

Interlocutory Orders, etc.

IN THE MATTER OF
EQUITABLE RESOURCES, INC. ET AL.

Docket No. 9322 – Order, April 13, 2007

ORDER DESIGNATING PRESIDING OFFICIAL

Pursuant to Commission Rule 3.42, 16 C.P.R. § 3.42, and the authority vested in the Federal Trade Commission,

IT IS ORDERED that J. Thomas Rosch, a Commissioner of the Federal Trade Commission, be, and he hereby is, designated and appointed to preside over the Scheduling Conference set for April 20, 2007.

By the Commission.

Order

IN THE MATTER OF
EQUITABLE RESOURCES, INC. ET AL.

Docket No. 9322 – Order, April 16, 2007

**ORDER STAYING FURTHER BRIEFING ON COMPLAINT
COUNSEL'S MOTION TO STRIKE**

Complaint Counsel filed a Motion to Strike the Affirmative Defense of State Action” with the Commission on April 11, 2007, moving that the Commission strike defenses pled by both Equitable Resources and Dominion Resources to the effect that the Commission’s Complaint was precluded by the state action doctrine. Pursuant to Commission Rule 3.22(c), 16 C.F.R. § 3.22(c), the Respondents must file an answer or answers to Complaint Counsel’s motion on or before April 23, 2007.

On April 13, 2007, the Commission filed a complaint and motions for a temporary restraining order and a preliminary injunction against Respondents in federal district court in the Western District of Pennsylvania. At the hearing on the temporary restraining order, the court scheduled briefing and argument on a motion to dismiss the complaint based on state action grounds, and stated that it would contemplate a decision on that motion during the week of May 7, 2007. For these reasons, the Commission stays all further briefing on Complaint Counsel’s motion until further notice.

Accordingly,

IT IS ORDERED THAT all further briefing on Complaint Counsel’s motion to strike be stayed pending the proceedings in the federal district court (Case Number 07CV0490).

By the Commission.