

No. 18-561

IN THE SUPREME COURT OF THE UNITED STATES

ORUS ASHBY BERKLEY, ET AL., PETITIONERS

v.

FEDERAL ENERGY REGULATORY COMMISSION, ET AL.

CERTIFICATE OF SERVICE

It is hereby certified that all parties required to be served have been served with copies of the **BRIEF FOR THE FEDERAL ENERGY REGULATORY COMMISSION IN OPPOSITION**, via email and first-class mail, postage prepaid, this 19th day of December, 2018.

[See Attached Service List]

As required by Supreme Court Rule 33.1(h), I certify that the document contains **3,629** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d). I declare under penalty of perjury that the foregoing is true and correct. Executed on **December 19, 2018.**

Noel J. Francisco
Solicitor General
Counsel of Record
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217

December 19, 2018

Due to the continuing delay in receiving incoming mail at the Department of Justice, in addition to mailing your brief via first-class mail, we would appreciate a fax or email copy of your brief. If that is acceptable to you, please fax your brief to Charlene Goodwin, Supervisor, Case Management, Office of the Solicitor General, at (202) 514-8844, or email at **SupremeCtBriefs@USDOJ.gov**. Ms. Goodwin's phone number is (202) 514-2217 or 2218. Thank you for your consideration of this request.

18-0561
BERKLEY, ORUS ASHBY, ET AL.
FERC, ET AL.

GUY M. HARBERT, III
GENTRY LOCKE
10 FRANKLIN ROAD S.E.
SUITE 900
PO BOX 40013
ROANOKE, VA 24022-0013
540-983-9300
HARBERT@GENTRYLOCKE.COM

VIA EMAIL

WADE W. MASSIE
PENNSTUART ATTORNEYS AT LAW
POST OFFICE BOX 288
ABINGDON, VA 24212-2288
276-628-5151
WMASSIE@PENNSTUART.COM

VIA EMAIL

DOUGLAS R. MCKUSICK
THE RUTHERFORD INSTITUTE
PO BOX 7482
CHARLOTTESVILLE, VA 22906-7482
434-978-3888
DOUGALSM@RUTHERFORD.ORG

JOHN W. WHITEHEAD
THE RUTHERFORD INSTITUTE
109 DEERWOOD ROAD
CHARLOTTESVILLE, VA 22911
434-978-3888
LEGAL@RUTHERFORD.ORG