

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 357 MD 2022****Page 1 of 17****May 13, 2025****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**

Pro Se: No

IFP Status:

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:

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COUNSEL INFORMATION

Petitioner Tenaska Westmoreland Management, LLC

Pro Se: No

IFP Status:

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
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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:

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COUNSEL INFORMATION

Petitioner Fairless Energy, L.L.C.

Pro Se: No

IFP Status:

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Attorney: Dixon, John Rolland
Law Firm: Saul Ewing Arnstein & Lehr LLP
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Fax No:

Attorney: Simon, Shane Patrick
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Fax No:

Attorney: Lantz, Delene Rachel
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Fax No:

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Fax No:

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COUNSEL INFORMATION

Petitioner Calpine Corporation

Pro Se: No

IFP Status:

Attorney: Bockis, Andrew Tyler
Address: Saul Ewing Arnstein & Lehr LLP
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Harrisburg, PA 17101-1619
Phone No: (717) 257-7520

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Attorney: Dixon, John Rolland
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Pro Se:

No

IFP Status:

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**

Pro Se:

No

IFP Status:

Attorney: Minott, Joseph Otis
 Law Firm: Clean Air Council
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 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:

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Pro Se:

No

IFP Status:

Attorney: O'Neill, Jessica Rose
 Law Firm: Citizens for Pennsylvania's Future
 Address: 1429 Walnut St Ste 400
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 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**

Pro Se:

No

IFP Status:

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
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 Phone No: (215) 665-4643 Fax No:

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 357 MD 2022****Page 7 of 17****May 13, 2025****COUNSEL INFORMATION**

Possible Intervenor **Constellation Energy Corporation**
 Pro Se: No
 IFP Status:
 Attorney: Van Orden, James F.
 Law Firm: Cozen O'Connor
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 Phone No: (215) 665-4625 Fax No:

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

Respondent **Pennsylvania Environmental Quality Board**
 Pro Se: No
 IFP Status:
 Attorney: Gallagher, Thomas Joseph, IV
 Law Firm: Ballard Spahr, LLP
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 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
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 Phone No: (215) 665-8500 Fax No:

 Attorney: Kearney, Brian Nolan
 Law Firm: Ballard Spahr LLP
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 Phone No: (215) 864-8265 Fax No:

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Pro Se: No

IFP Status:

Attorney: Gallagher, Thomas Joseph, IV

Law Firm: Ballard Spahr, LLP

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Phone No: (215) 864-8383

Fax No:

Attorney: White, Matthew Adam

Law Firm: Ballard Spahr, LLP

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1735 Market St Fl 51
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Phone No: (215) 864-8849

Fax No:

Attorney: Hazlett, Thomas W.

Law Firm: Ballard Spahr LLP

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Phone No: (215) 665-8500

Fax No:

Attorney: Kearney, Brian Nolan

Law Firm: Ballard Spahr LLP

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Phone No: (215) 864-8265

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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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**Citizens for Pennsylvania's Future
Brief**

Due: Filed: December 9, 2022

**Clean Air Council
Brief**

**Sierra Club
Brief**

Due: Filed: December 9, 2022

Petitioner

**Calpine Corporation
Brief**

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

Respondent

**Pennsylvania Department of Environmental Protection
Brief**

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

Reply Brief

Due: Filed: January 20, 2023

**Pennsylvania Environmental Quality Board
Brief**

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

Reply Brief

Due: Filed: January 20, 2023

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 12, 2022	Petition for Review Filed Calpine Corporation Tenaska Westmoreland Management, LLC Fairless Energy, L.L.C.		Petitioner Petitioner Petitioner	
July 12, 2022	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	
July 13, 2022	Notice Exited Commonwealth Court Filing Office			07/13/2022
July 22, 2022	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	
July 25, 2022	Praeipce				
	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: Praeipce to Correct Pet.'s Name (Tenaska Westmoreland Management LLC).				
	August 2, 2022	Order Granting Application for Relief			08/02/2022
Per Curiam					
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.					
August 11, 2022		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.				
	August 11, 2022	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
August 11, 2022	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			
August 11, 2022	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 Intervenor Constellation Energy			
August 11, 2022	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 Intervenor Constellation Energy			
August 11, 2022	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			
August 18, 2022	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
August 25, 2022	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.			
August 29, 2022	Hearing Scheduled			08/29/2022
	Per Curiam			
	Document Name: on Constellation'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.			
September 12, 2022	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.			
October 5, 2022	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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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
October 13, 2022	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, ¹ 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.				
October 19, 2022	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.				
October 19, 2022	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
October 27, 2022	Application for Stay			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Bockis, Andrew Tyler	Calpine Corporation	Petitioner	
	Dixon, John Rolland	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	
	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	
	Hummel, Amorlie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorlie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Joint Application to Stay Intervention Proceedings.			
October 31, 2022	Hearing Cancelled			10/31/2022
	Per Curiam			
	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 Intervenor Constellation Energy Corporation and Constellation Energy Generation, LLC, the Application is GRANTED. The hearing on Proposed Intervenor's 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 Intervenor shall file a status report advising the Court of whether Proposed Intervenor have a continued desire to pursue intervention and the need to schedule a hearing on the Application for Leave to Intervene.			
November 21, 2022	Tentative Session Date			
	Krimmel, Michael			
	Document Name: February 2023			
December 9, 2022	Amicus Curiae Brief			
	Citizens for Pennsylvania's		Amicus Curiae	
	Future			
	Sierra Club		Amicus Curiae	
	Document Name: Brief in Support of POs			
December 9, 2022	Respondent's Brief Filed			
	Pennsylvania Department of		Respondent	
	Environmental Protection			
	Pennsylvania Environmental		Respondent	
	Quality Board			
	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
December 13, 2022	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.			
December 15, 2022	Joint Status Report Bockis, Andrew Tyler Bockis, Andrew Tyler Bockis, Andrew Tyler Hummel, Amorie Ivette Hummel, Amorie Ivette Van Orden, James F. Van Orden, James F. Document Name: Joint Status Report.	Calpine Corporation Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Constellation Energy Corporation Constellation Energy Generation LL Constellation Energy Corporation Constellation Energy Generation LL	Petitioner Petitioner Petitioner Possible Intervenor Possible Intervenor Possible Intervenor Possible Intervenor	
December 16, 2022	Order Filed Per Curiam 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 have a continued desire to pursue intervention and the need to schedule a hearing on the Application for Leave to Intervene.			12/16/2022
December 19, 2022	Argument Scheduled Krimmel, Michael Document Name: CORRECTED NOTICE - Receipt Notification Update			
January 6, 2023	Petitioner's Brief Filed Calpine Corporation Tenaska Westmoreland Management, LLC Fairless Energy, L.L.C. Document Name: Brief in Opposition to POs		Petitioner Petitioner Petitioner	
January 20, 2023	Respondent's Reply Brief Filed Pennsylvania Department of Environmental Protection Pennsylvania Environmental Quality Board Document Name: Reply Memo of Law in Support of POs		Respondent Respondent	
February 1, 2023	Joint Status Report Bockis, Andrew Tyler Bockis, Andrew Tyler Bockis, Andrew Tyler Feinauer, Blaine Robert Simon, Shane Patrick	Calpine Corporation Tenaska Westmoreland Managemer Fairless Energy, L.L.C. Calpine Corporation Calpine Corporation	Petitioner Petitioner Petitioner Petitioner Petitioner	

Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 357 MD 2022

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May 13, 2025



DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 2, 2023	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.			
February 6, 2023	Order Directing Status Report			02/06/2023
	Per Curiam			
	Document Name: The stay of proceedings on Proposed Intervenor's 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 ¹ and Proposed Intervenor's ² the stay of proceedings on Proposed Intervenor's Application for Leave to Intervene, entered October 31, 2022, remains in effect.			
	Petitioners and Proposed Intervenor indicate that the Court's decision on Respondents ³ Preliminary Objections to Petitioners' Petition for Review may impact whether Proposed Intervenor will proceed with their Application for Leave to Intervene. Accordingly, Petitioners and Proposed Intervenor 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 Intervenor will pursue their Application for Leave to Intervene and whether a hearing thereon needs to be scheduled.			
May 19, 2023	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			
June 2, 2023	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			
June 29, 2023	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.			
November 7, 2023	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 17 of 17****May 13, 2025****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 A. 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	Judgment Date:	
Related Journal No:		Disposition Author:	Wojcik, Michael H.
Category:	Decided	Disposition Date:	November 7, 2023
Disposition:	Dismissed		
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		