



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION REGARDING THE
APPOINTMENT OF OUTSIDE COUNSEL ON BEHALF OF
THE WEST VIRGINIA BOARD OF PUBLIC WORKS,
WEST VIRGINIA SECRETARY OF STATE AND STATE TAX COMMISSIONER**

The West Virginia Board of Public Works, West Virginia Secretary of State, and State Tax Commissioner seek legal assistance with on-going litigation involving certain tax assessments and valuations. More specifically, assistance is needed to defend the following civil actions:

Blue Race NGL Pipelines, LLC v. Dale W. Steager, State Tax Commissioner, Mac Warner, Secretary of State and Ex-Officio Secretary of the Board of Public Works, Civil Action No. 18-P-11, pending in the Circuit Court of Marshall County;

Kanawha River Railroad, LLC v. Board of Public Works, Civil Action No. 18-C-39, pending in the Circuit Court of Fayette County;

Kanawha River Railroad, LLC v. Board of Public Works, Civil Action No. 18-AA-2, pending in the Circuit Court of Raleigh County;

Shenandoah Personal Communications Company, LLC v. WV Board of Public Works, Civil Action No. 18-P-80, pending in the Circuit Court of Kanawha County; and

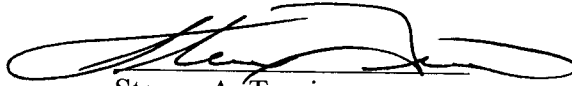
Shenandoah Personal Communications Company, LLC v. WV Board of Public Works, Civil Action No. 18-AA-1, pending in the Circuit Court of Berkeley County.

In accordance with the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that it is both cost-effective and in the interest of the public to appoint outside counsel to assist with the legal matters in question, based on the following factors:

- The matter at issue requires particular and specialized expertise in tax assessments and valuations.
- The scope of work includes Kanawha, Fayette, Raleigh, Berkeley, and Marshall Counties, West Virginia.

- It is not feasible or cost-effective for the Office of the Attorney General to provide the requested legal services without the assistance of outside counsel at this time.

Accordingly, the Attorney General authorizes the appointment of outside counsel in the current legal matter pursuant to commencement of the request for proposal process laid out in subsection (D) of Policy #WVAGO-004.



Steven A. Travis
Deputy General Counsel

Date Signed: March 26, 2018