

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-1140**September Term, 2021****EPA-87FR25412****Filed On: June 29, 2022** [1952768]

FAIR Energy Foundation,

Petitioner

v.

Environmental Protection Agency,

Respondent

NOTICE

This case was docketed on June 28, 2022. The Environmental Protection Agency is hereby notified that the attached is a true copy of the 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 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.

22-1140

PETITION FOR REVIEW

The FAIR Energy Foundation, Inc. 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.

Respectfully submitted, this 28th day of June, 2022.

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

/s/ Harry W. MacDougald
Georgia Bar No. 463076
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 28th 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@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 Disclosure Statement** with the Clerk of Court using the CM/ECF system, and by regular mail to the following:

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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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1200 Pennsylvania Ave. NW
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This 29th day of June, 2022.

/s/ Harry W. MacDougald
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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

*Counsel for Concerned Household
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This 29th day of June, 2022.

/s/ Harry W. MacDougald

Harry W. MacDougald
Georgia Bar No. 463076

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United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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

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,

Petitioner,

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
Georgia Bar No. 463076
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 *Amended Petition for Review* with the Clerk of Court using the CM/ECF system, and by regular mail to the following:

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U.S. Environmental Protection Agency
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U.S. Environmental Protection Agency
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This 29th day of June, 2022.

/s/ Harry W. MacDougald
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