

**Miscellaneous Docket Sheet**

Commonwealth Court of Pennsylvania

**Docket Number: 357 MD 2022****Page 1 of 16****May 5, 2026****CAPTION**

Calpine Corporation,  
Tenaska Westmoreland  
Management, LLC and  
Fairless Energy, L.L.C.,  
Petitioners

v.

Pennsylvania Department of  
Environmental Protection  
and Pennsylvania  
Environmental Quality Board,  
Respondents

**CASE INFORMATION**

Initiating Document: Petition for Review

Case Status: Closed

Case Processing Status: January 8, 2024 Completed

Journal Number: 10-02-2023

Case Category: Miscellaneous Case Type(s): Declaratory Judgment

**CONSOLIDATED CASES****RELATED CASES**

Docket No / Reason	Type
41 MD 2022 Similar Issue(s)	Related
247 MD 2022 Similar Issue(s)	Related

**COUNSEL INFORMATION****Petitioner Tenaska Westmoreland Management, LLC**

IFP Status:

Pro Se: No

Attorney: Bockis, Andrew Tyler  
Address: Saul Ewing Arnstein & Lehr LLP  
2 N 2ND St Fl 7  
Harrisburg, PA 17101-1619  
Phone No: (717) 257-7520 Fax No:

Attorney: Dixon, John Rolland  
Law Firm: Saul Ewing Arnstein & Lehr LLP  
Address: Saul Ewing Arnstein & Lehr  
2 N Second St 7th Fl  
Harrisburg, PA 17101  
Phone No: (717) 257-7561 Fax No:

## Miscellaneous Docket Sheet

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## COUNSEL INFORMATION

Attorney: Simon, Shane Patrick  
 Law Firm: Saul Ewing Arnstein & Lehr LLP  
 Address: 1500 Market St 38th Fl  
 Philadelphia, PA 19102  
 Phone No: (215) 972-7160 Fax No:

Attorney: Lantz, Delene Rachel  
 Address: Penn National Insurance Tower  
 2 North Second Street 7th Floor  
 Harrisburg, PA 17101  
 Phone No: (717) 257-7569 Fax No:

Attorney: Feinauer, Blaine Robert  
 Address: Saul Ewing Arnstein & Lehr Llp  
 1200 Liberty Ridge Dr Ste 200  
 Wayne, PA 19087  
 Phone No: (610) 251-5776 Fax No:

**Petitioner Fairless Energy, L.L.C.**

IFP Status:

Pro Se: No

Attorney: Bockis, Andrew Tyler  
 Address: Saul Ewing Arnstein & Lehr Llp  
 2 N 2ND St Fl 7  
 Harrisburg, PA 17101-1619  
 Phone No: (717) 257-7520 Fax No:

Attorney: Dixon, John Rolland  
 Law Firm: Saul Ewing Arnstein & Lehr LLP  
 Address: Saul Ewing Arnstein & Lehr  
 2 N Second St 7th Fl  
 Harrisburg, PA 17101  
 Phone No: (717) 257-7561 Fax No:

Attorney: Simon, Shane Patrick  
 Law Firm: Saul Ewing Arnstein & Lehr LLP  
 Address: 1500 Market St 38th Fl  
 Philadelphia, PA 19102  
 Phone No: (215) 972-7160 Fax No:

Attorney: Lantz, Delene Rachel  
 Address: Penn National Insurance Tower  
 2 North Second Street 7th Floor  
 Harrisburg, PA 17101  
 Phone No: (717) 257-7569 Fax No:

Attorney: Feinauer, Blaine Robert  
 Address: Saul Ewing Arnstein & Lehr Llp  
 1200 Liberty Ridge Dr Ste 200  
 Wayne, PA 19087  
 Phone No: (610) 251-5776 Fax No:

**Miscellaneous Docket Sheet****Docket Number: 357 MD 2022****Page 3 of 16****May 5, 2026****COUNSEL INFORMATION****Petitioner Calpine Corporation**

IFP Status:

Pro Se: No

Attorney: Bockis, Andrew Tyler  
 Address: Saul Ewing Arnstein & Lehr Llp  
 2 N 2ND St Fl 7  
 Harrisburg, PA 17101-1619  
 Phone No: (717) 257-7520 Fax No:

Attorney: Dixon, John Rolland  
 Law Firm: Saul Ewing Arnstein & Lehr LLP  
 Address: Saul Ewing Arnstein & Lehr  
 2 N Second St 7th Fl  
 Harrisburg, PA 17101  
 Phone No: (717) 257-7561 Fax No:

Attorney: Simon, Shane Patrick  
 Law Firm: Saul Ewing Arnstein & Lehr LLP  
 Address: 1500 Market St 38th Fl  
 Philadelphia, PA 19102  
 Phone No: (215) 972-7160 Fax No:

Attorney: Lantz, Delene Rachel  
 Address: Penn National Insurance Tower  
 2 North Second Street 7th Floor  
 Harrisburg, PA 17101  
 Phone No: (717) 257-7569 Fax No:

Attorney: Feinauer, Blaine Robert  
 Address: Saul Ewing Arnstein & Lehr Llp  
 1200 Liberty Ridge Dr Ste 200  
 Wayne, PA 19087  
 Phone No: (610) 251-5776 Fax No:

## Miscellaneous Docket Sheet

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## COUNSEL INFORMATION

**Amicus Curiae****Sierra Club**

IFP Status:

Pro Se:

No

Attorney: O'Neill, Jessica Rose  
 Law Firm: Citizens for Pennsylvania's Future  
 Address: 1429 Walnut St Ste 400  
 Philadelphia, PA 19102  
 Phone No: (843) 906-6402 Fax No:

Attorney: Kilbert, Angela Mae  
 Law Firm: PennFuture  
 Address: 200 First Avenue  
 Suite 101  
 Pittsburgh, PA 15222  
 Phone No: (412) 760-8495 Fax No:

Attorney: Bast, Emma Hope  
 Law Firm: PennFuture  
 Address: 1429 Walnut St Ste 400  
 Philadelphia, PA 19102  
 Phone No: (267) 838-9154 Fax No:

**Amicus Curiae****Clean Air Council**

IFP Status:

Pro Se:

No

Attorney: Minott, Joseph Otis  
 Law Firm: Clean Air Council  
 Address: 135 S 19TH St Ste 300  
 Philadelphia, PA 19103-4920  
 Phone No: (215) 567-4004 Fax No:

Attorney: Bomstein, Alexander George  
 Law Firm: Clean Air Council  
 Address: 135 S 19TH St Ste 300  
 Philadelphia, PA 19103  
 Phone No: (215) 567-4004 Fax No:

Attorney: Cohen, Paul Jay, II  
 Law Firm: Clean Air Council  
 Address: 135 S 19TH St  
 Philadelphia, PA 19103  
 Phone No: (215) 567-4004 Fax No:

**Miscellaneous Docket Sheet****Docket Number: 357 MD 2022****Page 5 of 16****May 5, 2026****COUNSEL INFORMATION****Amicus Curiae****Citizens for Pennsylvania's Future**

IFP Status:

Pro Se:

No

Attorney: O'Neill, Jessica Rose  
 Law Firm: Citizens for Pennsylvania's Future  
 Address: 1429 Walnut St Ste 400  
 Philadelphia, PA 19102  
 Phone No: (843) 906-6402 Fax No:

Attorney: Kilbert, Angela Mae  
 Law Firm: PennFuture  
 Address: 200 First Avenue  
 Suite 101  
 Pittsburgh, PA 15222  
 Phone No: (412) 760-8495 Fax No:

Attorney: Bast, Emma Hope  
 Law Firm: PennFuture  
 Address: 1429 Walnut St Ste 400  
 Philadelphia, PA 19102  
 Phone No: (267) 838-9154 Fax No:

**Possible Intervenor****Constellation Energy Generation LLC**

IFP Status:

Pro Se:

No

Attorney: Van Orden, James F.  
 Law Firm: Cozen O'Connor  
 Address: 1650 Market Street, Suite 2800  
 Philadelphia, PA 19103  
 Phone No: (215) 665-4625 Fax No:

Attorney: Hummel, Amorie Ivette  
 Law Firm: Cozen O'Connor  
 Address: 1 Liberty Pl  
 1650 Market St Ste 2800  
 Philadelphia, PA 19103  
 Phone No: (215) 665-4643 Fax No:

**Miscellaneous Docket Sheet****Docket Number: 357 MD 2022****Page 6 of 16****May 5, 2026****COUNSEL INFORMATION**

**Possible Intervenor**                      **Constellation Energy Corporation**  
 IFP Status:  
 Pro Se:                                      No  
 Attorney:                                  Van Orden, James F.  
 Law Firm:                                  Cozen O'Connor  
 Address:                                    1650 Market Street, Suite 2800  
     Philadelphia, PA 19103  
 Phone No:                                  (215) 665-4625                              Fax No:

Attorney:                                  Hummel, Amorie Ivette  
 Law Firm:                                  Cozen O'Connor  
 Address:                                    1 Liberty Pl  
     1650 Market St Ste 2800  
     Philadelphia, PA 19103  
 Phone No:                                  (215) 665-4643                              Fax No:

**Respondent**                                  **Pennsylvania Environmental Quality Board**  
 IFP Status:  
 Pro Se:                                      No  
 Attorney:                                  Gallagher, Thomas Joseph, IV  
 Law Firm:                                  Ballard Spahr, LLP  
 Address:                                    Ballard Spahr Llp  
     1735 Market St  
     Philadelphia, PA 19103-7599  
 Phone No:                                  (215) 864-8383                              Fax No:

Attorney:                                  White, Matthew Adam  
 Law Firm:                                  Ballard Spahr, LLP  
 Address:                                    Ballard Spahr Llp  
     1735 Market St Fl 51  
     Philadelphia, PA 19103-7599  
 Phone No:                                  (215) 864-8849                              Fax No:

Attorney:                                  Hazlett, Thomas W.  
 Law Firm:                                  Ballard Spahr LLP  
 Address:                                    1735 Market St Fl 51  
     Philadelphia, PA 19103  
 Phone No:                                  (215) 665-8500                              Fax No:

Attorney:                                  Kearney, Brian Nolan  
 Law Firm:                                  Ballard Spahr LLP  
 Address:                                    1735 Market St 51st Fl  
     Philadelphia, PA 19103-7599  
 Phone No:                                  (215) 864-8265                              Fax No:

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**COUNSEL INFORMATION****Respondent** Pennsylvania Department of Environmental Protection

IFP Status:

Pro Se: No

Attorney: Gallagher, Thomas Joseph, IV

Law Firm: Ballard Spahr, LLP

Address: Ballard Spahr Llp  
1735 Market St  
Philadelphia, PA 19103-7599

Phone No: (215) 864-8383 Fax No:

Attorney: White, Matthew Adam

Law Firm: Ballard Spahr, LLP

Address: Ballard Spahr Llp  
1735 Market St Fl 51  
Philadelphia, PA 19103-7599

Phone No: (215) 864-8849 Fax No:

Attorney: Hazlett, Thomas W.

Law Firm: Ballard Spahr LLP

Address: 1735 Market St Fl 51  
Philadelphia, PA 19103

Phone No: (215) 665-8500 Fax No:

Attorney: Kearney, Brian Nolan

Law Firm: Ballard Spahr LLP

Address: 1735 Market St 51st Fl  
Philadelphia, PA 19103-7599

Phone No: (215) 864-8265 Fax No:

**FEE INFORMATION**

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/12/2022	Miscellaneous Docket Filing Fee	70.25	07/12/2022	2022-CMW-H-001330	70.25
02/02/2023	Copy Work (Per Page)	27.50	02/02/2023	2023-CMW-H-000200	27.50

**AGENCY/TRIAL COURT INFORMATION**

Order Appealed From:

Notice of Appeal Filed:

Order Type:

Documents Received: July 12, 2022

Court Below:

County:

Division:

Judge:

OTN:

Docket Number:

Judicial District:

**ORIGINAL RECORD CONTENT**

Original Record Item	Filed Date	Content Description
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**Date of Remand of Record:****BRIEFING SCHEDULE****Amicus Curiae****Respondent**

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## BRIEFING SCHEDULE

## Amicus Curiae

Citizens for Pennsylvania's Future  
Brief

Due: Filed: December 9, 2022

## Respondent

Pennsylvania Department of Environmental Protection  
Brief

Due: December 9, 2022 Filed: December 9, 2022

Clean Air Council  
Brief

## Reply Brief

Due: Filed: January 20, 2023

Sierra Club  
Brief

Pennsylvania Environmental Quality Board  
Brief

Due: Filed: December 9, 2022

Due: December 9, 2022 Filed: December 9, 2022

## Petitioner

Calpine Corporation  
Brief

## Reply Brief

Due: Filed: January 20, 2023

Due: January 6, 2023 Filed: January 6, 2023

Fairless Energy, L.L.C.  
Brief

Due: January 6, 2023 Filed: January 6, 2023

Tenaska Westmoreland Management, LLC  
Brief

Due: January 6, 2023 Filed: January 6, 2023

## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>July 12, 2022</b>	Petition for Review Filed Calpine Corporation Tenaska Westmoreland Management, LLC Fairless Energy, L.L.C.		Petitioner Petitioner Petitioner	
<b>July 12, 2022</b>	Affidavit Filed Bockis, Andrew Tyler Bockis, Andrew Tyler Bockis, Andrew Tyler Document Name: Return of Service.	Calpine Corporation Tenaska Westmoreland Managemer Fairless Energy, L.L.C.	Petitioner Petitioner Petitioner	
<b>July 13, 2022</b>	Notice Exited Commonwealth Court Filing Office			07/13/2022
<b>July 22, 2022</b>	Application for Relief Dixon, John Rolland Dixon, John Rolland Dixon, John Rolland Document Name: Petitioner's Application for a Status Conference	Calpine Corporation Tenaska Westmoreland Managemer Fairless Energy, L.L.C.	Petitioner Petitioner Petitioner	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>July 25, 2022</b>	Praecipec			
	Dixon, John Rolland	Calpine Corporation	Petitioner	
	Dixon, John Rolland	Tenaska Westmoreland Managemer	Petitioner	
	Dixon, John Rolland	Fairless Energy, L.L.C.	Petitioner	
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Feinauer, Blaine Robert	Calpine Corporation	Petitioner	
	Simon, Shane Patrick	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Feinauer, Blaine Robert	Fairless Energy, L.L.C.	Petitioner	
	Feinauer, Blaine Robert	Tenaska Westmoreland Managemer	Petitioner	
	Simon, Shane Patrick	Fairless Energy, L.L.C.	Petitioner	
	Simon, Shane Patrick	Tenaska Westmoreland Managemer	Petitioner	
	Document Name: Praecipec to Correct Pet.'s Name (Tenaska Westmoreland Management LLC).			
<b>August 2, 2022</b>	Order Granting Application for Relief Per Curiam			08/02/2022
	Document Name: Status Conference Scheduled for 8-16-22 @ 2:00pm			
	Comment: NOW, August 2, 2022, upon review of the Application for a Status Conference filed by Petitioners in the matter at 357 M.D. 2022, the Application is GRANTED. A status conference in the above matters is scheduled for Tuesday, August 16, 2022, at 2:00 p.m., in Courtroom 3002, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pa. Petitioners in the matter at 357 M.D. 2022 shall secure the services of a court stenographer. To reduce the risk of transmission of the COVID-19 virus, all persons participating in the status conference shall adhere to all Pennsylvania Judicial Center and Commonwealth Court COVID-19 precautions and protocols while in the Pennsylvania Judicial Center that may include, but not be limited to, the wearing of facemasks and social distancing.			
<b>August 11, 2022</b>	Entry of Appearance			
	Gallagher, Thomas Joseph, IV	Pennsylvania Department of Environ	Respondent	
	Gallagher, Thomas Joseph, IV	Pennsylvania Environmental Quality	Respondent	
	Hazlett, Thomas W.	Pennsylvania Department of Environ	Respondent	
	Kearney, Brian Nolan	Pennsylvania Department of Environ	Respondent	
	White, Matthew Adam	Pennsylvania Department of Environ	Respondent	
	Hazlett, Thomas W.	Pennsylvania Environmental Quality	Respondent	
	Kearney, Brian Nolan	Pennsylvania Environmental Quality	Respondent	
	White, Matthew Adam	Pennsylvania Environmental Quality	Respondent	
	Document Name: Thomas Gallagher - Respondent - PA Enviromental Quality Board.			
<b>August 11, 2022</b>	Preliminary Objections			
	Gallagher, Thomas Joseph, IV	Pennsylvania Department of Environ	Respondent	
	Gallagher, Thomas Joseph, IV	Pennsylvania Environmental Quality	Respondent	
	Document Name: P.O.'s of Respondent PA Dept. of Envir. Prot. & PA Envir. Quality Board to PFR.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>August 11, 2022</b>	Application for Intervention (Pa.R.A.P. 1531b)			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Corporation	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Generation LLC	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Constellation Energy			
<b>August 11, 2022</b>	Entry of Appearance			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Atty. Van Orden for Possible Intervenors Constellation Energy			
<b>August 11, 2022</b>	Entry of Appearance			
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Atty. Hummel for Possible Intervenors Constellation Energy			
<b>August 11, 2022</b>	Entry of Appearance			
	Bayer, Jared Dimock	Constellation Energy Corporation	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Atty. Bayer for Possible Intervenor Constellation Energy			
<b>August 18, 2022</b>	Order Filed			08/18/2022
	Per Curiam			
	Document Name: Regarding Oral Argument and Issuing Briefing Deadlines			
	Comment: NOW, August 18, 2022, after a status conference held August 16, 2022, the Preliminary Objections of Respondent Pennsylvania Department of Environmental Protection and the Pennsylvania Environmental Quality Board shall be listed for oral argument during the Court's February 2023 Argument Session in Pittsburgh, Pennsylvania.			
	Accordingly, Respondents shall file and serve their brief (4 copies) in support of their Preliminary Objections no later than December 9, 2022. Petitioners Calpine Corporation, Tenaska Westmoreland Management, LLC and Fairless Energy, L.L.C. shall file and serve their brief (4 copies) in opposition to Respondents' Preliminary Objections no later than January 6, 2023. Any reply brief (4 copies) shall be filed and served no later than January 20, 2023.			
	No extension of the briefing schedule will be granted absent extraordinary circumstances.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>August 25, 2022</b>	Answer to Application to Intervene (Pa.R.C.P. 2328)			
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Calpine Corporation	Petitioner	
	Feinauer, Blaine Robert	Calpine Corporation	Petitioner	
	Simon, Shane Patrick	Calpine Corporation	Petitioner	
	Dixon, John Rolland	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Tenaska Westmoreland Managemer	Petitioner	
	Feinauer, Blaine Robert	Fairless Energy, L.L.C.	Petitioner	
	Feinauer, Blaine Robert	Tenaska Westmoreland Managemer	Petitioner	
	Simon, Shane Patrick	Fairless Energy, L.L.C.	Petitioner	
	Simon, Shane Patrick	Tenaska Westmoreland Managemer	Petitioner	
	Document Name: Petitioners' Answer in Opposition to Application for Leave to Intervene of Const. Energy Corp.			
<b>August 29, 2022</b>	Hearing Scheduled			08/29/2022
	Per Curiam			
	Document Name: on Consellation's Application for Intervention for October 26, 2022			
	Comment: NOW, August 29, 2022, a hearing on the Application for Leave to Intervene filed on behalf of Constellation Energy Corporation and Constellation Energy Generation, LLC, and Petitioner's Answer in Opposition thereto, is scheduled for Wednesday, October 26, 2022, at 9:00 a.m., Courtroom 3002, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pa. One day has been reserved for the hearing. No later than Wednesday, October 19, 2022, the parties shall file and serve their respective witness and exhibit lists. Proposed Intervenors shall procure the services of a court stenographer. To reduce the risk of transmission of the COVID-19 virus, all persons participating in or observing the hearing shall adhere to all Pennsylvania Judicial Center and Commonwealth Court COVID-19 precautions and protocols while in the Pennsylvania Judicial Center that may include, but not be limited to, the wearing of facemasks and social distancing.			
<b>September 12, 2022</b>	Answer to Preliminary Objections			
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Calpine Corporation	Petitioner	
	Dixon, John Rolland	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Tenaska Westmoreland Managemer	Petitioner	
	Document Name: Pet. Answer to Resp. P.O.'s.			
<b>October 5, 2022</b>	Application for Continuance			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Corporation	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Generation LLC	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Application for Continuance of hearing scheduled on 10-26-22.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>October 13, 2022</b>	Hearing Rescheduled Per Curiam			10/13/2022
	Document Name: Order Granting Application for Continuance/ Hearing Now Scheduled for Nov. 2, 2022, 9:00am			
	Comment: AND NOW, this 13th day of October, 2022, upon review of the October 5, 2022 Letter filed by Proposed Intervenor Constellation Energy Corporation and Constellation Energy Generation, LLC for a continuance of the hearing on Proposed Intervenor's Application for Leave to Intervene, which Petitioners do not oppose, <sup>1</sup> it is hereby ORDERED that hearing on Proposed Intervenor's Application, scheduled for Wednesday, October 26, 2022 is RESCHEDULED to Wednesday, November 2, 2022, at 9:00 a.m. in Courtroom 3002, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA. No later than Wednesday, October 19, 2022, the parties shall file and serve their respective witness and exhibit lists. Proposed Intervenor shall procure the services of a court stenographer. To reduce the risk of transmission of the COVID-19 virus, all persons participating in or observing the hearing shall adhere to all Pennsylvania Judicial Center and Commonwealth Court COVID-19 precautions and protocols while in the Pennsylvania Judicial Center that may include, but not be limited to, the wearing of facemasks and social distancing.			
	1 Counsel is reminded that Pa. R.A.P. 123 requires the filing of an application for relief for court action.			
<b>October 19, 2022</b>	Filed - Other			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Corporation	Possible Intervenor	
	Bayer, Jared Dimock	Constellation Energy Generation LLC	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Provisional Intervenor's Witness and Exhibit List.			
<b>October 19, 2022</b>	Filed - Other			
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Calpine Corporation	Petitioner	
	Feinauer, Blaine Robert	Calpine Corporation	Petitioner	
	Simon, Shane Patrick	Calpine Corporation	Petitioner	
	Dixon, John Rolland	Fairless Energy, L.L.C.	Petitioner	
	Dixon, John Rolland	Tenaska Westmoreland Managemer	Petitioner	
	Feinauer, Blaine Robert	Fairless Energy, L.L.C.	Petitioner	
	Feinauer, Blaine Robert	Tenaska Westmoreland Managemer	Petitioner	
	Simon, Shane Patrick	Fairless Energy, L.L.C.	Petitioner	
	Simon, Shane Patrick	Tenaska Westmoreland Managemer	Petitioner	
	Document Name: Pet.'s Notice Regarding Witness & Exhibit for 11-2-22 Hearing on Intervention.			

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>October 27, 2022</b>	Application for Stay Van Orden, James F. Van Orden, James F. Bockis, Andrew Tyler Dixon, John Rolland Feinauer, Blaine Robert Simon, Shane Patrick Bockis, Andrew Tyler Bockis, Andrew Tyler Dixon, John Rolland Dixon, John Rolland Feinauer, Blaine Robert Feinauer, Blaine Robert Simon, Shane Patrick Simon, Shane Patrick Hummel, Amorie Ivette Hummel, Amorie Ivette	Constellation Energy Corporation Constellation Energy Generation LLC Calpine Corporation Calpine Corporation Calpine Corporation Calpine Corporation Fairless Energy, L.L.C. Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Tenaska Westmoreland Managemer Constellation Energy Corporation Constellation Energy Generation LLC	Possible Intervenor Possible Intervenor Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Petitioner Possible Intervenor Possible Intervenor	
Document Name: Joint Application to Stay Intervention Proceedings.				
<b>October 31, 2022</b>	Hearing Cancelled Per Curiam			10/31/2022
Document Name: Nov. 2, 2022 Hearing on Intervention Cancelled/ Status Report Due Dec. 15, 2022				
Comment: NOW, October 31, 2022, upon consideration of the Joint Application to Stay Intervention Proceedings filed by Petitioners and Proposed Intervenors Constellation Energy Corporation and Constellation Energy Generation, LLC, the Application is GRANTED. The hearing on Proposed Intervenors' Application for Leave to Intervene, scheduled for Wednesday, November 2, 2022, at 9:00 a.m., in Courtroom 3002, Pennsylvania Judicial Center, Harrisburg, Pa., is CANCELLED. No later than December 15, 2022, Petitioners and Proposed Intervenors shall file a status report advising the Court of whether Proposed Intervenors have a continued desire to pursue intervention and the need to schedule a hearing on the Application for Leave to Intervene.				
<b>November 21, 2022</b>	Tentative Session Date Krimmel, Michael			
Document Name: February 2023				
<b>December 9, 2022</b>	Amicus Curiae Brief Citizens for Pennsylvania's Future Sierra Club		Amicus Curiae Amicus Curiae	
Document Name: Brief in Support of POs				
<b>December 9, 2022</b>	Respondent's Brief Filed Pennsylvania Department of Environmental Protection Pennsylvania Environmental Quality Board		Respondent Respondent	
Document Name: Memo of Law in Support of POs. The memo starts at page 33 of the document. The attorney for the Comment: respondents was advised to have the memo placed in front of the preliminary objections.				

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## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>December 13, 2022</b>	Argument Scheduled Krimmel, Michael			
	Document Name: Wednesday, February 8, 2023, 9:30 a.m. (En Banc), Supreme Court Courtroom, Eighth Floor, Comment: City-County Building, 414 Grant Street, Pittsburgh No. 10 on the list.			
<b>December 15, 2022</b>	Joint Status Report Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Joint Status Report.			
<b>December 16, 2022</b>	Order Filed Per Curiam			12/16/2022
	Document Name: Stay on Application for Intervention Continues/ Status Report Due Feb. 1, 2023 Comment: NOW, December 16, 2022, upon consideration of the Joint Status Report filed by Petitioners and Proposed Intervenor Constellation Energy Corporation and Constellation Energy Generation, LLC, the stay of proceedings on Proposed Intervenor's Application for Leave to Intervene, entered October 31, 2022, remains in effect. No later than February 1, 2023, Petitioners and Proposed Intervenor shall file a status report advising the Court of whether Proposed Intervenor has a continued desire to pursue intervention and the need to schedule a hearing on the Application for Leave to Intervene.			
<b>December 19, 2022</b>	Argument Scheduled Krimmel, Michael			
	Document Name: CORRECTED NOTICE - Receipt Notification Update			
<b>January 6, 2023</b>	Petitioner's Brief Filed Calpine Corporation		Petitioner	
	Tenaska Westmoreland Management, LLC		Petitioner	
	Fairless Energy, L.L.C.		Petitioner	
	Document Name: Brief in Opposition to POs			
<b>January 20, 2023</b>	Respondent's Reply Brief Filed Pennsylvania Department of Environmental Protection		Respondent	
	Pennsylvania Environmental Quality Board		Respondent	
	Document Name: Reply Memo of Law in Support of POs			
<b>February 1, 2023</b>	Joint Status Report Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
	Feinauer, Blaine Robert	Calpine Corporation	Petitioner	
	Simon, Shane Patrick	Calpine Corporation	Petitioner	

## Miscellaneous Docket Sheet

Docket Number: 357 MD 2022

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May 5, 2026



## DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
<b>February 2, 2023</b>	Entry of Appearance			
	Lantz, Delene Rachel	Calpine Corporation	Petitioner	
	Lantz, Delene Rachel	Tenaska Westmoreland Managemer	Petitioner	
	Lantz, Delene Rachel	Fairless Energy, L.L.C.	Petitioner	
Document Name: Delene R. Lantz Esq. - Petitioner - Calpine Corporation.				
<b>February 6, 2023</b>	Order Directing Status Report			02/06/2023
	Per Curiam			
Document Name: The stay of proceedings on Proposed Intervenors' Appl. for Leave to Intervene remains in effect.				
Comment: NOW, February 6, 2023, upon review of the February 1, 2023, Joint Status Report of Petitioners <sup>1</sup> and Proposed Intervenors, <sup>2</sup> the stay of proceedings on Proposed Intervenors' Application for Leave to Intervene, entered October 31, 2022, remains in effect.				
Petitioners and Proposed Intervenors indicate that the Court's decision on Respondents' <sup>3</sup> Preliminary Objections to Petitioners' Petition for Review may impact whether Proposed Intervenors will proceed with their Application for Leave to Intervene. Accordingly, Petitioners and Proposed Intervenors shall file a joint status report within 20 days after this Court's order resolving Respondents				
Preliminary Objections and advise the Court of whether Proposed Intervenors will pursue their Application for Leave to Intervene and whether a hearing thereon needs to be scheduled.				
<b>May 19, 2023</b>	Application for Relief			
	Gallagher, Thomas Joseph, IV	Pennsylvania Department of Environ	Respondent	
	Gallagher, Thomas Joseph, IV	Pennsylvania Environmental Quality	Respondent	
Document Name: Application to Take Notice of New Authority				
<b>June 2, 2023</b>	Answer to Application for Relief			
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Bockis, Andrew Tyler	Tenaska Westmoreland Managemer	Petitioner	
	Bockis, Andrew Tyler	Fairless Energy, L.L.C.	Petitioner	
Document Name: Pets.' Answer to Resps.' App. to Take Notice of New Authority				
<b>June 29, 2023</b>	Order Filed			06/29/2023
	Per Curiam			
Document Name: Application to Take Notice Granted in Part Denied in Part				
Comment: AND NOW, this 29th day of June, 2023, Respondents' Application to Take Notice of New Authority (Application) is GRANTED to the extent that all relevant precedent will be considered in disposing of the above-captioned matter. The Application is DENIED in all other respects.				
<b>November 7, 2023</b>	Dismissed			11/07/2023
	Wojcik, Michael H.			
Document Name: Memorandum Opinion : Petition for Review is DISMISSED as moot.				
Comment: AND NOW, this 7th day of November, 2023, the Petition for Review filed in the above-captioned matter is DISMISSED as moot.				
Judge Fizzano Cannon did not participate in the decision of this case.				

**Miscellaneous Docket Sheet**

Commonwealth Court of Pennsylvania

**Docket Number: 357 MD 2022****Page 16 of 16****May 5, 2026****SESSION INFORMATION**

Journal Number: 10-02-2023  
 Consideration Type: En Banc Argument  
 Listed/Submitted Date: February 8, 2023

## Panel Composition:

The Honorable Renee Cohn Jubelirer	President Judge
The Honorable Patricia McCullough	Judge
The Honorable Anne E. Covey	Judge
The Honorable Michael H. Wojcik	Judge
The Honorable Ellen Ceisler	Judge
The Honorable Lori A. Dumas	Judge
The Honorable Stacy Wallace	Judge

**DISPOSITION INFORMATION**

Final Disposition: Yes

Related Journal No: Judgment Date:

Category: Decided Disposition Author: Wojcik, Michael H.

Disposition: Dismissed Disposition Date: November 7, 2023

Disposition Comment: AND NOW, this 7th day of November, 2023, the Petition for Review filed in the above-captioned matter is DISMISSED as moot.

Judge Fizzano Cannon did not participate in the decision of this case.

Dispositional Filing: **Memorandum Opinion** Filing Author: Wojcik, Michael H.

Filed Date: 11/7/2023 12:00:00AM