

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

MONTANA-DAKOTA UTILITIES CO.,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and MICHAEL
S. REGAN, Administrator, United States
Environmental Protection Agency,

Respondents.

PETITION FOR REVIEW

No. 24-1227

Pursuant to 42 U.S.C. § 7607(b)(1), 5 U.S.C. §§ 701–06, Federal Rule of Appellate Procedure 15, and D.C. Circuit Rule 15, Montana-Dakota Utilities Co. petitions for review of the United States Environmental Protection Agency’s and Administrator Michael S. Regan’s rulemaking entitled *New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule*, 89 Fed. Reg. 39798 (May 9, 2024). Petitioner has attached a copy of that final rule.

DATED: July 1, 2024

/s/ Megan Berge
Megan H. Berge
Baker Botts L.L.P.
700 K Street N.W.
Washington, D.C. 20001
(415) 291-6233
(202) 639-7733

J. Mark Little
Baker Botts L.L.P.
910 Louisiana Street
Houston, TX 77002
(713) 229-1489

*Attorneys for Montana-Dakota
Utilities Co.*

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

MONTANA-DAKOTA UTILITIES CO.,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and MICHAEL
S. REGAN, Administrator, United States
Environmental Protection Agency,

Respondents.

PETITION FOR REVIEW

No. 24-1227

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, and District of Columbia Circuit Rule 26.1, Montana-Dakota Utilities Co. submits the following required Disclosure Statement:

Montana-Dakota Utilities Co. is engaged in the distribution of natural gas and the generation, transmission, and distribution of electricity in the states of North Dakota, South Dakota, Montana, and Wyoming. Montana-Dakota Utilities Co. is a direct, wholly owned subsidiary of MDU Energy Capital, LLC. MDU Energy Capital, LLC, is a direct, wholly owned subsidiary of MDU Resources Group, Inc.

No publicly held company has a 10% or greater ownership interest in MDU Resources Group, Inc.

DATED: July 1, 2024

/s/ Megan Berge
Megan H. Berge
Baker Botts L.L.P.
700 K Street N.W.
Washington, D.C. 20001
(415) 291-6233
(202) 639-7733

J. Mark Little
Baker Botts L.L.P.
910 Louisiana Street
Houston, TX 77002
(713) 229-1489

*Attorneys for Montana-Dakota
Utilities Co.*

CERTIFICATE OF SERVICE

I certify that on July 1, 2024, I caused a true and correct copy of the foregoing Petition for Review and Corporate Disclosure Statement to be served by Certified Mail, return receipt requested, addressed to the following:

Hon. Michael S. Regan
Office of the Administrator (1101A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Hon. Merrick Garland
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Correspondence Control Unit
Office of General Counsel (2310A)
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

/s/ Megan Berge
Megan H. Berge
Baker Botts L.L.P.
700 K Street N.W.
Washington, D.C. 20001
(415) 291-6233

*Attorney for Montana-Dakota Utilities
Co.*