

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
EXTRACTION OIL & GAS, INC. *et al.*,¹) Case No. 20-11548 (CSS)
)
) Jointly Administered
)
Reorganized Debtors.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FEDERAL ENERGY REGULATORY COMMISSION)	Civil Action No. 20-cv-1412 (CFC)
)	Civil Action No. 20-cv-1506 (CFC)
)	Civil Action No. 20-cv-1564 (CFC)
Appellant,)	Civil Action No. 21-cv-0012 (CFC)
)	
v.)	Bankruptcy Case No. 20-11548 (CSS)
)	Bankruptcy BAP No. 20-44
EXTRACTION OIL & GAS, INC.)	Bankruptcy BAP No. 20-52
)	Bankruptcy BAP No. 20-56
Appellee.)	Bankruptcy BAP No. 21-01

**APPELLEE EXTRACTION OIL & GAS, INC.'S DESIGNATION OF ADDITIONAL
ITEM TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellant Federal Energy Regulatory Commission (FERC) has initiated four appeals in the U.S. District Court for the District of Delaware that arise from this bankruptcy case. *See Federal Energy Regulatory Commission v. Extraction Oil & Gas, Inc.*, Nos. 20-cv-1412 (CFC), 20-cv-

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Extraction Oil & Gas, Inc. (3923); 7N, LLC (4912); 8 North, LLC (0904); Axis Exploration, LLC (8170); Extraction Finance Corp. (7117); Mountaintop Minerals, LLC (7256); Northwest Corridor Holdings, LLC (9353); Table Mountain Resources, LLC (5070); XOG Services, LLC (6915); and XTR Midstream, LLC (5624). The location of the Debtors' principal place of business is 370 17th Street, Suite 5300, Denver, Colorado 80202.



1506 (CFC), 20-cv-1564 (CFC), 21-cv-0012 (CFC) (D. Del.). On January 19, 2021, FERC—citing Federal Rule of Bankruptcy Procedure 8009(a)—filed designations for the record on appeal and a statement of issues that purport to apply to all four appeals. *See* D.I. 1638. For all but its most recent appeal (Case No. 21-cv-0012), however, FERC’s filings are untimely. *See* Fed. R. Bankr. P. 8009(a)(1)(B) (requiring appellant to submit record designations and statement of issues within 14 days of the notice of appeal). Specifically, in Case No. 20-cv-1412, FERC had to submit these filings by November 4, 2020; in Case No. 20-cv-1506, FERC had to submit these filings by November 20, 2020; and in Case No. 20-cv-1564, FERC had to submit these filings by December 4, 2020. FERC has not attempted to explain why its considerable delay should be excused. *Cf.* Fed. R. Bankr. P. 9006(b).

If FERC’s filings are nevertheless accepted despite their unexplained untimeliness, then—pursuant to Federal Rule of Bankruptcy Procedure 8009(a)(2)—Appellee Extraction Oil & Gas, Inc. hereby designates the additional item identified below to be included in the record on appeal in connection with the Notices of Appeal filed by FERC in the Bankruptcy Court at Docket Nos. 866, 1016, 1138, 1587. Should FERC’s filings be deemed untimely, Appellee will provide additional counterdesignations.

Date Filed	Docket Number	Document Name
12/28/2020	D.I. 1534	Transcript for Hearing Held on December 22, 2020 re: Confirmation

Dated: February 2, 2021
Wilmington, Delaware

/s/ Richard W. Riley

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² Whiteford, Taylor & Preston LLC operates as Whiteford Taylor & Preston L.L.P. in jurisdictions outside of Delaware.