

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 22-1139****September Term, 2021****EPA-87FR25412****Filed On: June 29, 2022** [1952757]

Concerned Household Electricity  
Consumer's Council, et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

**NOTICE**

This case was docketed on June 27, 2022. The Environmental Protection Agency is hereby notified that the attached is a true copy of the amended petition for review, which was filed on June 28, 2022, in the United States Court of Appeals for the District of Columbia Circuit, in the above-captioned case.

The Clerk is directed to transmit a copy of this notice, along with the amended petition for review, to respondent.

**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/  
Scott H. Atchue  
Deputy Clerk

Attachment:

Certified Copy of Petition for Review

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

**Concerned Household Electricity  
Consumers Council,**

**Petitioners,**

**v.**

**United States Environmental  
Protection Agency,**

**Respondent**

**Case No.**

**22-1139**

**AMENDED PETITION FOR REVIEW**

The Concerned Household Electricity Consumer's Council CHECC, consisting in this Petition of Joseph D'Aleo, Clement Dwyer, Jr., Scott Univer, James P. Wallace III, and Robin Weaver, hereby petitions the Court for review of the Denial of Petitions Relating to the Endangerment and Cause or Contribute Findings for Greenhouse Gases issued by Respondent United States Environmental Protection Agency, and published in the Federal Register on April 29, 2022, at 87 Fed. Reg. 25412. This amendment removes Douglas Springer and adds Robin Weaver from the membership of CHECC petitioning for review.

Respectfully submitted, this 27th day of June, 2022.

**CALDWELL, CARLSON, ELLIOTT &  
DELOACH, LLP**

/s/ Harry W. MacDougald  
Georgia Bar No. 463076  
[hmacdougald@ccedlaw.com](mailto:hmacdougald@ccedlaw.com)

*Counsel for Concerned Household  
Electricity Consumers Council*

CALDWELL, CARLSON, ELLIOTT &  
DELOACH, LLP  
Two Ravinia Drive, Suite 1600  
Atlanta, GA 30346  
(404) 843-1956 – Telephone  
(404) 843-2737 – Facsimile

**CERTIFICATE OF SERVICE**

This is to certify that I have on this day e-filed the foregoing *Petition for Review* with the Clerk of Court using the CM/ECF system, and by regular mail to the following:

Michael S. Regan, Administrator  
U.S. Environmental Protection Agency  
Mail /Code 1101A  
1200 Pennsylvania Ave. NW  
Washington DC 20004

U.S. Environmental Protection Agency  
Associate General Counsel for the Air  
and Radiation Law Office  
Mail Code 2310A  
1200 Pennsylvania Ave. NW  
Washington DC 20004

This 27th day of June, 2022.

/s/ Harry W. MacDougald

Harry W. MacDougald  
Georgia Bar No. 463076

CALDWELL, CARLSON, ELLIOTT & DELOACH, LLP  
Two Ravinia Drive, Suite 1600  
Atlanta, GA 30346

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

**Concerned Household Electricity  
Consumers Council,**

**Petitioners,**

**v.**

**United States Environmental  
Protection Agency,**

**Respondent**

**Case No.**

**22-1139**

**Consolidated with  
Case No. 22-1140**

**RULE 26.1 DISCLOSURE STATEMENT**

Pursuant to F.R.A.P. 26(1) and D.C. Circuit Rule 26.1, the Concerned Household Electricity Consumers Council CHECC submits this corporate disclosure statement.

CHECC is not an artificial legal person like a corporation. It is instead an unincorporated association of individuals who are concerned about the impact of climate policies on electricity prices. These climate policies flow from the Respondent's Endangerment Finding for Greenhouse Gases. The individuals are Joseph D'Aleo, Clement Dwyer, Jr., Scott Univer, James P. Wallace III, and Robin Weaver. There is no corporate ownership of or by CHECC.

Respectfully submitted, this 29th day of June, 2022.

**CALDWELL, CARLSON, ELLIOTT &  
DELOACH, LLP**

/s/ Harry W. MacDougald  
Georgia Bar No. 463076  
[hmacdougald@ccdlaw.com](mailto:hmacdougald@ccdlaw.com)

*Counsel for Concerned Household  
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**CERTIFICATE OF SERVICE**

This is to certify that I have on this day e-filed the foregoing **Rule 26.1 Disclosure Statement** with the Clerk of Court using the CM/ECF system, and by regular mail to the following:

Michael S. Regan, Administrator  
U.S. Environmental Protection Agency  
Mail /Code 1101A  
1200 Pennsylvania Ave. NW  
Washington DC 20004

U.S. Environmental Protection Agency  
Associate General Counsel for the Air  
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Washington DC 20004

This 29th day of June, 2022.

/s/ Harry W. MacDougald  
Harry W. MacDougald  
Georgia Bar No. 463076

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Two Ravinia Drive, Suite 1600  
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**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

**FAIR Energy Foundation,**

**Petitioner,**

**v.**

**United States Environmental  
Protection Agency,**

**Respondent**

**Case No. 22-1140**

**Consolidated with  
Case No. 22-1139**

**RULE 26.1 CORPORATE DISCLOSURE  
STATEMENT**

Pursuant to F.R.A.P. 26(1) and D.C. Circuit Rule 26.1, the FAIR Energy Foundation, submits this corporate disclosure statement.

FAIR Energy Foundation is a 501(c)(3) organization. Its purpose is to educate government, energy industry leaders, and next generation entrepreneurs about how free-market energy policies will produce prosperity through economic opportunity, ingenuity, and rising standards of living globally, security through economic prosperity producing dignity, independence, and strength, and humanity through global harmony and universal respect for and among all people.

The FAIR Energy Foundation has issued no stock and has no corporate parents or subsidiaries. It does not own stock in any other entity, and no other entity has any ownership interest in it.



Respectfully submitted, this 29th day of June, 2022.

**CALDWELL, CARLSON, ELLIOTT &  
DELOACH, LLP**

/s/ Harry W. MacDougald  
Georgia Bar No. 463076  
[hmacdougald@ccedlaw.com](mailto:hmacdougald@ccedlaw.com)

*Counsel for Concerned Household  
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This is to certify that I have on this day e-filed the foregoing ***Rule 26.1 Corporate Disclosure Statement*** with the Clerk of Court using the CM/ECF system, and by regular mail to the following:

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This 29th day of June, 2022.

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**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 22-1139****September Term, 2021****EPA-87FR25412****Filed On: June 29, 2022** [1952770]

Concerned Household Electricity  
Consumer's Council, et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

-----  
Consolidated with 22-1140

**ORDER**

The petitions for review in these cases were filed and docketed on June 27, 2022, and June 28, 2022, and assigned the above numbers. It is, on the court's own motion,

**ORDERED** that these cases be consolidated. It is

**FURTHER ORDERED** that petitioners submit the documents listed below by the dates indicated.

Certificate as to Parties, Rulings, and Related Cases	July 29, 2022
Docketing Statement Form	July 29, 2022
Procedural Motions, if any	July 29, 2022
Statement of Intent to Utilize Deferred Joint Appendix	July 29, 2022
Statement of Issues to be Raised	July 29, 2022
Underlying Decision from Which Petition Arises	July 29, 2022
Dispositive Motions, if any	August 15, 2022

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 22-1139****September Term, 2021**

It is

**FURTHER ORDERED** that respondent submit the documents listed below by the dates indicated.

Entry of Appearance Form	July 29, 2022
Procedural Motions, if any	July 29, 2022
Certified Index to the Record	August 15, 2022
Dispositive Motions, if any	August 15, 2022

It is

**FURTHER ORDERED** that briefing in this case be deferred pending further order of the court.

The Clerk is directed to transmit to respondent a copy of this order and a copy of the petition for review.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Scott H. Atchue  
Deputy Clerk

The following forms and notices are available on the Court's [website](#):

[Agency Docketing Statement Form](#)

[Entry of Appearance Form](#)

[Request to Enter Appellate Mediation Program](#)

[Notice Concerning Expedition of Appeals and Petitions for Review](#)

[Stipulation to be Placed in Stand-By Pool of Cases](#)

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

**FAIR Energy Foundation,**

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**v.**

**United States Environmental  
Protection Agency,**

**Respondent**

**Case No. 22-1140**

**Consolidated with  
Case No. 22-1139**

**AMENDED PETITION FOR REVIEW**

The FAIR Energy Foundation submits this Amended Petition for Review of the Denial of Petitions Relating to the Endangerment and Cause or Contribute Findings for Greenhouse Gases issued by Respondent United States Environmental Protection Agency, and published in the Federal Register on April 29, 2022, at 87 Fed. Reg. 25412. The purpose of this Amendment is to correct the caption of the Petition.

Respectfully submitted, this 29th day of June, 2022.

**CALDWELL, CARLSON, ELLIOTT &  
DELOACH, LLP**

/s/ Harry W. MacDougald  
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*Counsel for Concerned Household  
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/s/ Harry W. MacDougald

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**UNITED STATES COURT OF APPEALS  
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Case No.

22-1139

**PETITION FOR REVIEW**

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