Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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 Intervenors

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

Docket No / Reason	Type
79 MAP 2022 Sua Sponte	Consolidated
87 MAP 2022 Sua Sponte	Consolidated

RELATED CASES

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

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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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Pro Se:	No
IFP/Waiver:	

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Pro Se:	No
IFP/Waiver:	
Representing:	Sierra Club, Appellant
Pro Se:	No
IFP/Waiver:	

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Receive Mail:	Yes
Receive EMail:	Yes Email:
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Pro Se:	No
IFP/Waiver:	
Representing:	Sierra Club, Appellant
Pro Se:	No
IFP/Waiver:	

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Pro Se:	No	
IFP/Waiver:		
Representing:	Sierra Club, Appellant	
Pro Se:	No	
IFP/Waiver:		

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Receive Mail:	Yes	
Receive EMail:	Yes	Email:
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Pro Se:	No	
IFP/Waiver:		
Representing:	Corman, Jake, Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Ward, Kim, Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Yaw, Gene, Appellee	
Pro Se:	No	
IFP/Waiver:		

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COUNSEL INFORMATION

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

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Receive EMail:	Yes	Email:
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Pro Se:	No	
IFP/Waiver:		
Representing:	Cutler, Bryan D., Appellee	
Pro Se:	No	
IFP/Waiver:		

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

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

COUNSEL INFORMATION

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Representing:	DeLiberato, Jr., Vincent C., Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Mendelsohn, Amy J., Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Pennsylvania Legislative Reference Bureau, Appellee	
Pro Se:	No	
IFP/Waiver:		

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Receive EMail:	Yes	Email:
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Pro Se:	No	
IFP/Waiver:		

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

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

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IFP/Waiver:		
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IFP/Waiver:		

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Representing:	Browne, Pat, Appellee
Pro Se:	No
IFP/Waiver:	
Representing:	Corman, Jake, Appellee
Pro Se:	No
IFP/Waiver:	
Representing:	Ward, Kim, Appellee
Pro Se:	No
IFP/Waiver:	
Representing:	Yaw, Gene, Appellee
Pro Se:	No
IFP/Waiver:	

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Supreme Court of Pennsylvania

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November 20, 2026

COUNSEL INFORMATION

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Receive EMail:	Yes	Email:
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Pro Se:	No	
IFP/Waiver:		
Representing:	Corman, Jake, Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Ward, Kim, Appellee	
Pro Se:	No	
IFP/Waiver:		

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COUNSEL INFORMATION

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IFP/Waiver:		

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

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

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

COUNSEL INFORMATION

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IFP/Waiver:	

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Pro Se:	No
IFP/Waiver:	

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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

McKinstry, Robert B., Jr.
Brief

Appellee
Browne, Pat
Brief
Due: November 28, 2022 Filed: November 28, 2022

Supplemental Brief
Due: January 22, 2024 Filed: January 22, 2024

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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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Supreme Court of Pennsylvania

Appeal Docket Sheet
Docket Number: 85 MAP 2022

November 20, 2026

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

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Supreme Court of Pennsylvania

Appeal Docket Sheet

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November 20, 2026

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 Number: 85 MAP 2022

November 20, 2026

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 10, 2022	**No Answer Letter to Application to Expedite and Consolidate**		
		Appellee	DeLiberato, Jr., Vincent C.
		Appellee	Mendelsohn, Amy J.
		Appellee	Pennsylvania Legislative Reference Bureau
August 10, 2022	**Answer to Application to Expedite and Consolidate**		
		Appellee	Benninghoff, Kerry A.
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.
August 10, 2022	**Answer to Application to Expedite and Consolidate**		
		Appellee	Browne, Pat
		Appellee	Corman, Jake
		Appellee	Ward, Kim
		Appellee	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	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club

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Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 4, 2022	**Appellant's Reproduced Record (3 volumes)**		
		Appellant	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
November 4, 2022	**Amicus Curiae Brief**		
		Amicus Curiae	Keystone Energy Efficiency Alliance, et al.
November 7, 2022	**Amicus Curiae Brief**		
		Amicus Curiae	McKinstry, Robert B., Jr.
		Amicus Curiae	Widener University Environmental Law and Sustainability Center
November 28, 2022	**Appellee's Brief**		
		Appellee	Browne, Pat
		Appellee	Corman, Jake
		Appellee	Ward, Kim
		Appellee	Yaw, Gene
November 28, 2022	**Appellee's Brief**		
		Appellee	Benninghoff, Kerry A.
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.
December 5, 2022	**Appellant's Reply Brief**		
		Appellant	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
December 5, 2022	**Application for Order Confirming Substitution of Parties and Amending Caption of Appellees**		
		Appellee	Browne, Pat
		Appellee	Corman, Jake
		Appellee	Ward, Kim
		Appellee	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	Benninghoff, Kerry A.
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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	DeLiberato, Jr., Vincent C.
		Appellee	Mendelsohn, Amy J.
		Appellee	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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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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	Citizens for Pennsylvania's Future
		Appellant	Clean Air Council
		Appellant	Sierra Club
January 12, 2024	**Praecipe for Appearance**		
	Negrin, Richard	Appellee	Watson, Travis Wood
January 12, 2024	**Praecipe for Appearance**		
	Negrin, Richard	Appellee	Burruss, John Chesley
January 22, 2024	**Appellee's Supplemental Brief**		
		Appellee	Cutler, Bryan D.
		Appellee	Causer, Martin T.
January 22, 2024	**Appellee's Supplemental Brief**		
		Appellee	Browne, Pat
		Appellee	Corman, Jake
		Appellee	Ward, Kim
		Appellee	Yaw, Gene
February 19, 2024	**Praecipe for Withdrawal of Appearance**		
	Clean Air Council	Appellant	Minott, Joseph Otis
	Clean Air Council	Appellant	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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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 85 MAP 2022

November 20, 2026

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

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