

**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

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San Miguel Electric Cooperative, et al.,  
Intervenors  
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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

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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

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City of New York, et al.,  
Intervenors  
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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