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DEPARTMENT OF JUSTICE
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Lyle W. Cayce, Clerk
United States Court of Appeals
Fifth Circuit
Office of the Clerk
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, LA 70130-3408

April 12, 2023

Re: *Louisiana v. Department of Energy*, No. 22-60146
Supplemental Declaration Pursuant to March 28, 2023 Order

Dear Mr. Cayce,

Pursuant to this Court's March 28, 2023 order and Rule 28(j), Petitioner States are submitting a supplemental declaration of Kurt Sager, a Lieutenant Colonel in the Department of Justice of the Montana Highway Patrol (attached).

Sincerely,
/s/Drew C. Ensign
Drew C. Ensign
Louisiana Special Assistant
Solicitor General
Counsel for Petitioners

Word Count: 35

cc: Counsel for Respondent (via ECF)

Declaration of Kurt Sager

I, Kurt Sager, declare as follows:

1. I am competent to testify as to the matters contained herein and make this declaration based on my own personal and professional knowledge and records created in the normal course of business and available to me in my position in public service.

2. I am employed as Lieutenant Colonel in the Department of Justice of the Montana Highway Patrol.

3. Montana Highway Patrol operates six bunkhouses to host cadets and troopers for academies and trainings.

4. These bunkhouses utilize residential (not commercial) appliances, including dishwashers, clothes washers, and clothes dryers.

5. Montana Highway Patrol is responsible for the replacement of all appliances in its bunkhouses.

6. Montana Highway Patrol plans to purchase and replace appliances in its bunkhouses that have been rendered inoperable through any of a number of reasons, including regular wear, age, faulty components, or damage by Montana Highway Patrol staff, cadets, or troopers.

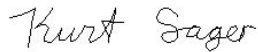
7. Montana Highway Patrol does not intend to replace appliances in its bunkhouses with commercial-grade appliances.

8. Appliances including dishwashers, clothes washers, and clothes dryers with faster normal-cycle completion times that also maintain cleaning and drying effectiveness,

such as dishwashers that complete a normal cycle in one hour or less, are desirable in the bunkhouse setting. Such features are beneficial and productivity enhancing, since they would permit faster washing and completion of additional cycles during the workday.

9. If such short-cycle appliances become available on the market, Montana Highway Patrol plans to strongly consider purchasing them to replace the current appliances when the need arises and would pay a premium for such features.

Executed this 7th day of April 2023, in Boulder, Montana.

A handwritten signature in cursive script that reads "Kurt Sager".

Kurt Sager
Lieutenant Colonel
Montana Department of Justice
Montana Highway Patrol