

UNITED STATES COURT OF APPEALS

DISTRICT OF COLUMBIA CIRCUIT

333 Constitution Avenue, NW
Washington, DC 20001-2866
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AGENCY DOCKETING STATEMENT

Administrative Agency Review Proceedings (To be completed by appellant/petitioner)

- 1. CASE NO. 15-1382 2. DATE DOCKETED: 10-23-2015
3. CASE NAME (lead parties only) Chamber of Commerce et al. v. EPA
4. TYPE OF CASE: [X] Review [] Appeal [] Enforcement [] Complaint [] Tax Court
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? [] Yes [X] No
6. CASE INFORMATION:
a. Identify agency whose order is to be reviewed: United States Environmental Protection Agency
b. Give agency docket or order number(s): EPA-HQ-OAR-2013-0602; FRL-9930-65-OAR
c. Give date(s) of order(s): October 23, 2015
d. Has a request for rehearing or reconsideration been filed at the agency? [] Yes [X] No
e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2): See attached
f. Are any other cases involving the same underlying agency order pending in this Court or any other? [X] Yes [] No
g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve substantially the same issues as the instant case presents? [] Yes [X] No
h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? [] Yes [X] No

Signature /s/ Peter D. Keisler Date 12-18-2015
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ATTACH A CERTIFICATE OF SERVICE

Note: If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

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

CHAMBER OF COMMERCE OF THE)
 UNITED STATES OF AMERICA;)
 NATIONAL ASSOCIATION OF)
 MANUFACTURERS; AMERICAN FUEL &)
 PETROCHEMICAL MANUFACTURERS;)
 NATIONAL FEDERATION OF)
 INDEPENDENT BUSINESS; AMERICAN)
 CHEMISTRY COUNCIL; AMERICAN COKE)
 AND COAL CHEMICALS INSTITUTE;)
 AMERICAN FOUNDRY SOCIETY;)
 AMERICAN FOREST & PAPER)
 ASSOCIATION; AMERICAN IRON & STEEL)
 INSTITUTE; AMERICAN WOOD COUNCIL;)
 BRICK INDUSTRY ASSOCIATION;)
 ELECTRICITY CONSUMERS RESOURCE)
 COUNCIL; LIGNITE ENERGY COUNCIL;)
 NATIONAL LIME ASSOCIATION;)
 NATIONAL OILSEED PROCESSORS)
 ASSOCIATION; and PORTLAND CEMENT)
 ASSOCIATION,)

Petitioners,)

v.)

UNITED STATES ENVIRONMENTAL)
 PROTECTION AGENCY; and GINA)
 MCCARTHY, ADMINISTRATOR, UNITED)
 STATES ENVIRONMENTAL PROTECTION)
 AGENCY,)

Respondents.)

No. 15-1382

Consolidated with Lead Case No. 15-1363

November 30, 2015

ADDENDUM TO DOCKETING STATEMENT

Answer to question 6e: “Petitioners are sixteen business associations, collectively representing the interests of millions of companies in every size and sector

of American business. Some of Petitioners' members are utility companies that own existing coal- and gas-fired electric generating units, which are regulated under the challenged Rule; the Rule requires these companies to reduce the carbon dioxide emissions of their generating units, spend large sums to acquire one or more forms of emission reduction credits, or both. These companies include Petitioners in cases that have been consolidated with this one, including Luminant Generation Company and Minnkota Power Cooperative, Inc. The Rule could force some of these companies to close generating units. Others of Petitioners' members are coal-mining companies; these companies will suffer severe financial loss as the market for coal shrivels in light of the massive reduction in coal-fired generation forced by the Rule. These companies include Petitioners in cases that have been consolidated with this one, including Murray Energy Corporation. Still others of Petitioners' members, including Industrial Contractors, Inc., provide various support services to utility companies that own existing coal- and gas-fired electric generating units or to coal-mining companies; these members that provide support services will suffer significant financial harm as coal-fired generating units and coal mines reduce production. Finally, millions of Petitioners' members use electricity in their daily operations, and many members (such as heavy manufacturers) use vast amounts. By forcing a reduction in generation from some of the most affordable generating units, the Rule will increase prices for electricity for many of these members. *See* Harbert Decl. ¶ 29, Ex. 7-A, Chamber Stay Mot."

* * *

Answer to question 6f: “The Court consolidated this case with numerous other cases involving the same underlying Rule, including Case Nos. 15-1364, 15-1365, 15-1366, 15-1367, 15-1368, 15-1370, 15-1371, 15-1372, 15-1373, 15-1374, 15-1375, 15-1376, 15-1377, 15-1378, 15-1379, 15-1380, 15-1382, 15-1383, 15-1386, 15-1393, 15-1398, 15-1409, 15-1410, 15-1413, 15-1418, 15-1422.”

CERTIFICATE OF SERVICE

Pursuant to Rule 25 of the Federal Rules of Appellate Procedure and Circuit Rule 25, I hereby certify that on this 18th day of December, 2015, I caused the foregoing documents to be electronically filed with the Clerk of the Court by using the Court's CM/ECF system. All registered CM/ECF users will be served by the Court's CM/ECF system. The following counsel will be served by Federal Express:

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