

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 85 MAP 2022

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December 19, 2025

CAPTION

Jessica Shirley, Interim Acting Secretary of the Department of Environmental Protection and Acting Chairperson of the Environmental Quality Board

v.

Pennsylvania Legislative Reference Bureau, Vincent C. DeLiberato, Jr., Director of the Legislative Reference Bureau, and Amy J. Mendelsohn, Director of the Pennsylvania Code and Bulletin

Appeal of: Citizens for Pennsylvania's Future, Sierra Club, and Clean Air Council, Possible Intervenor

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number: J-30B-2023 May 24, 2023

Case Category: Administrative Agency

Case Type(s): Environmental Protection,
Department of
Environmental Quality Board

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type	Docket No / Reason	Type
79 MAP 2022	Consolidated	45 MAP 2022	Related
Sua Sponte		Same Record Below	
87 MAP 2022	Consolidated	McDonnell v. PA Legislative Reference Bureau et al	
Sua Sponte		79 MAP 2022	Related
		Similar Issues	
		DEP et al. Aplt v. PA Legislative Reference Bureau	
		81 MAP 2022	Related
		Similar Issues	
		Ziadeh, R v. PA Legislative Reference Bureau et al	
		83 MAP 2022	Related
		Similar Issues	
		Ziadeh, R v. PA Legislative Reference Bureau et al	
		87 MAP 2022	Related
		Similar Issues	
		DEP, et al. v. PA Legislative Reference Bureau	
		89 MAP 2022	Related
		Similar Issues	
		Bowfin KeyCon Hldgs. et al., Aplt. v. DEP et al.	
		106 MAP 2023	Related
		Same Record Below	
		DEP, et al. Aplt v. PA Legislative Ref. Bureau	
		113 MAP 2023	Related
		Same Record Below	
		DEP et al. Aplt v. PA Legislative Reference Bureau	
		114 MAP 2023	Related
		Same Record Below	
		Bowfin KeyCon Hldgs. et al. v. DEP et al.	

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RELATED CASES

Docket No / Reason	Type
115 MAP 2023	Related
Same Record Below	
DEP, et al. v. PA Legislative Reference Bureau	
116 MAP 2023	Related
Same Record Below	
Bowfin KeyCon Hldgs. et al. v. DEP et al.	

COUNSEL INFORMATION

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 Representing: Clean Air Council, Appellant
 Pro Se: No
 IFP Status:

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 Phone No: (843) 906-6402
 Receive Mail: Yes
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 Pro Se: No
 IFP Status:
 Representing: Sierra Club, Appellant
 Pro Se: No
 IFP Status:

Attorney: Bast, Emma Hope
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 Receive EMail: Yes Email:
 Representing: Citizens for Pennsylvania's Future, Appellant
 Pro Se: No
 IFP Status:
 Representing: Sierra Club, Appellant
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Pittsburgh, PA 15222
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 Representing: Citizens for Pennsylvania's Future, Appellant
 Pro Se: No
 IFP Status:
 Representing: Sierra Club, Appellant
 Pro Se: No
 IFP Status:

Attorney: Hull, Kandice Kerwin
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Browne, Pat, Appellee
 Pro Se: No
 IFP Status:
 Representing: Corman, Jake, Appellee
 Pro Se: No
 IFP Status:
 Representing: Ward, Kim, Appellee
 Pro Se: No
 IFP Status:
 Representing: Yaw, Gene, Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:
 Representing: Mendelsohn, Amy J., Appellee
 Pro Se: No
 IFP Status:
 Representing: Pennsylvania Legislative Reference Bureau, Appellee
 Pro Se: No
 IFP Status:

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 Receive EMail: Yes Email:
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 Pro Se: No
 IFP Status:
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 Pro Se: No
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 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Receive EMail: Yes Email:
 Representing: DeLiberato, Jr., Vincent C., Appellee
 Pro Se: No
 IFP Status:
 Representing: Mendelsohn, Amy J., Appellee
 Pro Se: No
 IFP Status:
 Representing: Pennsylvania Legislative Reference Bureau, Appellee
 Pro Se: No
 IFP Status:

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 Receive EMail: Yes Email:
 Representing: Negrin, Richard, Appellee
 Pro Se: No
 IFP Status:

Attorney: Butash, Andrew
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 Phone No: (717) 787-4223
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: DeLiberato, Jr., Vincent C., Appellee
 Pro Se: No
 IFP Status:
 Representing: Mendelsohn, Amy J., Appellee
 Pro Se: No
 IFP Status:
 Representing: Pennsylvania Legislative Reference Bureau, Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Receive EMail: Yes
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 Pro Se: No
 IFP Status:
 Representing: Cutler, Bryan D., Appellee
 Pro Se: No
 IFP Status:

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Attorney: Corey, Rodney A.
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 Pro Se: No
 IFP Status:
 Representing: Cutler, Bryan D., Appellee
 Pro Se: No
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 Representing: Browne, Pat, Appellee
 Pro Se: No
 IFP Status:
 Representing: Corman, Jake, Appellee
 Pro Se: No
 IFP Status:
 Representing: Ward, Kim, Appellee
 Pro Se: No
 IFP Status:
 Representing: Yaw, Gene, Appellee
 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



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COUNSEL INFORMATION

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 1735 Market St
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 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:
 Representing: Corman, Jake, Appellee
 Pro Se: No
 IFP Status:
 Representing: Ward, Kim, Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Receive EMail: Yes Email:
 Representing: Causer, Martin T., Appellee
 Pro Se: No
 IFP Status:
 Representing: Cutler, Bryan D., Appellee
 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:

Attorney: Khuri, Brigid Landy
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 IFP Status:
 Representing: Corman, Jake, Appellee
 Pro Se: No
 IFP Status:
 Representing: Ward, Kim, Appellee
 Pro Se: No
 IFP Status:
 Representing: Yaw, Gene, Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:
 Representing: Cutler, Bryan D., Appellee
 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:
 Representing: Corman, Jake, Appellee
 Pro Se: No
 IFP Status:
 Representing: Ward, Kim, Appellee
 Pro Se: No
 IFP Status:
 Representing: Yaw, Gene, Appellee
 Pro Se: No
 IFP Status:

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 Receive EMail: Yes Email:
 Representing: Negrin, Richard, Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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Representing:	Negrin, Richard, Appellee	
Pro Se:	No	
IFP Status:		

Attorney:	Brown, C. Baird	
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	17th Floor	
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Receive Mail:	Yes	
Representing:	Keystone Energy Efficiency Alliance, et al., Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Dernbach, John C.	
Address:	251 North 27th Street, Camp Hill, PA, USA	
	3800 Vartan Way	
	Camp Hill, PA 17011	
Phone No:	(717) 829-3258	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Widener University Environmental Law and Sustainability Center, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	McKinstry, Robert Bruce, Jr.	
Address:	548 School House Rd	
	Kennett Square, PA 19348	
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Receive Mail:	Yes	
Representing:	McKinstry, Robert B., Jr., Amicus Curiae	
Pro Se:	No	
IFP Status:		

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SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 41 MD 2022 dated June 28, 2022.

Appeal Filed Below: 7/20/2022 12:00:00AM

Probable Jurisdiction Noted:

Docketed Date:

July 20, 2022

Allocatur/Miscellaneous Granted:

Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/25/2022	Notice of Appeal	90.25	07/25/2022	2022-SUP-M-001698	361.00

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:

Docket Number:

Date of Order:

Rearg/Recon Disp Date:

Rearg/Recon Disposition:

Judge(s):

Intermediate Appellate Court Action:

Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania

County:

Division: Commonwealth Court of Pennsylvania

Date of Agency/Trial Court Order: June 28, 2022

Docket Number: 41 MD 2022

Judge(s): Wojcik, Michael H.

OTN:

Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)		3 Boxes
Transcript(s)		5
Exhibit(s)		4 Binders
Part(s)	June 11, 2024	25 - Commonwealth Court Supplemental Record
@ 106 MAP 2023	August 05, 2024	

Record Remittal: August 5, 2024

BRIEFING SCHEDULE

Amicus Curiae

Keystone Energy Efficiency Alliance, et al.

Brief

Due: November 4, 2022

Filed: November 4, 2022

Appellee

Browne, Pat

Brief

Due: November 28, 2022

Filed: November 28, 2022

McKinstry, Robert B., Jr.

Brief

Supplemental Brief

Due: January 22, 2024

Filed: January 22, 2024

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BRIEFING SCHEDULE

Amicus Curiae**McKinstry, Robert B., Jr.****Brief**

Due: November 4, 2022

Filed: November 7, 2022

**Widener University Environmental Law and
Sustainability Center****Brief**

Due: November 4, 2022

Filed: November 7, 2022

Appellant**Citizens for Pennsylvania's Future****Brief**

Due: November 4, 2022

Filed: November 4, 2022

Reply Brief

Due: December 5, 2022

Filed: December 5, 2022

Reproduced Record

Due: November 4, 2022

Filed: November 4, 2022

Supplemental Brief

Due: January 8, 2024

Filed: January 8, 2024

Clean Air Council**Brief**

Due: November 4, 2022

Filed: November 4, 2022

Reply Brief

Due: December 5, 2022

Filed: December 5, 2022

Reproduced Record

Due: November 4, 2022

Filed: November 4, 2022

Supplemental Brief

Due: January 8, 2024

Filed: January 8, 2024

Sierra Club**Brief**

Due: November 4, 2022

Filed: November 4, 2022

Reply Brief

Due: December 5, 2022

Filed: December 5, 2022

Reproduced Record

Due: November 4, 2022

Filed: November 4, 2022

Supplemental Brief

Due: January 8, 2024

Filed: January 8, 2024

Appellee**Browne, Pat****Causer, Martin T.****Brief**

Due: November 28, 2022

Filed: November 28, 2022

Supplemental Brief

Due: January 22, 2024

Filed: January 22, 2024

Corman, Jake**Brief**

Due: November 28, 2022

Filed: November 28, 2022

Supplemental Brief

Due: January 22, 2024

Filed: January 22, 2024

Cutler, Bryan D.**Brief**

Due: November 28, 2022

Filed: November 28, 2022

Supplemental Brief

Due: January 22, 2024

Filed: January 22, 2024

DeLiberato, Jr., Vincent C.**Brief**

Due: November 28, 2022

Filed:

Supplemental Brief

Due: January 22, 2024

Filed:

Mendelsohn, Amy J.**Brief**

Due: November 28, 2022

Filed:

Supplemental Brief

Due: January 22, 2024

Filed:

Negrin, Richard**Brief**

Due: November 28, 2022

Filed:

Supplemental Brief

Due: January 22, 2024

Filed:

Pennsylvania Legislative Reference Bureau**Brief**

Due: November 28, 2022

Filed:

Supplemental Brief

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BRIEFING SCHEDULE

Appellee

Pennsylvania Legislative Reference Bureau

Supplemental Brief

Due: January 22, 2024 Filed:

Ward, Kim

Brief

Due: November 28, 2022 Filed: November 28, 2022

Supplemental Brief

Due: January 22, 2024 Filed: January 22, 2024

Yaw, Gene

Brief

Due: November 28, 2022 Filed: November 28, 2022

Supplemental Brief

Due: January 22, 2024 Filed: January 22, 2024

SESSION INFORMATION

Journal Number: J-30B-2023
 Listed/Submitted Date: May 24, 2023
 Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-30B-2023	Judgment Date:	July 18, 2024
Category:	Decided	Disposition Author:	Dougherty, Kevin M.
Disposition:	Reversed	Disposition Date:	July 18, 2024
Dispositional Filing:	Majority Opinion	Author:	Dougherty, Kevin M.

Filed Date: July 18, 2024

Justice:	Todd, Debra	Vote:	Joins
Justice:	Donohue, Christine	Vote:	Joins
Justice:	Wecht, David N.	Vote:	Joins

Dispositional Filing:	Concurring Opinion	Author:	Donohue, Christine
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Filed Date: July 18, 2024

Justice:	Todd, Debra	Vote:	Join Concurring Opinion
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Dispositional Filing:	Concurring/Dissenting Opinion	Author:	Mundy, Sallie U.
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Filed Date: July 18, 2024

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DISPOSITION INFORMATION

Dispositional Filing: **Concurring/Dissenting Opinion** Author: Brobson, P. Kevin

Filed Date: July 18, 2024

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 20, 2022	Notice of Appeal	Appellant	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
July 20, 2022	Jurisdictional Statement	Appellant	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
August 3, 2022	Answer to Notice of Appeal & Jurisdictional Statement	Appellee	Benninghoff, Kerry A.
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.
August 3, 2022	Answer to Notice of Appeal & Jurisdictional Statement	Appellee	Browne, Pat
		Appellee	Corman, Jake
		Appellee	Ward, Kim
		Appellee	Yaw, Gene
August 3, 2022	No Answer Letter to Notice of Appeal & Jurisdictional Statement	Appellee	Negrin, Richard
August 3, 2022	Answer to Notice of Appeal & Jurisdictional Statement	Appellee	DeLiberato, Jr., Vincent C.
		Appellee	Mendelsohn, Amy J.
		Appellee	Pennsylvania Legislative Reference Bureau
August 5, 2022	Application for Leave to Join Application to Consolidate and Expedite Appeals	Appellant	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
August 8, 2022	No Answer Letter to Application to Expedite and Consolidate	Appellee	Negrin, Richard

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 10, 2022	No Answer Letter to Application to Expedite and Consolidate	Appellee Appellee Appellee	DeLiberato, Jr., Vincent C. Mendelsohn, Amy J. Pennsylvania Legislative Reference Bureau
August 10, 2022	Answer to Application to Expedite and Consolidate	Appellee Appellee Appellee	Benninghoff, Kerry A. Cutler, Bryan D. Causer, Martin T.
August 10, 2022	Answer to Application to Expedite and Consolidate	Appellee Appellee Appellee Appellee	Browne, Pat Corman, Jake Ward, Kim Yaw, Gene
August 30, 2022	Notice of Disclosure		Brobson, P. Kevin
October 12, 2022	Jurisdiction Postponed		Per Curiam
Comments: AND NOW, this 12th day of October, 2022, the determination of this Court's jurisdiction is DEFERRED to consideration of the briefs. In addition to the issues set forth in purported Appellants' jurisdictional statements, purported Appellants and the parties, including those who attained party status when the Commonwealth Court permitted them to intervene, are ORDERED to address the appealability of the Commonwealth Court's order denying purported Appellants' intervention request. See Markham v. Wolf, 136 A.3d 134, 138 n.4 (Pa. 2016) (explaining that an order denying intervention is immediately appealable under the collateral order doctrine). See also Pa.R.A.P. 313 (setting forth the collateral order doctrine). Purported Appellants and the parties are ORDERED to file briefs that jointly address both of the appeals captioned on this order. The Combined Application for Leave to Join Application of Appellant Constellation is DISMISSED.			
October 12, 2022	Order Exited		Office of the Prothonotary
October 14, 2022	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
October 21, 2022	Designation of Contents of Reproduced Record	Appellant	Citizens for Pennsylvania's Future
November 4, 2022	Appellant's Brief	Appellant Appellant Appellant	Citizens for Pennsylvania's Future Clean Air Council Sierra Club

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 4, 2022	Appellant's Reproduced Record (3 volumes)	Appellant Appellant Appellant	Citizens for Pennsylvania's Future Clean Air Council Sierra Club
November 4, 2022	Amicus Curiae Brief	Amicus Curiae	Keystone Energy Efficiency Alliance, et al.
November 7, 2022	Amicus Curiae Brief	Amicus Curiae Amicus Curiae	McKinstry, Robert B., Jr. Widener University Environmental Law and Sustainability Center
November 28, 2022	Appellee's Brief	Appellee Appellee Appellee Appellee	Browne, Pat Corman, Jake Ward, Kim Yaw, Gene
November 28, 2022	Appellee's Brief	Appellee Appellee Appellee	Benninghoff, Kerry A. Cutler, Bryan D. Causer, Martin T.
December 5, 2022	Appellant's Reply Brief	Appellant Appellant Appellant	Citizens for Pennsylvania's Future Clean Air Council Sierra Club
December 5, 2022	Application for Order Confirming Substitution of Parties and Amending Caption of Appellees	Appellee Appellee Appellee Appellee	Browne, Pat Corman, Jake Ward, Kim Yaw, Gene
Comments: Requesting "Senate President Pro Tempore Jake Corman, Senate Majority Leader Kim Ward, and Senate Committee Chair Pat Browne" changed to "Senator Kim Ward, Interim Senate President Pro Tempore; Senator Joseph Pittman, Senate Majority Leader; Senator Scott Martin, Chair of the Senate Appropriations Committee"			
December 19, 2022	Answer in Support of Application for Order Confirming Substitution of Parties and Amending Caption o	Appellee Appellee Appellee	Benninghoff, Kerry A. Cutler, Bryan D. Causer, Martin T.

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 19, 2022	No Answer to App. for Order Confirming Substitution of Parties and Amending Caption of Appellees	Appellee Appellee Appellee	DeLiberato, Jr., Vincent C. Mendelsohn, Amy J. Pennsylvania Legislative Reference Bureau

March 21, 2023 **Dispositional Memo Order**

Per Curiam

Comments:

AND NOW, this 21st day of March, 2023, oral argument is GRANTED in the appeals docketed at 85 MAP 2022 and 87 MAP 2022, and a determination of jurisdiction is DEFERRED to consideration of the briefs; in the appeal docketed at 79 MAP 2022, oral argument is GRANTED, LIMITED to the following issues as phrased by the appellant:

1. Did Commonwealth Court err in determining that Senators raised a substantial legal question with respect to whether RGGI Rulemaking's CO2 emission allowances are taxes, not fees?
2. Did Commonwealth Court err in determining that Senators demonstrated irreparable harm?
3. Did Commonwealth Court err in failing to properly balance the harms alleged by Senators with the harms the Commonwealth demonstrated would occur if the RGGI Regulation were enjoined?
4. Did Commonwealth Court err in failing to properly assess the public interest in implementing and enforcing the RGGI Regulation?
5. Did Commonwealth Court err in determining that enjoining the RGGI Regulation would abate the harms alleged by Senate Intervenors?

The remaining issues in the appeal docketed at 79 MAP 2022 are submitted on the briefs, and the Court will not entertain them at oral argument.

The Senate Intervenors' Application for Order Confirming Substitution of Parties and Amending Caption in the appeal docketed at 79 MAP 2022 is GRANTED without prejudice to any party's ability to challenge legislative standing, which will be decided on the briefs. See Pa.R.A.P. 502(c).

March 21, 2023 **Order Exited**

Office of the Prothonotary

March 30, 2023 **Acknowledgement of Argument Notice**

Corman, Jake	Appellee	Hull, Kandice Kerwin
Ward, Kim	Appellee	Hull, Kandice Kerwin
Yaw, Gene	Appellee	Hull, Kandice Kerwin
Browne, Pat	Appellee	Hull, Kandice Kerwin
Ward, Kim	Appellee	Crompton, J. Andrew
Yaw, Gene	Appellee	Crompton, J. Andrew
Browne, Pat	Appellee	Crompton, J. Andrew
Corman, Jake	Appellee	Crompton, J. Andrew
Ward, Kim	Appellee	Khuri, Brigid Landy
Yaw, Gene	Appellee	Khuri, Brigid Landy
Browne, Pat	Appellee	Khuri, Brigid Landy
Corman, Jake	Appellee	Khuri, Brigid Landy

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 30, 2023	Acknowledgement of Argument Notice		
	Pennsylvania Legislative Reference Bureau	Appellee	Klein, Peter William
	DeLiberato, Jr., Vincent C.	Appellee	Klein, Peter William
	Mendelsohn, Amy J.	Appellee	Klein, Peter William
March 31, 2023	Acknowledgement of Argument Notice		
	Citizens for Pennsylvania's Future	Appellant	O'Neill, Jessica Rose
	Sierra Club	Appellant	O'Neill, Jessica Rose
April 4, 2023	Praecipe to Substitute (Cutler for Benninghoff & Causer for Metcalfe)		
		Appellee	Benninghoff, Kerry A.
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.
Comments: Pursuant to Pennsylvania Rule of Appellate Procedure 502(c): Substitute Representative Bryan D. Cutler, Leader of the House Republican Caucus, for Representative Kerry A. Benninghoff. Substitute Representative Martin T. Causer, Republican Chair of the House Environmental Resources and Energy Committee, for former-Representative Daryl D. Metcalfe. Representative Kerry Benninghoff not participating as a party as is no longer the Leader of the House Republican Caucus.			
April 11, 2023	Acknowledgement of Argument Notice		
	Cutler, Bryan D.	Appellee	Kutz, James John
	Benninghoff, Kerry A.	Appellee	Kutz, James John
	Causer, Martin T.	Appellee	Kutz, James John
May 24, 2023	Argued		
	Citizens for Pennsylvania's Future	Appellant	O'Neill, Jessica Rose
	Sierra Club	Appellant	O'Neill, Jessica Rose
	Ward, Kim	Appellee	Hull, Kandice Kerwin
	Yaw, Gene	Appellee	Hull, Kandice Kerwin
	Browne, Pat	Appellee	Hull, Kandice Kerwin
	Corman, Jake	Appellee	Hull, Kandice Kerwin
	Ward, Kim	Appellee	Khuri, Brigid Landy
	Yaw, Gene	Appellee	Khuri, Brigid Landy
	Browne, Pat	Appellee	Khuri, Brigid Landy
	Corman, Jake	Appellee	Khuri, Brigid Landy
	Negrin, Richard	Appellee	White, Matthew Adam
	McDonnell, Patrick J.	Appellee	White, Matthew Adam
	Patrick J. McDonnell, Secretary of the Department of Environmental Protection	Appellee	White, Matthew Adam

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 18, 2023	Order Directing Filing of Supplemental Briefs		Per Curiam
Comments:			
AND NOW, this 18th day of December, 2023, the parties are hereby directed to file supplemental briefs addressing whether the appeals should be dismissed as moot in light of the Commonwealth Court's order on November 1, 2023. Appellants' briefs are due within 21 days of the date of this order, and appellees' briefs are due within 14 days of service of appellants' briefs.			
December 18, 2023	Order Exited		Office of the Prothonotary
January 8, 2024	Appellant's Supplemental Brief	Appellant Appellant Appellant	Citizens for Pennsylvania's Future Clean Air Council Sierra Club
January 12, 2024	Praeipce for Appearance Negrin, Richard	Appellee	Watson, Travis Wood
January 12, 2024	Praeipce for Appearance Negrin, Richard	Appellee	Burruss, John Chesley
January 22, 2024	Appellee's Supplemental Brief	Appellee Appellee	Cutler, Bryan D. Causar, Martin T.
January 22, 2024	Appellee's Supplemental Brief	Appellee Appellee Appellee Appellee	Browne, Pat Corman, Jake Ward, Kim Yaw, Gene
February 19, 2024	Praeipce for Withdrawal of Appearance Clean Air Council Clean Air Council	Appellant Appellant	Minott, Joseph Otis Cohen, Paul Jay, II
June 11, 2024	Supplemental Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
July 18, 2024	Reversed		Dougherty, Kevin M.

Comments:

For the foregoing reasons, in the appeal docketed at 85 MAP 2022, the order of the Commonwealth Court is reversed, and the appeal docketed at 87 MAP 2022 is dismissed as moot.

Chief Justice Todd and Justices Donohue and Wecht join the opinion.

Justice Donohue files a concurring opinion in which Chief Justice Todd joins.

Justice Mundy files a concurring and dissenting opinion.

Justice Brobson files a concurring and dissenting opinion.

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 18, 2024	Judgment Entered		Office of the Prothonotary
August 5, 2024	Remitted		Office of the Prothonotary
August 7, 2024	Acknowledgement of opinion dated July 19, 2024.		Commonwealth Court of Pennsylvania