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Answers to Frequently Asked Questions About The Atlantic Coast Pipeline

Q: Can Dominion come on my property to survey prior to the issuance of a Certificate of Public Convenience and Necessity?

A: No, but Dominion may serve you with a lawsuit seeking a Court order allowing them to enter your property.

Q: Should I participate in the Federal Energy Regulatory Commission proceedings?

A: Absolutely. You should submit comments expressing your viewpoint on the project and consider becoming an intervenor. To learn more, visit:

<http://www.ferc.gov/for-citizens/citizen-guides/citz-guide-gas.pdf>

Q: Can Dominion take my property?

A: Yes, if the Federal Energy Regulatory Commission issues Dominion a Certificate of Public Necessity and all appeals challenging the Certificate are exhausted. Even then, Dominion must follow the legal requirements to obtain title to property, which first requires Dominion to attempt to obtain the property through a voluntary agreement. Dominion also cannot take more land than is necessary for the pipeline. Dominion will not obtain title to the land until either an agreement is reached, compensation is paid, and an easement is recorded, or a Court order confirms title.

Q: How much does Dominion have to pay for the easement?

A: Dominion must pay just compensation, which equals the fair market value of the property interests that are being acquired plus damages to the property that remains.

Q: Should I talk to Dominion's appraiser?

A: If the pipeline project is approved, and part of your land has been approved for a taking, talking to the condemning authority's appraiser can sometimes lead to a better offer.

Q: Do I have to hire my own appraiser?

A: We work with landowners and use data obtained from real estate brokers, public records, other sources, and our experience to help arrive at a justified opinion of just compensation. If a voluntary agreement with the condemning authority cannot be reached and the case proceeds toward trial, landowners often retain an appraiser. However, each case is unique and our recommendation regarding retaining an appraiser is evaluated on a case by case basis.

Q: Will the just compensation proceeding be tried in Federal or State court?

A: Dominion has the option to file the eminent domain case in either Federal or State court.

Q: Will the case be tried before a jury or commissioners?

A: If the case is tried in Federal court, the landowner can request a jury, but the judge has the discretion to appoint a three-person commission to determine just compensation. If the case is tried in State court, the landowner can request either a jury or commissioners.

Q: Can Dominion start work on the pipeline on my property before paying me compensation?

A: Generally, no. You could grant Dominion a right of entry to begin work, but you must first determine whether that is prudent. If you come to an agreement with Dominion, that agreement will specify when Dominion can begin its work—typically after payment of compensation. If the case is filed in Federal court, Dominion may attempt to obtain a preliminary injunction that allows it to start work, and if it does, it may have to deposit the amount of its offer for your property into the Court for dispersal to you. If it does not seek a preliminary injunction in Federal court, or a right of entry in State court, it cannot start work on the project on your property until a settlement is reached during the case or a final order is entered.

The information contained herein is for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain advice with respect to any particular issue or problem.