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Podcast: SCOTUS Takes on WOTUS as Oil, Gas Industry Clamors for Regulatory Clarity

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The US Supreme Court recently held oral arguments in a case that the oil and gas industry is hoping will end some of the back-and-forth regulatory scramble over whether certain wetlands and water sources fall under federal jurisdiction. The high court is examining whether the Waters of the US regulation, or WOTUS, uses the proper test when evaluating wetlands.

In *Sackett v. EPA*, the Supreme Court could clarify how WOTUS is defined, with that determination potentially affecting pipelines and other energy projects. And the Supreme Court's eventual decision will likely affect the Biden administration's work on rulemakings to finalize a more detailed WOTUS definition.

Holland & Hart partner Ashley Peck joins S&P Global editor Ellie Potter on the S&P Global Commodity Insights Capitol Crude: The US Energy Policy Podcast on October 24, 2022. They discuss the *Sackett v. EPA* case, what stood out from the oral arguments, and the ramifications for the energy sector. Peck also provides insights on how companies should approach project permitting in the face of such legal and regulatory uncertainty.

Access the S&P Global Commodity Insights Capitol Crude podcast episode here: [Listen: SCOTUS takes on WOTUS as oil, gas industry clamors for regulatory clarity.](#)

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