



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 TAX DEPARTMENT**

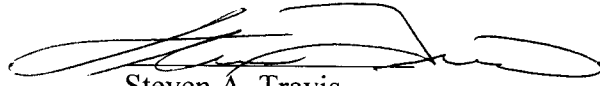
The West Virginia Tax Department (hereinafter the "Tax Department") is in need of legal representation to assist the Department with issues involving various tax assessments that have been challenged in the circuit courts of West Virginia. More specifically, the Tax Department is in need of an attorney or attorneys to provide advice, assistance, and representation regarding the Tax Department's involvement in the valuation process of public service properties as established by the West Virginia Board of Public Works that are currently being challenged in:

*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; *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; and *Blue Race NGL Pipelines, LLC v. WV Board of Public Works*, Civil Action No. 18-P-11, pending in the Circuit Court of Marshall County.

In accordance with the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that due to the potential conflicts that may arise in the needed representation it is in the interest of the public to appoint outside counsel to assist the Tax Department with the legal matter set forth herein, based on the following factors:

- There is a need for the prompt appointment of counsel in order to protect the interests of the Tax Department.
- It is not feasible for the Office of the Attorney General to provide the requested legal services.

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

A handwritten signature in black ink, appearing to read "Steven A. Travis", written over a horizontal line.

Steven A. Travis  
Deputy General Counsel

Date Signed: August 21, 2018