



## Team From Burr Files U.S. Supreme Court Brief For Members of Congress to Help Facilitate Domestic Energy Transportation

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A team from Burr's appellate litigation group, including Birmingham partner Travis Ramey, Birmingham associate Emily Schreiber, and Columbia associate Grayson Lambert, filed a brief today with the U.S. Supreme Court involving rights-of-way for the pipeline and energy industry. The firm worked alongside South Carolina Congressman Jeff Duncan on the brief, which addresses issues with a recent U.S. Court of Appeals for the Fourth Circuit decision affecting Atlantic Coast Pipeline and the ability to construct pipelines under the Appalachian Trail.

Atlanta Coast Pipeline was initially given a right-of-way to build a pipeline across the Appalachian Trail in the George Washington National Forest by the US Forest Service. However, the Fourth Circuit ruled that the US Forest Service did not have the authority to grant those rights, stating this was National Park System land which is excluded under the Mineral Leasing Act. Therefore, neither the Forest Service nor any government agency is allowed to grant rights-of-way.

The brief makes the case that the Mineral Leasing Act and Trails Act clearly state that national forest land over which the Appalachian Trail runs remains under the jurisdiction of the US Forest Service, allowing the agency the ability to grant the rights-of-way. In addition, the brief goes on to state the Fourth Circuit's position is at odds with Congress' ongoing support of domestic energy production and transportation.

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The brief, filed with 62 supporting members of Congress, is a big step for the domestic energy industry in its ability to produce and transport energy across the US through pipeline construction.

Burr's alternative and renewable energy team works with clients within the alternative and renewable energy industry, bringing in attorneys from multiple areas within the firm including corporate, economic development, tax, real estate, environmental, and regulatory practices. The team is experienced in dealing with projects throughout the United States related to solar, wind, biofuels and biomass, synthetic fuels, hydrogen fuel cells, natural gas technologies, and nuclear energy. The energy team deals with a wide-range of legal matters including state incentives, permitting and environmental issues, financing, real estate, power supply agreements, and federal & state energy tax credits.

Burr's appellate litigation team is one of the most experienced in the southeast region. Handling appeals at all levels of the state and federal system, and assisting with major cases in the trial courts, Burr's appellate team works with clients from a broad spectrum of industries on cases involving nearly every legal subject. Burr also routinely represents parties filing amicus curiae briefs addressing complex and important issues that impact more than just the parties to a single case. When cases have the potential to shape the law, organizations turn to Burr to make sure their voices are heard and that courts realize the broader effects of their decisions.

*For more than a century, Burr & Forman LLP's experienced legal team has served clients at the intersection of business and government with local, national, and international interests in numerous industry and practice areas, ranging from commercial litigation and class actions to corporate transactions, including bankruptcy and restructurings. A Southeast regional firm with 360 attorneys and 19 offices in Alabama, Delaware, Florida, Georgia, Mississippi, North Carolina, South Carolina and Tennessee, Burr & Forman attorneys draw from a diverse range of resources to help clients achieve their goals and address their complex legal needs. The firm operates as Burr Forman McNair in North Carolina and South Carolina. For more information, visit the firm's website at [www.burr.com](http://www.burr.com).*