

ORAL ARGUMENT NOT YET SCHEDULED
No. 16-1430 (Consolidated with No. 16-1447)
IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**TRUCK TRAILER MANUFACTURERS
ASSOCIATION, INC.,**

Petitioner,

v.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, et al.,**

Respondents.

On Petition for Review of Decision of the U.S. Environmental
Protection Agency and the U.S. Department of Transportation

**STATE INTERVENORS' MOTION FOR EXTENSION OF
TIME FOR RESPONDING TO PETITIONER TRUCK
TRAILER MANUFACTURERS ASSOCIATION'S MOTION
FOR STAY**

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(additional counsel on signature pages)

Pursuant to Rule 27(h) of the D.C. Circuit Rules, the California Air Resources Board (ARB), and the States of Connecticut, Iowa, Massachusetts, Oregon, Rhode Island, Vermont, and Washington (collectively, “State Intervenor”) hereby move for a one-week extension of time, until October 12, 2017, to file their opposition to the Motion for Stay filed by Petitioner Truck Trailer Manufacturers Association (TTMA) on September 25, 2017. Doc. No. 1694552. ARB’s counsel has contacted counsel for the parties in this action to obtain their positions on this motion. TTMA indicated it opposes this motion. Respondents indicated they do not oppose this motion. Public Health and Environmental Intervenor consent to this motion and have filed a similar one. Doc. No. 1695434.

We make this request for the same reasons stated in the Motion for Extension of Time filed by Public Health and Environmental Intervenor. *See id.* Moreover, State Intervenor require time for counsel in each of our constituent states to go through the internal processes required to obtain approval to join a responsive pleading, and these approval processes can only be initiated after we have prepared a draft of that pleading. In preparing our responsive pleading, State Intervenor are investigating the extensive new factual assertions that TTMA has made in its motion and supporting declarations concerning the potential impact of implementing the Rule’s greenhouse gas provisions on TTMA’s members and the

public, and are working with state agency staff to evaluate those assertions and gather evidence related to the public interest. TTMA waited almost nine months after filing its Petition for Review to file its stay motion. Particularly given this delay, extending Intervenors' deadlines to respond to TTMA's motion by one week so that they can prepare effective responses to the motion would not prejudice TTMA.

Dated: September 28, 2017

Respectfully Submitted,

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/s/ Melinda Pilling¹
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¹ For purposes of ECF-3(b) of this Court's Administrative Order Regarding Electronic Case filing (May 15, 2009), counsel for ARB hereby represents that the other parties listed in the signature blocks have consented to the filing of this motion.

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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing Motion for Extension of time for Responding to Petitioner Truck Trailer Manufacturers Association's Motion for Stay on all parties via the Court's electronic case filing system.

Dated: September 28, 2017

/s/ Melinda Pilling
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