

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1302

September Term, 2014

**EPA-47FR45210
EPA-76FR43159
EPA-76FR48208**

Filed On: October 23, 2014

EME Homer City Generation, L.P.,

Petitioner

v.

Environmental Protection Agency,

Respondent

San Miguel Electric Cooperative, et al.,
Intervenors

Consolidated with 11-1315, 11-1323,
11-1329, 11-1338, 11-1340, 11-1350,
11-1357, 11-1358, 11-1359, 11-1360,
11-1361, 11-1362, 11-1363, 11-1364,
11-1365, 11-1366, 11-1367, 11-1368,
11-1369, 11-1371, 11-1372, 11-1373,
11-1374, 11-1375, 11-1376, 11-1377,
11-1378, 11-1379, 11-1380, 11-1381,
11-1382, 11-1383, 11-1384, 11-1385,
11-1386, 11-1387, 11-1388, 11-1389,
11-1390, 11-1391, 11-1392, 11-1393,
11-1394, 11-1395

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1302

September Term, 2014

No. 11-1427

EPA-76FR43159

State of Georgia,

Petitioner

v.

Environmental Protection Agency,

Respondent

Georgia Power Company and Municipal
Electric Authority of Georgia,
Intervenors

No. 12-1019

September Term, 2014

EPA-76FR48208

State of Kansas,

Petitioner

v.

Environmental Protection Agency,

Respondent

City of New York, et al.,
Intervenors

Consolidated with 11-1333

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1302**September Term, 2014**

BEFORE: Rogers, Griffith, and Kavanaugh, Circuit Judges

ORDER

Upon consideration of the joint motion of the States of Kansas and Georgia to reactivate the SIP disapproval cases and consolidate with (or in the alternative, to coordinate with) case No. 11-1302, et al., the response and the amended response in support, the oppositions to the joint motion, and the corrected reply; EPA's motion to lift stay entered December 30, 2011, the amended response in support, the oppositions to the motion, and the reply; the Public Health Intervenors' motion for alternative relief, the joint oppositions thereto, and the reply; the motion of Luminant for summary vacatur, the opposition thereto, and the reply; the motion of Texas, et al., for summary vacatur, the opposition thereto, and the reply; the motion of EPA to govern future proceedings, the oppositions thereto, and the consolidated reply; the motions of State/Local Petitioners, Industry/Labor Petitioners, and Texas, et al., to govern future proceedings, the oppositions thereto, and the replies; and the motions of the State of Wisconsin, the State of Louisiana, et al., and the City of Ames, Iowa to govern future proceedings, and the oppositions thereto, it is

ORDERED that the joint motion to consolidate or, in the alternative coordinate, be denied. It is

FURTHER ORDERED that the motions for summary vacatur be denied. It is

FURTHER ORDERED that EPA's motion to lift the stay be granted. The stay of the Transport Rule, entered on December 30, 2011, is hereby lifted. It is

FURTHER ORDERED that this case be scheduled for oral argument at 9:30 a.m. on Wednesday, March 11, 2015. It is

FURTHER ORDERED that the following briefing format and schedule will apply in these consolidated cases:

Briefs for Petitioners
(not to exceed 14,000 words, to be
apportioned as the parties see fit)

December 10, 2014

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-1302**September Term, 2014**

Because the briefing schedule is keyed to the date of oral argument, the court will grant requests for extension of time limits only for extraordinarily compelling reasons. The briefs must contain the date the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

A separate order will issue regarding allocation of oral argument time.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Jennifer M. Clark
Deputy Clerk