

ARGUED APRIL 13, 2012
DECIDED AUGUST 21, 2012
No. 11-1302 (and consolidated cases) (COMPLEX)

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

EME Homer City Generation, L.P., et al.
Petitioners,

v.

United States Environmental Protection Agency, et al.,
Respondents,

On Petition for Review of an Action of the
United States Environmental Protection Agency

**ARIPPA'S RESPONSE IN OPPOSITION TO
EPA'S MOTION TO GOVERN FUTURE PROCEEDINGS**

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Dated: July 17, 2014

Petitioner ARIPPA respectfully submits this response to Respondent United States Environmental Protection Agency's ("EPA") Motion To Govern Future Proceedings (Doc. 1500830). ARIPPA joined Industry/Labor Petitioners' Motion To Govern Proceedings on Remand from the U.S. Supreme Court (Doc. 1500963), and restates its support of that motion herein. ARIPPA also supports the motion to govern filed by State and Local Petitioners (Doc. 1500966). ARIPPA further supports the Luminant Petitioners' response (Doc. 1501970), and State and Local Petitioners' response (Doc. 1503207), in opposition to EPA's Motion To Govern Future Proceedings.

For the reasons set forth in the motions to govern filed by Industry/Labor Petitioners and State and Local Petitioners, as well as the responses to EPA's motion to govern filed by Luminant and State and Local Petitioners, EPA's proposal fails to reflect the extent and complexity of issues remaining for this Court to resolve by requesting briefing word limits that are woefully inadequate to allow Petitioners to address such issues. Accordingly, ARIPPA respectfully requests that this Court deny EPA's Motion To Govern Future Proceedings and grant the motions to govern filed by Industry/Labor Petitioners and State and Local Petitioners.

Respectfully submitted,

/s/ Bart E. Cassidy

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Dated: July 17, 2014

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2014, I caused the foregoing Response of ARIPPA in Opposition to EPA's Motion To Govern Future Proceedings to be served on all registered counsel through the Court's CM/ECF system.

/s/ Bart E. Cassidy

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