2025 Petition in this order."<sup>18</sup> The Commission confirmed that the Company's 2025 Petition was noticed on a new subdocket of the original application and claimed that "our consideration of Constitution's 2025 petition is unaffected by docket numbering."<sup>19</sup> On January 29, 2026, STP filed its protest of the Company's 2025 Petition.<sup>20</sup> STP also filed requests for rehearing of the Commission's January 23, 2026 Remand Order.<sup>21</sup>

On February 13, 2026, Iroquois filed a Petition purporting to seek "Expedited Resurgence of Certificate Authority and Approval of Capacity Lease Agreement" for the Wright Interconnect Project.<sup>22</sup> Iroquois' petition requests permission to abandon by lease the project's capacity to

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<sup>15</sup> *Constitution Pipeline Co., LLC*, Docket Nos. CP13-499-000, CP13-499-006, CP13-502-000, CP18-5-000 & CP18-5-004, Comments of Stop the Pipeline (Jan. 15, 2026) Accession No. 20260115-5008.

<sup>16</sup> Remand Order at P 11, ordering sentence on page 5.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.* at P 10.

<sup>19</sup> *Id.* at P 12.

<sup>20</sup> *Constitution Pipeline Co., LLC*, Docket Nos. CP18-5-004 & CP13-499-006, Protest and Comments of Stop the Pipeline (Jan. 29, 2026) Accession No. 20260129-5455, which is hereby incorporated by reference.

<sup>21</sup> *Constitution Pipeline Co., LLC*, Docket Nos. CP13-502-004, CP18-5-005 & CP13-499-007, Stop the Pipeline Request for Rehearing (Feb.23, 2026) Accession No. 20260223-5140.

<sup>22</sup> *Iroquois Gas Transmission System, L.P.*, Docket No. CP13-502-003, Petition of Iroquois Gas Transmission System, L.P. (Feb. 13, 2026), Accession No. 20260213-5321.

Constitution Pipeline Company, LLC.<sup>23</sup> The Commission issued a notice of Iroquois' petition on February 24, 2026, setting March 17, 2026, as the deadline for intervention.<sup>24</sup>

### III. IDENTITY AND INTERESTS OF STP

STP is an unincorporated association formed in June 2012. Its goals are to preserve and enhance the rural heritage and pristine environment of central New York State, and north central Pennsylvania, by ensuring the purity of its air, water, and soil, the health of its inhabitants, the resilience of its ecosystems, and the capacity of the area to be self-sustaining. STP is associated with one thousand people, most of whom would be affected by the proposed pipeline. Some of STP's members own land along the proposed route for the Iroquois project; others live, work, or recreate in that area; the remainder have other ties to the region. As such STP has not just (1) "an interest which may be directly affected by the outcome of the proceeding" pursuant to Rule 214(b)(2)(ii); but (2) its "participation is in the public interest" pursuant to Rule 214(b)(2)(iii).

Not only has STP and its members consistently voiced concerns about the entirety of the pipeline project as proposed,<sup>25</sup> but STP has also repeatedly opposed Constitution and Iroquois in their efforts to reissue or reaffirm vacated orders and to expedite the proceedings.<sup>26</sup> The interests of STP and its members include, but are not limited to:

- The negative economic and environmental impacts on the one thousand landowners whose land has been or would be taken through eminent domain in these interrelated

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<sup>23</sup> *Id.*

<sup>24</sup> *Iroquois Gas Transmission System, L.P.*, Docket No. CP13-502-003, Notice of Petition (Feb. 24, 2026), Accession No. 20260224-3013; *see also Constitution Pipeline Co., LLC*, Docket Nos. CP13-499-000, Notice of Petition (Jan. 08, 2026) Accession No. 20260108-3075.

<sup>25</sup> *See, Constitution Pipeline Co., LLC*, Docket Nos. CP13-499-000 & CP13-502-000, STP Corrected Comments on the DEIS (Apr. 8, 2014), Accession No. 201440408-5088. This is hereby incorporated by reference.

<sup>26</sup> *Constitution Pipeline Co., LLC*, Docket Nos. CP13-499-000, CP13-499-006, CP13-502-000, CP18-5-000 & CP18-5-004, Comments of Stop the Pipeline (Jan. 15, 2026) Accession No. 20260115-5008 ("STP Letter"); *Constitution Pipeline Co., LLC*, Docket Nos. CP18-5-004 & CP13-499-006, Protest and Comments of Stop the Pipeline (Jan. 29, 2026) Accession No. 20260129-5455 ("Protest"); *Constitution Pipeline Co., LLC*, Docket Nos. CP18-5-005, CP18-5-004 & CP13-499-007, Stop the Pipeline submits Request for Rehearing (Feb. 23, 2026) Accession No. 20260223-5140. These comments and protests are hereby incorporated by reference.

- pipeline projects – or negotiated under the threat of eminent domain;
- The negative economic and environmental impacts on the countless adjoining and nearby neighbors who would receive no compensation, but whose safety would also be put at risk by a high pressure, explosive gas pipeline either along the pipeline’s 135-mile route or at its terminus at the Wright Interconnect Project;
  - The negative impacts on current and future land use from building a pipeline that would encourage industrialization and the construction and operation of gas-fired power plants and AI data centers along the route;
  - The negative impacts on the tax base of the towns through decreased property values, foreclosures, and the inability of landowners to obtain mortgages and insurance;
  - The negative impacts on the cultural heritage, community character, and scenic resources of the region from the cumulative impacts of the proposed project;
  - The environmental consequences of building a pipeline in an area with increasingly high rainfall, across streams, through forests and wetlands, and up and down countless steep slopes;
  - The negative impacts on shallow (perched) aquifers and springs from the pipeline construction, particularly in areas with surface bedrock, which would require blasting;
  - The lack of need in the marketplace for the additional gas; and
  - The feasibility of co-locating additional capacity along existing pipeline easements.

Iroquois’ 2026 petition, which asks the Commission to expedite its application, is an attempt to bypass requirements under the Natural Gas Act, necessary environmental reviews and stakeholder consultations. STP has a strong interest in ensuring that its members’ due process rights are protected.

STP’s members have direct and material interests in the outcome of this petition and the related proposed pipeline project, which cannot be adequately represented by other parties to this proceeding. Their legal interest can only be protected by obtaining party status, which will give them the right to participate in hearings before FERC administrative law judges; file briefs; file for rehearing of a decision; have legal standing to be heard by an appropriate United States Court of Appeals should STP object to the FERC’s final order; and be placed on a service list to

receive copies of case-related documents and filings by other intervenors. These rights are critical to STP's ability to fully and adequately represent its members' interests.

For the foregoing reasons, Stop the Pipeline respectfully requests that intervention in the above-captioned proceeding be granted.

Respectfully submitted,



Todd D. Ommen  
Anne Marie Gartl, Esq., of counsel

Dated: March 17, 2026

Document Content(s)

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