

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14-1112

September Term, 2014

EPA-79FR34830

Filed On: December 17, 2014

In re: Murray Energy Corporation,

Petitioner

National Federation of Independent
Business,

Intervenor

Consolidated with 14-1151

ORDER

Upon consideration of the motion of Environmental Defense Fund (“EDF”), Natural Resources Defense Council (“NRDC”), and Sierra Club for leave to intervene in support of respondent and leave to file brief as respondent-intervenors; the motion of NRDC, EDF, Sierra Club, Clean Wisconsin, Michigan Environmental Council, and Ohio Environmental Council for leave to participate as amici curiae styled as “motion for leave to file a brief amici curiae;” the corrected unopposed motion of the States of New York, California, Connecticut, Delaware, Maine, Maryland, New Mexico, Oregon, Rhode Island, Vermont, Washington, the Commonwealth of Massachusetts, District of Columbia, and the City of New York to intervene; the motion of the City of New York for leave to participate as amicus curiae; the motion of Utility Air Regulatory Group (“UARG”) for leave to intervene in support of petitioner; the motion of the States of West Virginia, Alabama, Alaska, Indiana, Kansas, Louisiana, Nebraska, Ohio, Oklahoma, South Dakota, Wyoming, and the Commonwealth of Kentucky for leave to intervene in support of petitioner, it is

ORDERED that the motion of EDF, NRDC, and Sierra Club (“Environmental intervenors”) for leave to intervene be granted. It is

FURTHER ORDERED that the motion for leave to participate as amici curiae be granted as to Clean Wisconsin, Michigan Environmental Council, and Ohio Environmental Council (“Environmental amici curiae”). It is

FURTHER ORDERED that the environmental intervenors and amici curiae file a joint brief, not to exceed 8,750 words, on February 12, 2015. It is

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14-1112**September Term, 2014**

FURTHER ORDERED that the motion of the State of West Virginia, et al. for leave to intervene in support of petitioner be granted. As represented in their motion, the States are to rely on their previously-filed amici curiae brief. Within 7 days of the date of this order, the States are to electronically file and submit paper copies of their previously-filed brief with appropriate party designation and brief covers. See Fed. R. App. P. 32. It is

FURTHER ORDERED that the motion of the State of New York, et al. for leave to intervene in support of respondent be granted. As represented in their motion, the States are to rely on their previously-filed amici curiae brief. Within 7 days of the date of this order, the States are to electronically file and submit paper copies of their previously-filed brief with appropriate party designation and brief covers. See Fed. R. App. P. 32. It is

FURTHER ORDERED that the motion of UARG for leave to intervene be granted. As represented in its motion, UARG is to comply with the court's briefing schedule and file a joint brief with other intervenors for petitioner. It is

FURTHER ORDERED that the motion of the City of New York for leave to participate as amicus curiae be dismissed as moot.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk