

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

|                               |   |           |
|-------------------------------|---|-----------|
| THE COMMONWEALTH OF VIRGINIA, | ) |           |
|                               | ) |           |
| Petitioner,                   | ) |           |
|                               | ) |           |
| v.                            | ) | No. _____ |
|                               | ) |           |
| UNITED STATES DEPARTMENT OF   | ) |           |
| ENERGY and SAMUEL BODMAN,     | ) |           |
| SECRETARY                     | ) |           |
|                               | ) |           |
| Respondents.                  | ) |           |

**PETITION FOR REVIEW**

On behalf of the Commonwealth of Virginia, Governor Timothy M. Kaine and Attorney General Robert F. McDonnell hereby petition this Court, pursuant to Section 313(b) of the Federal Power Act, 16 U.S.C. § 8251(b); Rule 15 of the Federal Rules of Appellate Procedure; and Local Rule 15, for review of the following orders issued by the Department of Energy on March 6, 2008 and October 2, 2007, respectively:

- (1) National Electric Transmission Congestion Report, Order Denying Rehearing, DOE Docket Nos. 2007-OE-01 and 2007-OE-02, 73 Fed. Reg. 12959 (Mar. 11, 2008); and
- (2) National Electric Transmission Congestion Report, Order, DOE Docket Nos. 2007-OE-01 and 2007-OE-02, 72 Fed. Reg. 56992 (Oct. 5, 2007).

Respectfully submitted,

COMMONWEALTH OF VIRGINIA

By:   
Counsel for Petitioner

C. Meade Browder, Jr. (VSB # 35688)  
Senior Assistant Attorney General  
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900 East Main Street  
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Dated: March 20, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of March, 2008, I have served a true copy of the foregoing Petition for Review upon all the persons identified in the attached List of Parties Served, in the manner specified therein.

By:   
Counsel for Petitioner

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