

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1031

September Term, 2021

EPA-86FR74434

Filed On: April 20, 2022 [1943675]

State of Texas, et al.,

Petitioners

v.

Environmental Protection Agency and
Michael S. Regan, Administrator, United
States Environmental Protection Agency,,

Respondents

Advanced Energy Economy, et al.,
Intervenors

Consolidated with 22-1032, 22-1033,
22-1034, 22-1035, 22-1036, 22-1038

ORDER

Upon consideration of the motions for leave to intervene filed by:

National Coalition for Advanced Transportation, Clean Air Council, American Lung Association, National Parks Conservation Association, Clean Wisconsin, Alliance for Automotive Innovation, New York Power Authority, National Grid USA, Calpine Corporation, Advanced Energy Economy, Power Companies Climate Coalition, Natural Resources Defense Council, Public Citizen, Environmental Defense Fund, Sierra Club, Union of Concerned Scientists, Conservation Law Foundation, Environmental Law and Policy Center, States of California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and Wisconsin, the Commonwealths of Massachusetts and Pennsylvania, the District of Columbia, the Counties of Denver and San Francisco, and the Cities of Denver, Los Angeles, New York, and San Francisco

it is **ORDERED** that the motions be granted.

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Circuit Rules 28(d) and 32(e)(2) govern the filing of briefs by intervenors. A schedule for the filing of briefs will be established by future order. That order will automatically provide briefing only for intervenors on the side of respondents. Any intervenor(s) intending to participate in support of petitioners must so notify the court, in writing, within 14 days of the date of this order. Such notification must include a statement of the issues to be raised by the intervenor(s). This notification will allow tailoring of the briefing schedule to provide time for a brief as intervenor on the side of petitioners. Failure to submit notification could result in an intervenor being denied leave to file a brief.

Intervenors supporting the same party are reminded that they **must** file a joint brief or certify to the court why a separate brief is necessary. Intervenors' attention is particularly directed to D.C. Circuit Handbook of Practice and Internal Procedures 39 (2021), which describes "unacceptable" grounds for filing separate briefs. Failure to comply with this order may result in the imposition of sanctions. See D.C. Cir. Rule 39.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Amanda Himes
Deputy Clerk