

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1140

September Term, 2019

EPA-84FR32520

Filed On: September 11, 2019 [1806066]

American Lung Association and American
Public Health Association,

Petitioners

v.

Environmental Protection Agency and
Andrew Wheeler, Administrator,

Respondents

AEP Generating Company, et al.,
Intervenors

Consolidated with 19-1165, 19-1166,
19-1173, 19-1175, 19-1176, 19-1177,
19-1179, 19-1185, 19-1186, 19-1187,
19-1188, 19-1189

ORDER

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

National Mining Association;

Public Service Company of Oklahoma, Wheeling Power Company, Indiana Michigan
Power Company, Kentucky Power Company, Appalachian Power Company,
Southwestern Electric Power Company, AEP Generation Resources Inc., AEP
Generating Company;

Westmoreland Mining Holdings LLC;

Chamber of Commerce of the United States of America;

National Rural Electric Cooperative Association;

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1140**September Term, 2019**

America's Power; and

Murray Energy Corporation,

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

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 38 (2018), 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/
Scott H. Atchue
Deputy Clerk