

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 41 MD 2022****Page 1 of 65****April 26, 2024****CAPTION**

Ramez Ziadeh, Acting Secretary
of the Department of Environmental
Protection and Acting Chairperson of
the Environmental Quality Board,
Petitioner

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,
Respondents

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Active

Case Processing Status: November 1, 2023 Opinion or Memorandum and Dispositive Order Filed

Journal Number: 36-11-2022

Case Category: Miscellaneous Case Type(s): Equity

CONSOLIDATED CASES**RELATED CASES**

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

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Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 41 MD 2022****Page 7 of 65****April 26, 2024****COUNSEL INFORMATION****Amicus Curiae McKinstry, Robert B., Jr.**

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FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/03/2022	Miscellaneous Docket Filing Fee	70.25	02/04/2022	2022-CMW-H-000196	70.25
02/04/2022	Copy Work (Per Page)	38.50	02/04/2022	2022-CMW-H-000197	38.50
02/10/2022	Copy Work (Per Page)	9.00	02/10/2022	2022-CMW-H-000228	9.00
02/17/2022	Copy Work (Per Page)	8.00	02/17/2022	2022-CMW-H-000244	8.00
02/18/2022	Copy Work (Per Page)	12.50	02/18/2022	2022-CMW-H-000251	12.50
02/24/2022	Copy Work (Per Page)	3.50	02/24/2022	2022-CMW-H-000273	3.50
02/25/2022	Copy Work (Per Page)	59.00	02/25/2022	2022-CMW-H-000283	59.00
02/25/2022	Copy Work (Per Page)	54.00	02/25/2022	2022-CMW-H-000284	54.00
02/28/2022	Copy Work (Per Page)	73.50	02/28/2022	2022-CMW-H-000300	73.50
02/28/2022	Copy Work (Per Page)	12.50	02/28/2022	2022-CMW-H-000291	12.50
03/04/2022	Copy Work (Per Page)	8.00	03/04/2022	2022-CMW-H-000331	8.00
03/11/2022	Copy Work (Per Page)	2.00	03/11/2022	2022-CMW-H-000402	2.00
03/11/2022	Copy Work (Per Page)	72.50	03/11/2022	2022-CMW-H-000380	72.50
03/16/2022	Copy Work (Per Page)	2.00	03/16/2022	2022-CMW-H-000419	2.00
03/29/2022	Copy Work (Per Page)	38.00	03/29/2022	2022-CMW-H-000531	38.00
03/31/2022	Copy Work (Per Page)	19.50	03/31/2022	2022-CMW-H-000538	19.50
03/31/2022	Copy Work (Per Page)	25.00	03/31/2022	2022-CMW-H-000542	25.00
03/31/2022	Copy Work (Per Page)	45.00	03/31/2022	2022-CMW-H-000544	45.00
04/04/2022	Copy Work (Per Page)	21.00	04/04/2022	2022-CMW-H-000603	21.00
04/04/2022	Copy Work (Per Page)	13.00	04/04/2022	2022-CMW-H-000624	13.00
04/05/2022	Copy Work (Per Page)	35.50	04/05/2022	2022-CMW-H-000652	35.50
04/05/2022	Copy Work (Per Page)	21.00	04/05/2022	2022-CMW-H-000653	21.00
04/05/2022	Copy Work (Per Page)	37.50	04/05/2022	2022-CMW-H-000654	37.50
04/06/2022	Copy Work (Per Page)	18.50	04/06/2022	2022-CMW-H-000659	18.50
04/06/2022	Copy Work (Per Page)	7.50	04/06/2022	2022-CMW-H-000660	7.50
04/07/2022	Copy Work (Per Page)	50.50	04/07/2022	2022-CMW-H-000663	50.50
04/15/2022	Petition for Reconsideration - Original Jurisdiction	15.00	04/18/2022	2022-CMW-H-000751	15.00
04/18/2022	Copy Work (Per Page)	108.50	04/18/2022	2022-CMW-H-000759	108.50
04/19/2022	Copy Work (Per Page)	5.00	04/19/2022	2022-CMW-H-000774	5.00
04/21/2022	Copy Work (Per Page)	43.50	04/21/2022	2022-CMW-H-000790	43.50
04/22/2022	Copy Work (Per Page)	34.50	04/22/2022	2022-CMW-H-000796	34.50
04/27/2022	Copy Work (Per Page)	142.50	04/27/2022	2022-CMW-H-000831	142.50
04/29/2022	Copy Work (Per Page)	52.50	04/29/2022	2022-CMW-H-000844	52.50
05/12/2022	Copy Work (Per Page)	318.00	05/12/2022	2022-CMW-H-000936	318.00
05/20/2022	Copy Work (Per Page)	44.50	05/20/2022	2022-CMW-H-000995	44.50
05/26/2022	Copy Work (Per Page)	167.50	05/26/2022	2022-CMW-H-001040	167.50
05/27/2022	Copy Work (Per Page)	39.00	05/27/2022	2022-CMW-H-001041	39.00
06/14/2022	Copy Work (Per Page)	265.00	06/14/2022	2022-CMW-H-001146	265.00
06/29/2022	Copy Work (Per Page)	15.00	06/29/2022	2022-CMW-H-001254	15.00
07/18/2022	Copy Work (Per Page)	6.50	07/18/2022	2022-CMW-H-001372	6.50
07/26/2022	Copy Work (Per Page)	1.00	07/26/2022	2022-CMW-H-001437	1.00
08/02/2022	Subpoena	2.00	08/02/2022	2022-CMW-H-001466	2.00
08/03/2022	Copy Work (Per Page)	3.00	08/03/2022	2022-CMW-H-001474	3.00
08/05/2022	Copy Work (Per Page)	20.50	08/05/2022	2022-CMW-H-001492	20.50
08/05/2022	Copy Work (Per Page)	2.00	08/05/2022	2022-CMW-H-001495	2.00
08/12/2022	Copy Work (Per Page)	98.00	08/12/2022	2022-CMW-H-001531	98.00
08/16/2022	Copy Work (Per Page)	59.50	08/16/2022	2022-CMW-H-001551	59.50
08/19/2022	Copy Work (Per Page)	42.00	08/19/2022	2022-CMW-H-001575	42.00
08/23/2022	Copy Work (Per Page)	55.50	08/23/2022	2022-CMW-H-001593	55.50
10/20/2022	Copy Work (Per Page)	25.00	10/20/2022	2022-CMW-H-001973	25.00

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 41 MD 2022****Page 19 of 65****April 26, 2024****FEE INFORMATION**

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
12/14/2022	Petition for Reconsideration - Original Jurisdiction	15.00	12/15/2022	2022-CMW-H-002354	15.00
02/02/2023	Copy Work (Per Page)	13.50	02/02/2023	2023-CMW-H-000200	13.50

AGENCY/TRIAL COURT INFORMATION

Order Appealed From: Notice of Appeal Filed:
 Order Type:
 Documents Received: February 3, 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**
Calpine Corporation
Brief

Due: Filed: October 14, 2022

City of New York
Brief

Due: Filed: October 14, 2022

Commonwealth of Massachusetts
Brief

Due: Filed: October 14, 2022

Constellation Energy Corporation
Brief

Due: Filed: October 14, 2022

Constellation Energy Generation LLC
Brief

Due: Filed: October 14, 2022

Environmental Defense Fund
Brief

Due: Filed: September 23, 2022

Fairless Energy, L.L.C.
Brief

Due: Filed: October 14, 2022

Intervenor
Benninghoff, Kerry A.
Brief

Due: April 29, 2022 Filed: April 29, 2022
 Due: May 31, 2022 Filed: June 6, 2022
 Due: June 6, 2022 Filed: June 6, 2022
 Due: Filed: October 14, 2022

Reply Brief

Due: Filed: June 16, 2022

Cutler, Bryan D.
Brief

Due: April 29, 2022 Filed: April 29, 2022
 Due: May 31, 2022 Filed: June 6, 2022
 Due: June 6, 2022 Filed: September 23, 2022
 Due: Filed: October 14, 2022

Reply Brief

Due: Filed: June 16, 2022

Metcalf, Daryl D.
Brief

Due: April 29, 2022 Filed: April 29, 2022
 Due: May 31, 2022 Filed: June 6, 2022
 Due: June 6, 2022 Filed: June 6, 2022
 Due: Filed: October 14, 2022

Reply Brief

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 41 MD 2022****Page 20 of 65****April 26, 2024****BRIEFING SCHEDULE****Amicus Curiae****Industrial Energy Consumers of Pennsylvania****Brief**

Due: Filed: June 17, 2022
 Due: Filed: September 23, 2022

Keystone Energy Efficiency Alliance**Brief**

Due: Filed: April 25, 2022

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

Due: Filed: April 25, 2022

National Federation of Independent Business**Brief**

Due: Filed: June 17, 2022
 Due: Filed: September 23, 2022
 Due: Filed: September 23, 2022

Pennsylvania Chamber of Business and Industry**Brief**

Due: Filed: June 17, 2022
 Due: Filed: September 23, 2022

Pennsylvania Energy Consumer Alliance**Brief**

Due: Filed: June 17, 2022
 Due: Filed: September 23, 2022

Pennsylvania Manufacturers' Association**Brief**

Due: Filed: June 17, 2022
 Due: Filed: September 23, 2022

Pennsylvania Scientists**Brief**

Due: Filed: May 9, 2022

Rebuilding Partners**Brief****State of Connecticut****Brief**

Due: Filed: October 14, 2022

State of Maine**Brief**

Due: Filed: October 14, 2022

Intervenor**Metcalfe, Daryl D.****Reply Brief**

Due: Filed: June 16, 2022

Ward, Kim**Brief**

Due: Filed: March 25, 2022
 Due: April 29, 2022 Filed: May 3, 2022
 Due: May 31, 2022 Filed: May 31, 2022
 Due: June 6, 2022 Filed: September 23, 2022
 Due: October 14, 2022 Filed: October 14, 2022

Reply Brief

Due: Filed: June 16, 2022
 Due: Filed: August 15, 2022
 Due: Filed: October 21, 2022

Yaw, Gene**Brief**

Due: Filed: March 25, 2022
 Due: April 29, 2022 Filed: May 3, 2022
 Due: May 31, 2022 Filed: May 31, 2022
 Due: June 6, 2022 Filed: June 6, 2022
 Due: October 14, 2022 Filed: October 14, 2022

Reply Brief

Due: Filed: June 16, 2022
 Due: Filed: August 15, 2022
 Due: Filed: October 21, 2022

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

Due: April 29, 2022 Filed: April 27, 2022

Brief

Due: Filed: March 29, 2022
 Due: June 6, 2022 Filed: May 25, 2022

Mendelsohn, Amy J.**Amended Brief**

Due: April 29, 2022 Filed: April 27, 2022

Brief

Due: Filed: March 29, 2022
 Due: June 6, 2022 Filed: May 25, 2022

Pennsylvania Legislative Reference Bureau

Miscellaneous Docket Sheet**Commonwealth Court of Pennsylvania****Docket Number: 41 MD 2022****Page 21 of 65****April 26, 2024****BRIEFING SCHEDULE****Amicus Curiae****State of Maine****State of Maryland
Brief**

Due: Filed: October 14, 2022

**State of New Jersey
Brief**

Due: Filed: October 14, 2022

**State of New York
Brief**

Due: Filed: October 14, 2022

**State of Rhode Island
Brief**

Due: Filed: October 14, 2022

**Tenaska Westmoreland Management, LLC
Brief**

Due: Filed: October 14, 2022

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

Due: Filed: April 25, 2022

Due: Filed: September 23, 2022

Petitioner**McDonnell, Patrick J.
Brief**

Due: April 29, 2022 Filed: April 25, 2022

Due: June 6, 2022 Filed: June 6, 2022

Due: Filed: May 27, 2022

Reply Brief

Due: Filed: June 16, 2022

Due: Filed: October 21, 2022

**Patrick J. McDonnell, Secretary of the Department of
Environmental Protection
Brief**

Due: June 6, 2022 Filed: June 6, 2022

Reply Brief**Ziadeh, Ramez
Brief**

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Due: October 14, 2022

Filed:

Reply Brief

Due:

Filed: October 21, 2022

Supplemental Brief

Due:

Filed: July 5, 2022

Possible Intervenor**Citizens for Pennsylvania's Future****Brief**

Due: June 6, 2022

Filed: June 6, 2022

Due:

Filed: September 23, 2022

Clean Air Council**Brief**

Due:

Filed: September 23, 2022

Sierra Club**Brief**

Due: June 6, 2022

Filed: September 23, 2022

DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 3, 2022	Petition for Review Filed Patrick J. McDonnell, Secretary of the Department of Environmental Protection McDonnell, Patrick J. Ziadeh, Ramez		Petitioner Petitioner Petitioner	
February 3, 2022	Application for Relief Pittinsky, David Document Name: Application for Expedited Special and Summary Relief	Patrick J. McDonnell, Secretary of th Petitioner		
February 3, 2022	Filed - Other Pittinsky, David Document Name: Landis Declaration	Patrick J. McDonnell, Secretary of th Petitioner		
February 4, 2022	Notice Exited Commonwealth Court Filing Office			
February 4, 2022	Praecipe Kearney, Brian Nolan Document Name: Proposed order for App. for Relief	McDonnell, Patrick J.	Petitioner	02/07/2022

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 9, 2022	Order Filed Per Curiam			02/10/2022
	Document Name: Praecipe to Supplement Application is GRANTED			
	Comment: NOW, February 9, 2022, upon consideration of Petitioner's Praecipe to Supplement Application (Application), the Application is GRANTED. The Prothonotary is directed to accept the Proposed Order attached to the Application for filing as a supplement to Petitioner's Verified Application for Expedited Special and Summary Relief.			
February 10, 2022	Entry of Appearance			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Bogush, Mark Andrew	Pennsylvania Legislative Reference	Respondent	
	Butash, Andrew	Pennsylvania Legislative Reference	Respondent	
	Bogush, Mark Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Butash, Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Bogush, Mark Andrew	Mendelsohn, Amy J.	Respondent	
	Butash, Andrew	Mendelsohn, Amy J.	Respondent	
	Document Name: of Peter Klein, esq., Mark Bogush, esq., and Andrew Butash, esq. for Respondents			
February 16, 2022	Answer Filed			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: in Opposition to Petitioner's App for Expedited Special and Summary Relief in the form of a Writ of			
	Comment: Mandamus			
February 16, 2022	Notice			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: re: responsive pleadings			
February 23, 2022	Application to Expedite			
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	White, Matthew Adam	McDonnell, Patrick J.	Petitioner	
	Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: App for Expedited Briefing Schedule and Oral Argument			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 24, 2022	Application for Intervention (Pa.R.A.P. 1531b)			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Corey, Rodney A.	Cutler, Bryan D.	Intervenor	
	Corey, Rodney A.	Metcalfe, Daryl D.	Intervenor	
	Corey, Rodney A.	Benninghoff, Kerry A.	Intervenor	
	Kawa, Erin Renee	Cutler, Bryan D.	Intervenor	
	Kawa, Erin Renee	Metcalfe, Daryl D.	Intervenor	
	Kawa, Erin Renee	Benninghoff, Kerry A.	Intervenor	
	Document Name: App. for Leave to Intervene Bryan Cutler, Kerry Benninghoff and Daryl Metcalfe			
February 24, 2022	Preliminary Objections			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: of Respondents (partially withdrawn, see 3/8/22 praecipe)			
February 24, 2022	Answer Filed			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Answer in Opposition to App for Expedited Briefing Schedule and Oral Argument			
February 25, 2022	Order Denying Application to Expedite			02/25/2022
	Per Curiam			
	Document Name: Without Prejudice / Answer to Application for Intervention Due March 4, 2022			
	Comment: NOW, February 25, 2022, upon review of Petitioner Patrick J. McDonnell's ¹ February 23, 2022, Application for Expedited Briefing Schedule and Oral Argument on His Verified Application for Expedited Special and Summary Relief, and considering Respondents Pennsylvania Legislative Reference Bureau, Vincent C. DeLiberato, Jr., ² and Amy J. Mendelsohn's ³ answer thereto and their preliminary objections to Petitioner's Verified Petition for Review in the Nature of a Complaint for Permanent and Peremptory Mandamus and for Declaratory Judgment and the application for leave to intervene filed on behalf of Bryan D. Cutler, ⁴ Kerry A. Benninghoff, ⁵ and Daryl D. Metcalfe, ⁶ the Application for Expedited Briefing Schedule and Oral Argument is DENIED without prejudice. Petitioner shall file and serve his answer to the application for leave to intervene no later than 12:00 p.m., on Friday, March 4, 2022.			
February 25, 2022	Petition to Intervene (Pa.R.C.P. 2328)			
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Document Name: For Senate Members Corman, Ward, Yaw and Browne			

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Commonwealth Court of Pennsylvania

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
February 28, 2022	Order Filed Per Curiam			02/28/2022
	Document Name: Answers to Applications for Intervention are Due March 4, 2022 by Noon			
	Comment: NOW, February 28, 2022, upon review of the Application for Leave To Intervene filed on behalf of Senator Pro Tempore Jake Corman, Kim Ward, ¹ Gene Yaw, ² and Pat Browne, ³ Petitioner and Respondents shall file and serve an answer to the Application for Leave To Intervene no later than 12:00 p.m., on Friday, March 4, 2022.			
	Respondents shall file and serve their answer to the Application for Leave To Intervene filed on behalf of Speaker of the Pennsylvania House of Representatives Bryan D. Cutler, Kerry A. Benninghoff, ⁴ and Daryl D. Metcalfe ⁵ no later than 12:00 p.m., on Friday, March 4, 2022.			
March 2, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b) Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioners' Consent to Representatives' Cutler Benninghoff and Metcalfe's App for Intervention			
March 2, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b) Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Consent to Senators' Corman, Ward, Yaw and Browne's App for Intervention			
March 2, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b) Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents' Consent to Representative Cutler, Benninghoff and Metcalfe's App for Intervention			
March 2, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b) Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents' Consent to Senators Corman, Ward, Yaw and Browne's App for Intervention			
March 3, 2022	Order Granting Application for Intervention Per Curiam			03/03/2022
	Document Name: Applications for Leave to Intervene are Granted / Applications Attached to Apps for Intervention			
	Comment: NOW, March 3, 2022, upon review of the Application for Leave To Intervene filed on behalf of Bryan D. Cutler, ¹ Kerry Benninghoff, ² and Daryl Metcalfe ³ (collectively, House Intervenors), and the Application for Leave To Intervene filed on behalf of Senator Pro Tempore Jake Corman, Kim Ward, ⁴ Gene Yaw, ⁵ and Pat Browne ⁶ (collectively, Senate Intervenors) and whereas Petitioner and Respondents consent to the Applications for Leave To Intervene, the Applications are GRANTED. House Intervenors and Senate Intervenors shall be principally aligned with Respondents.			
	The Prothonotary shall accept for filing the Preliminary Objections and Answer to Petitioner's Application for Expedited Special and Summary Relief filed by House Intervenors, attached to their February 24, 2022, Application for Leave To Intervene and marked as Exhibits A and B, respectively.			
	The Prothonotary shall accept for filing the Answer with New Matter and Counterclaims (and Exhibits A-C thereto) and the Answer to Petitioner's Verified Application for Expedited Special and Summary Relief, filed by Senate Intervenors, appended to their February 25, 2022, Application for Leave to Intervene and marked as Attachments A and B, respectively.			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 3, 2022	Preliminary Objections			
	Corey, Rodney A.	Cutler, Bryan D.	Intervenor	
	Corey, Rodney A.	Metcalf, Daryl D.	Intervenor	
	Corey, Rodney A.	Benninghoff, Kerry A.	Intervenor	
	Kawa, Erin Renee	Cutler, Bryan D.	Intervenor	
	Kawa, Erin Renee	Metcalf, Daryl D.	Intervenor	
	Kawa, Erin Renee	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Metcalf, Daryl D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Mann, James Guthrie	Cutler, Bryan D.	Intervenor	
	Mann, James Guthrie	Metcalf, Daryl D.	Intervenor	
	Mann, James Guthrie	Benninghoff, Kerry A.	Intervenor	
	Document Name: Intervenor House Leaders' Preliminary Objections			
March 3, 2022	Answer to Application for Relief			
	Corey, Rodney A.	Cutler, Bryan D.	Intervenor	
	Corey, Rodney A.	Metcalf, Daryl D.	Intervenor	
	Corey, Rodney A.	Benninghoff, Kerry A.	Intervenor	
	Kawa, Erin Renee	Cutler, Bryan D.	Intervenor	
	Kawa, Erin Renee	Metcalf, Daryl D.	Intervenor	
	Kawa, Erin Renee	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Metcalf, Daryl D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Mann, James Guthrie	Cutler, Bryan D.	Intervenor	
	Mann, James Guthrie	Metcalf, Daryl D.	Intervenor	
	Mann, James Guthrie	Benninghoff, Kerry A.	Intervenor	
	Document Name: Intervenor House Leaders' Answer to Application for Expedited Special and Summary Relief			
March 3, 2022	Memorandum of Law Filed			
	Corey, Rodney A.	Cutler, Bryan D.	Intervenor	
	Corey, Rodney A.	Metcalf, Daryl D.	Intervenor	
	Corey, Rodney A.	Benninghoff, Kerry A.	Intervenor	
	Kawa, Erin Renee	Cutler, Bryan D.	Intervenor	
	Kawa, Erin Renee	Metcalf, Daryl D.	Intervenor	
	Kawa, Erin Renee	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Metcalf, Daryl D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Mann, James Guthrie	Cutler, Bryan D.	Intervenor	
	Mann, James Guthrie	Metcalf, Daryl D.	Intervenor	
	Mann, James Guthrie	Benninghoff, Kerry A.	Intervenor	
	Document Name: Intervenor House Leaders' Memo of Law in Opposition to Expedited Special and Summary Relief			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 3, 2022	Answer and New Matter			
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Document Name: Intervenor Senate Members' Answer and New Matter			
March 3, 2022	Answer to Application for Relief			
	Crompton, J. Andrew	Ward, Kim	Intervenor	
	Crompton, J. Andrew	Yaw, Gene	Intervenor	
	Crompton, J. Andrew	Browne, Pat	Intervenor	
	Crompton, J. Andrew	Corman, Jake	Intervenor	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	McCaulley, Errin Todd, Jr.	Ward, Kim	Intervenor	
	McCaulley, Errin Todd, Jr.	Yaw, Gene	Intervenor	
	McCaulley, Errin Todd, Jr.	Browne, Pat	Intervenor	
	McCaulley, Errin Todd, Jr.	Corman, Jake	Intervenor	
	Document Name: Intervenor Senate Members' Answer to App for Expedited Special and Summary Relief			
March 8, 2022	Praecipe			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Resp. Praecipe to Partially Withdraw POs			
March 25, 2022	Petition for Preliminary Injunction			
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor Resps' App for Special Relief in the Nature of a Preliminary Injunction			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 25, 2022	Intervenor's Brief			
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: In support of application for special relief in the nature of a P.I.			
March 28, 2022	Answer to Preliminary Objections			
	Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Answer to Respondent's POs			
March 28, 2022	Memorandum of Law Filed			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Memo of Law in Opposition to POs			
March 28, 2022	Order Filed			03/28/2022
	Per Curiam			
	Document Name: Answers to Application for Preliminary Injunction Due Wed. March 30, 2022 4:00 pm			
	Comment: NOW, March 28, 2022, upon review of Senate Intervenor's 1 Application for Special Relief in the Nature of a Preliminary Injunction, Petitioner and Respondents shall file and serve an answer to the Application for Relief no later than 4:00 p.m., on Wednesday, March 30, 2022.			
March 29, 2022	Respondent's Brief Filed			
	Pennsylvania Legislative		Respondent	
	Reference Bureau			
	DeLiberato, Jr., Vincent C.		Respondent	
	Mendelsohn, Amy J.		Respondent	
	Document Name: Brief in Support of PO			
March 29, 2022	Answer to Petition for Preliminary Injunction			
	Bogush, Mark Andrew	Mendelsohn, Amy J.	Respondent	
	Bogush, Mark Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Bogush, Mark Andrew	Pennsylvania Legislative Reference	Respondent	
	Document Name: Respondent's Answer to App for Special Relief in the Nature of a Preliminary Injunction			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 29, 2022	Order Filed Per Curiam			03/30/2022
<p>Document Name: The Prothonotary shall list the POs and App for Summary Relief on the next available argument list</p> <p>Comment: NOW, March 29, 2022, upon review of Petitioner's Application for Expedited Special and Summary Relief (Application for Summary Relief), and the Answers thereto filed by Respondents, House of Representatives Intervenor,1 and Senate Intervenor,2 Petitioner shall file and serve his brief (4 copies) in support of the Application for Summary Relief within 30 days of the exit date of this Order. Respondents and Senate Intervenor shall file and serve their respective briefs (4</p> <p>1 The House of Representatives Intervenor are Bryan Cutler, Speaker of the Pennsylvania House of Representatives; Kerry Benninghoff, Majority Leader of the Pennsylvania House of Representatives; and Daryl Metcalfe, Chairman of the House Environmental Resources and Energy Committee.</p> <p>2 The Senate Intervenor are Jake Corman, President Pro Tempore of the Pennsylvania Senate; Kim Ward, Senate Majority Leader; Gene Yaw, Chair of the Environmental Resources and Energy Committee; and Pat Browne, Chair of the Senate Appropriations Committee.</p> <p>2</p> <p>copies) in opposition to Petitioner's Application for Summary Relief within 30 days of service of Petitioner's brief. House Intervenor, having previously filed a memorandum of law in opposition to Petitioner's Application for Summary Relief, shall file an additional 3 paper copies of their memorandum of law within 14 days of the exit date of this Order.</p> <p>Respondents and House Intervenor shall file and serve their briefs (4 copies) in support of their respective preliminary objections within 30 days of the exit date of this Order. It appearing that Petitioner has filed his memorandum of law in opposition to Respondents' preliminary objections, any reply to Petitioner's brief in opposition to Respondents' preliminary objections shall be addressed in Respondents' brief in support of its preliminary objections.3</p> <p>Petitioner shall file and serve his brief (4 copies) in opposition to House Intervenor's preliminary objections within 30 days of service of House Intervenor's brief in support of their preliminary objections.</p> <p>The Prothonotary shall list the preliminary objections and Application for Summary Relief on the next available argument list.</p> <p>3 Senate Intervenor filed an Answer with New Matter and Counterclaims in response to Petitioner's Petition for Review.</p>				
March 30, 2022	Answer to New Matter Pittinsky, David Kearney, Brian Nolan White, Matthew Adam	McDonnell, Patrick J. McDonnell, Patrick J. McDonnell, Patrick J.	Petitioner Petitioner Petitioner	
Document Name: Petitioner's Reply to New Matter and Answer to Counterclaims				
March 30, 2022	Answer Filed Pittinsky, David	McDonnell, Patrick J.	Petitioner	
Document Name: Petitioner's Answer to the Senate Intervenor Respondents' App for Special Relief in the Nature of a Preliminary Injunction				
March 30, 2022	Application to Amend Klein, Peter William Klein, Peter William Klein, Peter William	Pennsylvania Legislative Reference DeLiberato, Jr., Vincent C. Mendelsohn, Amy J.	Respondent Respondent Respondent	
Document Name: Respondent's Application for Leave to Withdraw Original Brief and to File an Amended Brief				

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
March 31, 2022	Application to Amend Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Praecepte to Amend Pet's Answer to Senate Intervenor Respondents' App. for Special Relief			
March 31, 2022	Answer Filed Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Response in Partial Opposition to App for Leave to Withdraw Original Brief and to File Amended Brief			
April 1, 2022	Application for Relief Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: App for Leave to Amend New Matter in Respondent's Answer to Senate Intervenor Respondent's App for			
	Comment: Special Relief in the Nature of a Preliminary Injunction			
April 1, 2022	Answer Filed Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Response to Petitioner's Request for an Extension of Time to File			
	Comment: Brief in Opposition to Senate Intervenor's App for Relief			
April 1, 2022	Memorandum of Law Filed Cutler, Bryan D.		Intervenor	
	Benninghoff, Kerry A.		Intervenor	
	Metcalf, Daryl D.		Intervenor	
	Document Name: Memo of Law in Opposition to Application for Expedited Special and Summary Relief			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 1, 2022	Order Filed Per Curiam			04/04/2022
<p>Document Name: Respondent's to file Amended Brief within the timeframe of March 29, 2022 order</p> <p>Comment: NOW, April 1, 2022, upon review of Respondents' "Application for Leave to Withdraw Original Brief and to File an Amended Brief," which Petitioner does not generally oppose,¹ the Application is GRANTED. Respondents shall file and serve their amended brief (4 copies) in support of their preliminary objections within the time prescribed by the Court's March 29, 2022, Order.</p> <p>¹ While Petitioner does not generally oppose Respondents' Application, he argues Respondents should not be permitted to amend their brief to address preliminary objections to Count I of the petition for review. Respondents provide no reason why they seek to amend their brief; they recognize that their brief was filed before this Court issued its briefing schedule on the preliminary objections. Petitioner may seek to amend his brief in opposition to Respondents' preliminary objections after Respondents' amended brief is filed and served. This is the normal course of briefing; however, Petitioner also filed his brief in opposition to the preliminary objections before this Court issued its briefing schedule.</p> <p>²</p> <p>To the extent that Petitioner's Answer to Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction can be considered an application for extension of time to file a brief in reply to Senate Intervenor's Application and brief, the request is GRANTED. No later than Monday, April 25, 2022, 12:00 p.m., Petitioner shall file and serve his brief (3 copies) in reply to Senate Intervenor Respondents' brief in support of their Application for Special Relief.</p> <p>A hearing on Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction shall commence on Wednesday, May 4, 2022, at 10:00 a.m., in Courtroom 3001, Pennsylvania Judicial Center, Third Floor, 601 Commonwealth Avenue, Harrisburg, Pa.</p> <p>Senate Intervenor Respondents shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits, no later than Wednesday, April 20, 2022.</p> <p>Petitioner, Respondents, and House Intervenor Respondents shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits, no later than Wednesday, April 20, 2022.</p> <p>The parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony.</p> <p>The parties are strongly encouraged to consult prior to the filing of their list of witnesses and exhibits and, if possible, enter evidentiary and/or factual</p> <p>³</p> <p>stipulations and/or agreed-upon protocols in order to streamline the proceedings. The parties may PAC-file any joint stipulations or protocols prior to the hearing.</p> <p>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.</p>				
April 4, 2022	Answer to Preliminary Objections Pittinsky, David	McDonnell, Patrick J.	Petitioner	
Document Name: Petitioner's Answer to House Intervenor's POs				
April 4, 2022	Answer Filed Pittinsky, David	McDonnell, Patrick J.	Petitioner	
Document Name: Petitioner's Answer in Opp. to the Senate Intervenor's Extraordinary Request that this Court Enter				
Comment: an Interim Order (Without Hearing or Argument) Prohibiting Publication of the RGGI Rulemaking in the Pennsylvania Bulletin				

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 5, 2022	Praecepte Pittinsky, David	McDonnell, Patrick J.	Petitioner	
	Document Name: Praecepte to Provide Relevant Information to the Court			
April 5, 2022	Application for Relief Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Kawa, Erin Renee	Metcalfe, Daryl D.	Intervenor	
	Kawa, Erin Renee	Benninghoff, Kerry A.	Intervenor	
	Document Name: App to Join Senate Intervenors' Request for Interim Order			
April 5, 2022	Order Filed Per Curiam			04/05/2022
	Document Name: Processing of the Regional Greenhouse Gas Initiative Regulation for Publication is Stayed			
	Comment: NOW, April 5, 2022, processing of the Regional Greenhouse Gas Initiative Regulation for publication in the Pennsylvania Bulletin is stayed pending further order of the Court.			
April 6, 2022	Status Conference Scheduled Per Curiam			04/06/2022
	Document Name: Tuesday, April 12, 2022, at 1:00 p.m. in Courtroom 5001, 5th Floor, PJC, Hbg., PA			
	Comment: NOW, April 6, 2022, a status conference in the above matter is scheduled for Tuesday, April 12, 2022, at 1:00 p.m. in Courtroom 5001, 5th Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pa.			
	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.			
April 7, 2022	Notice of Appeal to PA Supreme Court Filed Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Document Name: 45 MAP 2022			
April 11, 2022	Status Conference Rescheduled Per Curiam			04/11/2022
	Document Name: To Tuesday, April 12, 2022 at 1:00 pm, Via WebEx			
	Comment: NOW, April 11, 2022, the status conference scheduled for Tuesday, April 12, 2022, at 1:00 p.m., in Courtroom 5001, 5th Floor, Pennsylvania Judicial Center, Harrisburg, Pa., is hereby RESCHEDULED for April 12, 2022, at 1:00 p.m., by WebEx videoconferencing. The Court shall host the status conference via WebEx.			
	Immediately upon receipt of this Order, counsel of record participating in the status conference shall provide their email addresses to CommCourtRemote@pacourts.us. To facilitate participation, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Proceedings attached to this Order. Counsel is directed to connect to the conference call 10 minutes before the starting time. In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.			

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April 15, 2022	Application for Reconsideration Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Motion for Reconsideration of this Court's 4/5/22 Order Prohibiting Publication of the Comment: RGGI Regulation in the Pennsylvania Bulletin			
April 18, 2022	Order Filed Per Curiam			04/18/2022
	Document Name: Dissolved Stay Comment: NOW, April 18, 2022, upon further consideration of the Court's April 5, 2022, Order that stayed the processing of the Regional Greenhouse Gas Initiative Regulation for publication in the Pennsylvania Bulletin, the Court concludes that the April 5, 2022, Order was deemed dissolved as of April 11, 2022, pursuant to Pa. R.Civ.P. 1531(d) ("An injunction granted without notice to the defendant shall be deemed dissolved unless a hearing on the continuance of the injunction is held within five days after granting the injunction or within such other time as the parties may agree or as the court upon good cause shown shall direct."). See also Dep't of Pub. Welfare v. Mallory, 414 A.2d 749 (Pa. Cmwlth. 1980) (stating that where no hearings on continuances of preliminary injunctions issued without notice to defendant were conducted within five days, each was deemed dissolved after five days and that because conference conducted five days after first injunction order was not a hearing, the injunction was not ordered continued).			
April 18, 2022	Hearing Rescheduled Per Curiam			04/18/2022
	Document Name: to 5-2-22 Comment: NOW, April 18, 2022, the hearing on Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction, scheduled for Wednesday, May 4, 2022, at 10:00 a.m., is RESCHEDULED to Monday, May 2, 2022, at 10:00 a.m., in Courtroom 3001, Pennsylvania Judicial Center, Third Floor, 601 Commonwealth Avenue, Harrisburg, Pa. Senate Intervenor Respondents are directed to secure the service of a court stenographer for the Preliminary Injunction proceedings. The parties shall file a joint stipulation of facts no later than Wednesday, April 20, 2022, to streamline the proceedings. The parties may PAC-file their joint stipulation. Senate Intervenor Respondents shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits, no later than Wednesday, April 20, 2022. Petitioner, Respondents, and House Intervenor Respondents shall file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits, no later than Wednesday, April 20, 2022. The parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony. 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.			
April 18, 2022	Entry of Appearance Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Document Name: of Thomas Gallagher, esq. for Patrick McDonnell			

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April 18, 2022	Filed - Other			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Praecepto to Provide Info re: Publication of Regulation in PA Bulletin			
April 18, 2022	Certificate of Service Filed			
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
April 19, 2022	Order Denying Application for Reconsideration Per Curiam			04/19/2022
	Document Name: Application for Reconsideration of April 5, 2022 Order Dismissed /See April 18, 2022 Order			
	Comment: NOW, April 19, 2022, upon review of Petitioner Patrick J. McDonnell's "Motion for Reconsideration of this Court's April 5, 2022[,] Order Prohibiting Publication of the [Regional Greenhouse Gas Initiative] Regulation in the Pennsylvania Bulletin" (Motion), the Motion is DISMISSED. Petitioner filed his Motion on Friday, April 15, 2022, a day on which the Court was closed. The Motion, therefore, was not accepted for filing by the Court until Monday, April 18, 2022. At nearly the same time, the Court filed an April 18, 2022, Order concluding that the stay imposed by the Court's April 5, 2022, Order automatically dissolved pursuant to Pa. R.Civ.P. 1531(d). As the Court's April 18, 2022, Order is the operative order in this case, Petitioner's Motion seeking reconsideration of the April 5, 2022, Order is DISMISSED.			
April 19, 2022	Notice of Discontinuance Supreme Court of Pennsylvania			
	Document Name: 45 MAP 2022			
April 19, 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: On behalf of Constellation Energy Corp. and Constellation Energy Gen.			
April 19, 2022	Entry of Appearance			
	Hummel, Amoré Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amoré Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: On behalf of Constellation Energy Corp. and Constellation Energy Gen.			
April 19, 2022	Entry of Appearance			
	Fontaine, Peter Jonathan	Constellation Energy Corporation	Possible Intervenor	
	Fontaine, Peter Jonathan	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: On behalf of Constellation Energy Corp. and Constellation Energy Gen.			
April 19, 2022	Notice of Discontinuance Supreme Court of Pennsylvania			
	Document Name: 45 MAP 2022			

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April 20, 2022	Filed - Other			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: House Intervenor/Respondents Do Not Intend to Call Witnesses			
April 20, 2022	Motion to Intervene			
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: of Constellation Energy Corporation and Constellation Energy Generation, LLC			
April 20, 2022	Stipulation Filed			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	Bogush, Mark Andrew	Mendelsohn, Amy J.	Respondent	
	Bogush, Mark Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Bogush, Mark Andrew	Pennsylvania Legislative Reference	Respondent	
	Butash, Andrew	Mendelsohn, Amy J.	Respondent	
	Butash, Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Butash, Andrew	Pennsylvania Legislative Reference	Respondent	
	Hull, Kandice Kerwin	Ward, Kim	Intervenor	
	Hull, Kandice Kerwin	Yaw, Gene	Intervenor	
	Hull, Kandice Kerwin	Browne, Pat	Intervenor	
	Hull, Kandice Kerwin	Corman, Jake	Intervenor	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Document Name: Joint Stipulations of Material Facts by All Parties			
April 20, 2022	Filed - Other			
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Witness and Exhibit List			
April 20, 2022	Filed - Other			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Witness List			

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April 20, 2022	Filed - Other			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Sentate Intervenor's List of Exhibits			
April 20, 2022	Filed - Other			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondent Legislative Reference Bureau et al.'s Witness List and Exhibits			
April 21, 2022	Order Filed			04/21/2022
	Per Curiam			
	Document Name: Answers to Application for Leave to Intervene are Due April 25, 2022, 12:00 pm			
	Comment: NOW, April 21, 2022, upon review of the Application for Leave to Intervene of Constellation Energy Corporation and Constellation Energy Generation LLC, seeking to intervene in alignment with Petitioner, any answers thereto should be filed no later than Monday, April 25, 2022, at 12:00 p.m.			
April 22, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Consent to Application to Intervene			
April 22, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents' Answer to Application for Leave to Intervene			
April 25, 2022	Amicus Curiae Brief			
	Widener University		Amicus Curiae	
	Environmental Law and			
	Sustainability Center			
	McKinstry, Robert B., Jr.		Amicus Curiae	
	Document Name: Brief in Support of Petitioner			
April 25, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: House Intervenor Respondents' Answer in Opposition to Application to Intervene			
April 25, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor Respondents' Answer in Opposition to the Application for Leave to Intervene			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 25, 2022	Application for Intervention (Pa.R.A.P. 1531b)			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	Document Name: Application for Leave to Intervene of Citizens fo PAs Future, Clean Air Council, and the Sierra Club			
April 25, 2022	Petitioner's Brief Filed			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Petitioner's Brief in Opposition to Senate Intervenor Respondents' Application for			
	Comment: Preliminary Injunction			
April 25, 2022	Entry of Appearance			
	Bast, Emma Hope	Sierra Club	Possible Intervenor	
	Bast, Emma Hope	Citizens for Pennsylvania's Future	Possible Intervenor	
	Kilbert, Angela Mae	Sierra Club	Possible Intervenor	
	Kilbert, Angela Mae	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	Document Name: of Attys O'Neill, Kilbert, and Bast for Sierra Club and Citizens for PA's Future			
April 25, 2022	Amicus Curiae Brief			
	Keystone Energy Efficiency Alliance		Amicus Curiae	
	Document Name: Brief in Support of Petitioner and Opposing Senate Intervenor's Application for			
	Comment: Preliminary Injunction			
April 25, 2022	Order Filed			04/25/2022
	Per Curiam			
	Document Name: Directing Answers			
	Comment: NOW, April 25, 2022, upon review of the Application for Leave to Intervene of Citizens for Pennsylvania's Future, Clean Air Council, and the Sierra Club, seeking to intervene in alignment with Petitioner, any answers thereto should be filed no later than WEDNESDAY, April 27, 2022, at 12:00 p.m.			
April 25, 2022	Letter			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Letter Requesting a Status Conference			
April 25, 2022	Letter			
	Constellation Energy Corporation		Possible Intervenor	
	Constellation Energy Generation LLC		Possible Intervenor	
	Document Name: Letter requesting brief to be docketed as an amicus brief.			
April 25, 2022	Amicus Curiae Brief			
	Constellation Energy Corporation		Possible Intervenor	
	Constellation Energy Generation LLC		Possible Intervenor	
	Document Name: Amicus Curiae Brief in Opposition to Senate Intervenor Respondent's Preliminary Injunction			
April 26, 2022	Filed - Other			
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Motion in Limine to Exclude Senate Intervenor's Ex. Nos. 5 and 6			

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April 26, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents Answer to App for Leave to Intervene			
April 26, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Consent to Application to Intervene Filed by Citizens for PA's Future et al.			
April 26, 2022	Application to Amend			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: State Intervenor's...Motion for Leave to Amend Their Witness and Exhibit Lists			
April 26, 2022	Filed - Other			
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Document Name: Senate Intervenor's Amended Witness and Exhibit Lists			
April 27, 2022	Respondent's Amended Brief Filed			
	Pennsylvania Legislative		Respondent	
	Reference Bureau			
	DeLiberato, Jr., Vincent C.		Respondent	
	Mendelsohn, Amy J.		Respondent	
	Document Name: Amended Brief in Support of POs			
April 27, 2022	Hearing Continued			04/27/2022
	Per Curiam			
	Document Name: May 2, 2022 Hearing is Continued Generally / Status Conference Scheduled for May 5, 2022			
	Comment: NOW, April 27, 2022, upon further review of this matter, the hearing on Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction (Preliminary Injunction Application), scheduled for Monday, May 2, 2022, at 10:00 a.m., is continued generally.			
	A status conference is scheduled for Thursday, May 5, 2022, at 10:00 a.m., in Courtroom 3001, Third Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pa.			
	The parties shall be prepared to discuss, among other things, the impact of publication of the CO2 Budget Trading Program Regulation, 52 Pa. Bulletin 2471 (Apr. 23, 2022), on Senate Intervenor Respondents' Preliminary Injunction Application.			
	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.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 27, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalf, Daryl D.	Intervenor	
	Document Name: House Intervenor Respondents' Answer in Opposition to App to Intervene			
April 27, 2022	Answer to Application for Intervention (Pa.R.A.P. 1531b)			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Answer in Opposition to App. for Intervention of Citizens for Pa.'s Future et al			
April 29, 2022	Petitioner's Brief Filed			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Brief in Support of Application for Expedited Special and Summary Relief			
April 29, 2022	Intervenor's Brief			
	Cutler, Bryan D.		Intervenor	
	Benninghoff, Kerry A.		Intervenor	
	Metcalf, Daryl D.		Intervenor	
	Document Name: House Intervenor Respondents' Brief in Support of POs			
May 3, 2022	Intervenor's Brief			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: In reply to petitioners brief in opposition to Senate Intervenor respondent's application for			
	Comment: special relief in the nature of P.I.			
May 4, 2022	Entry of Appearance			
	Hazlett, Thomas W.	McDonnell, Patrick J.	Petitioner	
	Document Name: Atty. Hazlett for McDonnell			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 4, 2022	Hearing Scheduled Per Curiam			05/04/2022
	<p>Document Name: For May 10, 2022 at 10:00am, PJC, Harrisbur, on App for Special Relief in the Nature of a PI</p> <p>Comment: NOW, May 4, 2022, a hearing on Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction is scheduled for Tuesday, May 10, 2022, at 10:00 a.m., in Courtroom 3002, Pennsylvania Judicial Center, Third Floor, 601 Commonwealth Avenue, Harrisburg, Pa. Senate Intervenor Respondents are directed to confer with the Petitioners in Bowfin KeyyCon Holdings, LLC v. Pennsylvania Department of Environmental Protection and Pennsylvania Environmental Quality Board (Pa. Cmwth., No.247 M.D. 2022), to secure the service of a court stenographer for the proceedings.</p> <p>Proposed Intervenor Citizens for Pennsylvania's Future, Clean Air Counsel, and Sierra Club (Proposed Nonprofit Intervenor) and Constellation Energy Corporation and Constellation Energy Generation, LLC (Proposed Intervenor Constellation Intervenor) are granted to leave to participate in the aforementioned hearing subject to the Court's future disposition of their respective Applications for Leave to Intervene.</p> <p>Proposed Nonprofit Intervenor and Proposed Intervenor Constellation shall respectively file a list of all witnesses to be called at the hearing with a short offer of proof for each witness, the curriculum vitae and expert report for any expert witness, and a list of exhibits, no later than Friday, May 6, 2022, at 4:00 p.m.</p> <p>All parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony.</p> <p>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.</p>			
May 5, 2022	Order Granting Application for Relief Per Curiam			05/05/2022
	<p>Document Name: Apps to File Amended New Matter and Amended Witness and Exhibit List Grated</p> <p>Comment: NOW, May 5, 2022, upon review of Respondents' April 1, 2022, Application for Leave to Amend New Matter in Respondents' Answer to Senate Intervenor Respondents' Application for Special Relief in the Nature of a Preliminary Injunction (Preliminary Injunction Application), Respondents' Application is GRANTED. The Prothonotary shall accept for filing Respondents' Amended New Matter and attach the Amended New Matter to Respondents' March 29, 2022, Answer to Senate Intervenor Respondents' Preliminary Injunction Application.</p> <p>It is further ordered that Senate Intervenor Respondents' Application for Relief in the Nature of a Motion for Leave to Amend Their Witness and Exhibit Lists (Application to Amend) is GRANTED. The Prothonotary shall accept for filing Senate Intervenor Respondents' Amended Witness List and Amended Exhibit List, attached to Senate Intervenor Respondents' April 26, 2022, Application to Amend as Exhibits B and C, respectively.</p>			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 6, 2022	Filed - Other			
	Fontaine, Peter Jonathan	Constellation Energy Corporation	Possible Intervenor	
	Fontaine, Peter Jonathan	Constellation Energy Generation LLC	Possible Intervenor	
	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: Constellation's Witness and Exhibit List			
May 6, 2022	Filed - Other			
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Document Name: Petitioner's Witness and Exhibit List			
May 6, 2022	Amended			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: Senate Intervenor's Amended List of Exhibits			
May 6, 2022	Filed - Other			
	Bast, Emma Hope	Sierra Club	Possible Intervenor	
	Bast, Emma Hope	Citizens for Pennsylvania's Future	Possible Intervenor	
	Kilbert, Angela Mae	Sierra Club	Possible Intervenor	
	Kilbert, Angela Mae	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	Document Name: Sierra Club, et al.'s Witness and Exhibit List			
May 7, 2022	Stipulation Filed			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Joint Stipulation of Facts			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 9, 2022	Order Filed Wojcik, Michael H.			05/09/2022
	<p>Document Name: Court will allow remote testimony via WebEx/ Remote Witness List Due May 9, 2022 1:00 pm</p> <p>Comment: On May 5, 2022, the Court held a status conference in the above matter, during which Counsel inquired whether witnesses may testify remotely during the May 10, 2022, preliminary injunction hearing to be held in Courtroom 3002. The Court will allow remote testimony via WebEx video conferencing. Accordingly, no later than 1:00 p.m., Monday, May 9, 2022, Counsel shall file and serve a List of Witnesses Testifying Remotely. Counsel shall simultaneously email the Court's IT Department at CommCourtRemote@pacourts.us, advising the IT Department of: the short case caption and docket number; lead Counsel's name, email address and mobile telephone number; the party whom Counsel represents; and the remote witness's name, email address, and mobile telephone number. Counsel shall provide any witness testifying remotely with a copy of all exhibits to which the witness may need to refer during the witness's testimony prior to the preliminary injunction hearing.</p> <p>To facilitate participation in the hearing, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Hearings, attached to this order. The witnesses participating remotely are directed to connect to the hearing 15 minutes before the starting time.¹ The IT Department may contact the witness(es) to perform a test of the WebEx videoconference capabilities.</p> <p>In the event of technical questions or difficulties ONLY, please contact the Court's IT staff at 717-255-1626. All other questions, including, for example, how or where to file a document with the Court, are to be directed to the Prothonotary's Office or the Office of Chief Legal Counsel.</p> <p>It is so Ordered this 9th day of May, 2022.</p>			
May 9, 2022	Filed - Other			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Remote Witness List			
May 9, 2022	Amended			
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Corporation	Possible Intervenor	
	Fontaine, Peter Jonathan	Constellation Energy Corporation	Possible Intervenor	
	Fontaine, Peter Jonathan	Constellation Energy Generation LLC	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Van Orden, James F.	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Constellation Energy Corp. et al.'s Amended Witness and Exhibit List			
May 9, 2022	Amicus Curiae Brief			
	Pennsylvania Scientists		Amicus Curiae	
	Document Name: Brief in Support of PA Joining the RGGI and in Further Support of Petitioner and			
	Comment: Opposing Senate Intervenor Respondents' Application for Preliminary Injunction			

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May 13, 2022	Order Filed Wojcik, Michael H.			05/13/2022
	Document Name: Regarding App. for Relief			
	Comment: NOW, May 13, 2022, after a preliminary injunction hearing held May 10 and 11, 2022, on Senate Intervenor Respondents' (No. 41 M.D. 2022) and Bowfin KeyCon Petitioners' (No. 247 M.D. 2022) applications for relief in the nature of a preliminary injunction, it is hereby ORDERED as follows:			
	1.The parties are responsible for ordering transcription of the preliminaryinjunction proceedings. After filing of the transcript with the Court,and upon the parties' and proposed intervenors'1 receipt of thetranscript, the parties and proposed intervenors shall file with the Courta Notice of Receipt of Transcript. The Notice of Receipt of Transcriptshall be filed on the day that the transcript is received. The Court willthereafter issue a post-hearing briefing schedule consistent with theCourt's directive at the conclusion of the preliminary injunctionhearing.			
	2.The parties and proposed intervenors shall file one (1) omnibus brief,captioned as above, addressing both preliminary injunctionapplications.			
	3.The Court's briefing schedule will provide that the parties' andproposed intervenors' opening briefs (3 copies) shall becontemporaneously filed and served within 10 (ten) business days ofthe Court's order. Any omnibus reply briefs (3 copies) shall becontemporaneously due within 10 (ten) business days of the openingbriefs.			
	1 At 41 M.D. 2022, proposed intervenors are Constellation Energy Corporation and Constellation Energy Generation, LLC (collectively, Constellation), and Citizens for Pennsylvania's Future, Clean Air Counsel, and Sierra Club. At 247 M.D. 2022, proposed intervenors are Constellation and Citizens for Pennsylvania's Future, Clean Air Council, Sierra Club, the National Resources Defense Council, and Environmental Defense Fund.			
	3			
	4.Absent exigent circumstances, the briefing schedule shall not beextended.			
	5.Upon completion of the briefing schedule, the Court will schedule astatus conference by WebEx, as agreed upon by the parties andproposed intervenors at the conclusion of the preliminary injunctionhearing.			
	6.A hearing on proposed intervenors' Applications for Leave to Interveneis scheduled for Friday, June 24, 2022, at 10:00 a.m., in Courtroom3001, Third Floor, Pennsylvania Judicial Center, 601 CommonwealthAvenue, Harrisburg, Pa.			
	7.Proposed intervenors shall secure the services of a court stenographer.			
	8.To reduce the risk of transmission of the COVID-19 virus, all personsparticipating in or observing the hearing shall adhere to allPennsylvania Judicial Center and Commonwealth Court COVID-19precautions and protocols while in the Pennsylvania Judicial Centerthat may include, but not be limited to, the wearing of facemasks andsocial distancing.			
May 18, 2022	Entry of Appearance Hughey, Austin David	Corman, Jake	Intervenor	
	Hughey, Austin David	Ward, Kim	Intervenor	
	Hughey, Austin David	Browne, Pat	Intervenor	
	Document Name: of Austin Hughey, esq. for Senate Intervenor Respondents			
May 20, 2022	Filed - Other Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Joint Statement Regarding Receipt of Transcript			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
May 25, 2022	Order Filed Wojcik, Michael H.			05/25/2022
	Document Name: Issuing Briefing Schedule			
	Comment: NOW, May 25, 2022, in accordance with the Court's May 13, 2022, Order, the Court issues the following briefing schedule on Senate Intervenor Respondents' (No. 41 M.D. 2022) and Bowfin KeyCon Petitioners' (No. 247 M.D. 2022) applications for relief in the nature of a preliminary injunction: No later than June 6, 2022, the parties and proposed intervenors ¹ shall contemporaneously file and serve one (1) omnibus brief (3 copies), captioned as above, addressing both preliminary injunction applications. Any omnibus reply briefs (3 copies) shall be contemporaneously filed and served no later than June 16, 2022. Absent exigent circumstances, the briefing schedule shall not be extended.			
May 25, 2022	Transcript Filed Court Reporter			
	Document Name: Proceedings held May 10, 2022			
May 25, 2022	Respondent's Reply Brief Filed Pennsylvania Legislative Reference Bureau DeLiberato, Jr., Vincent C. Mendelsohn, Amy J.		Respondent Respondent Respondent	
	Document Name: In opposition to petitioner's application for expedited special and summary relief.			
May 27, 2022	Petitioner's Brief Filed McDonnell, Patrick J.		Petitioner	
	Document Name: Petitioner's Memo of Law in Opposition to House Intervenors' POs			
May 27, 2022	Application for Relief Kearney, Brian Nolan Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th McDonnell, Patrick J.	Petitioner Petitioner	
	Document Name: Re: Amended Brief			
May 31, 2022	Intervenor's Brief Corman, Jake Ward, Kim Yaw, Gene Browne, Pat		Intervenor Intervenor Intervenor Intervenor	
	Document Name: Senate Intervenors' Brief in Opposition to Expedited and Summary Relief			
June 2, 2022	Order Granting Application for Relief Per Curiam			06/02/2022
	Document Name: The Court shall consider Petitioner's Memo of Law as Petitioner's a brief in opposition			
	Comment: Upon review of "Petitioner's Application for this Court to Accept Petitioner's Memorandum of Law in Opposition to House Intervenors' Preliminary Objections as His Amended Brief in Support of Their Preliminary Objections," and considering this Court's March 29 and April 1, 2022, Orders, the Application is GRANTED. The Court shall consider Petitioner's May 27, 2022 "Memorandum of Law in Opposition to House Intervenors' Preliminary Objections", as Petitioner's brief in opposition to both Respondents' and House Intervenor Respondents' preliminary objections.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 6, 2022	Intervenor's Brief			
	Cutler, Bryan D.		Intervenor	
	Benninghoff, Kerry A.		Intervenor	
	Metcalfe, Daryl D.		Intervenor	
	Document Name: House Intervenor Respondents' Brief in Support of Preliminary Injunction			
June 6, 2022	Petitioner's Brief Filed			
	Patrick J. McDonnell, Secretary		Petitioner	
	of the Department of			
	Environmental Protection			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Post-Hearing Memo of Law in Opposition to Applications for Preliminary Injunction			
June 6, 2022	Intervenor's Brief			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: Senator Intervenor Respondents' Post-Hearing Brief in Support of App. for Preliminary Injunction			
June 6, 2022	Amicus Curiae Brief			
	Citizens for Pennsylvania's		Possible Intervenor	
	Future			
	Sierra Club		Possible Intervenor	
	Document Name: Post Hearing Omnibus Brief of NonProfit Intervenor's Opposing Apps. for Preliminary Injunction			
June 6, 2022	Filed - Other			
	Constellation Energy Corporation		Possible Intervenor	
	Constellation Energy Generation		Possible Intervenor	
	LLC			
	Document Name: Constellation Intervenor's Omnibus Post-Hearing Brief			
June 8, 2022	Filed - Other			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	Document Name: Letter Re: Witnesses			
June 13, 2022	Application for Relief			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 14, 2022	Status Conference Scheduled Wojcik, Michael H.			06/14/2022
	Document Name: June 30, 2022, 10:00 am Via WebEx			
	Comment: NOW, June 14, 2022, a status conference in the above matters is scheduled for Thursday, June 30, 2022, at 10:00 a.m. by WebEx videoconferencing. The Court shall host the status conference via WebEx. Senate Intervenor Respondents in the McDonnell matter at 41 M.D. 2022 and Petitioners in the Bowfin matter at 247 M.D. 2022 shall procure the services of a court stenographer. No later than June 21, 2022, the parties shall provide the Court with the name, email address, and mobile telephone number of the court stenographer to CommCourtRemote@pacourts.us. Immediately upon receipt of this Order, counsel of record participating in the status conference shall provide their email addresses and mobile telephone numbers to CommCourtRemote@pacourts.us. To facilitate participation, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Proceedings attached to this Order. Counsel is directed to connect to the conference call 15 minutes before the starting time. In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626.			
June 14, 2022	Order Granting Application for Relief Wojcik, Michael H.			06/14/2022
	Document Name: Witness and Exhibit Lists are Due June 21, 2022 / Remote Witness Testimony is Granted			
	Comment: NOW, June 14, 2022, upon consideration of the June 24, 2022, hearing on the Applications for Leave to Intervene filed by Proposed Intervenors Constellation Energy Corporation and Constellation Energy Generation, LLC and Citizens for Pennsylvania's Future, the Clean Air Council, the Sierra Club, the Natural Resources Defense Council, and the Environmental Defense Fund (collectively, Non-profits), the parties, the House and Senate Intervenor Respondents, and Proposed Intervenors shall file and serve their respective witness lists and exhibit lists no later than Tuesday, June 21, 2022. Upon review of Non-profits' unopposed Application for Relief seeking to present remote witness testimony at the June 24, 2022, hearing, the Application is GRANTED. The Court will allow witnesses to testify remotely. The parties, the House and the Senate Intervenor Respondents, and Proposed Intervenors shall identify any witness testifying remotely and provide their name, email address and mobile telephone number to CommCourtRemote@pacourts.us no later than June 21, 2022. All parties are directed to provide their witnesses with copies of the exhibits in advance of the hearing to which the witnesses can refer during their testimony. To facilitate participation, various WebEx applications are available for download at pacourts.webex.com. Please see the Protocol for WebEx Video Proceedings attached to this Order. Witnesses are directed to connect to the hearing 15 minutes before the starting time. In the event of technical difficulties, please contact the Court's IT staff at 717-255-1626. Proposed Intervenors shall procure the services of a court stenographer and provide the Court with the name, email address and mobile telephone number of the court stenographer to CommCourtRemote@pacourts.us no later than June 21, 2021. One day has been reserved for the hearing on the Applications for Leave to Intervene. 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.			
June 16, 2022	Intervenor's Reply Brief Corman, Jake Ward, Kim Yaw, Gene Browne, Pat		Intervenor Intervenor Intervenor Intervenor	
	Document Name: Senate Intervenors' Omnibus Brief in Reply to Briefs in Opposition to Preliminary Injunction			

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June 16, 2022	Intervenor's Reply Brief			
	Cutler, Bryan D.		Intervenor	
	Benninghoff, Kerry A.		Intervenor	
	Metcalfe, Daryl D.		Intervenor	
	Document Name: House Intervenor Respondents' Reply Brief in Support of Preliminary Injunction			
June 16, 2022	Petitioner's Reply Brief Filed			
	McDonnell, Patrick J.		Petitioner	
	Document Name: Reply Brief in Opposition to Preliminary Injunction			
June 16, 2022	Filed - Other			
	Citizens for Pennsylvania's		Possible Intervenor	
	Future			
	Clean Air Council		Possible Intervenor	
	Sierra Club		Possible Intervenor	
	Document Name: Post Hearing Reply Brief of NonProfit Intervenor			
June 16, 2022	Filed - Other			
	Constellation Energy Corporation		Possible Intervenor	
	Constellation Energy Generation		Possible Intervenor	
	LLC			
	Document Name: Constellation Intervenor's Omnibus Reply Brief			
June 17, 2022	Amicus Curiae Brief			
	Pennsylvania Manufacturers'		Amicus Curiae	
	Association			
	Industrial Energy Consumers of		Amicus Curiae	
	Pennsylvania			
	Pennsylvania Energy Consumer		Amicus Curiae	
	Alliance			
	Pennsylvania Chamber of		Amicus Curiae	
	Business and Industry			
	National Federation of		Amicus Curiae	
	Independent Business			
	Document Name: Brief in Support of Senate Intervenor's Application for Preliminary Injunction			
June 21, 2022	Entry of Appearance			
	Campbell, Sean Christopher	Cutler, Bryan D.	Intervenor	
	Campbell, Sean Christopher	Benninghoff, Kerry A.	Intervenor	
	Campbell, Sean Christopher	Metcalfe, Daryl D.	Intervenor	
	Document Name: For Sean C. Campbell, ESQ.			
June 21, 2022	Filed - Other			
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Hazlett, Thomas W.	McDonnell, Patrick J.	Petitioner	
	White, Matthew Adam	McDonnell, Patrick J.	Petitioner	
	White, Matthew Adam	Patrick J. McDonnell, Secretary of th	Petitioner	
	Document Name: Pennsylvania Department of Environmental Protection's and Environmental Quality Board's Witness and			
	Comment: Exhibit Disclosure for June 24, 2022 Hearing			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 21, 2022	Filed - Other			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor Respondents' Notice re: Witnesses and Exhibits for June 24, 2022 Hearing			
	Comment: on Intervention			
June 21, 2022	Filed - Other			
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: Constellation Intervention Hearing Witness and Exhibit List			
June 21, 2022	Filed - Other			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	Document Name: NonProfit Intervenor's Witness and Exhibit List			
June 22, 2022	Application for Relief			
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Document Name: Application for Leave to File Supplemental Brief			
June 24, 2022	Order Filed			06/24/2022
	Per Curiam			
	Document Name: Directing Answer to be filed			
	Comment: NOW, June 24, 2022, upon review of Petitioner Patrick J. McDonnell's "Application for Leave to File Supplemental Brief in Support of Application for Expedited Special and Summary Relief," Respondents, Senate Intervenor Respondents and House Intervenor Respondents shall file and serve no later than Tuesday, June 28, 2022, 12:00 p.m. either an answer to the Application or a letter reply indicating that no answer will be filed.			
June 28, 2022	Answer Filed			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents' Answer to Application for Leave to File Supplemental Brief			
June 28, 2022	Answer to Application for Relief			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Answer to Application for Leave to File Supplemental Brief			
June 28, 2022	Answer to Application for Relief			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: House Intervenor's Answer to Application for Leave to File Supplemental Brief			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
June 28, 2022	Order Denying Application for Intervention Wojcik, Michael H.			06/28/2022
	Document Name: Constellation and Pa's Future, Clean Air Councils and Sierra Club's Applications Comment: AND NOW, this 28th day of June, 2022, upon consideration of the Applications for Leave to Intervene filed by Constellation Energy Corporation and Constellation Energy Generation, LLC (collectively, Constellation) and the Citizens for Pennsylvania's Future, the Clean Air Council, and the Sierra Club, and after hearing on the issue, the Applications are DENIED. An opinion in support of this Order will follow. Constellation's Application for Special Relief in the Form of Expedited Consideration of the Application for Leave to Intervene is DISMISSED as moot.			
June 29, 2022	Application for Relief Kearney, Brian Nolan Gallagher, Thomas Joseph, IV Hazlett, Thomas W. Kearney, Brian Nolan Kearney, Brian Nolan	Ziadeh, Ramez McDonnell, Patrick J. McDonnell, Patrick J. Patrick J. McDonnell, Secretary of th McDonnell, Patrick J.	Petitioner Petitioner Petitioner Petitioner Petitioner	
	Document Name: Application to Substitute Party			
July 5, 2022	Order Granting Application for Relief Wojcik, Michael H.			07/05/2022
	Document Name: Ramez Zaideh is substituted as Petitioner / Petitioner's Supplemental Brief is Accepted Comment: NOW, July 5, 2022, upon review of the unopposed Application to Substitute Party, the Application is GRANTED. Ramez Ziadeh, Acting Secretary of Environmental Protection and Acting Chairperson of the Environmental Quality Board, shall be substituted for Patrick J. McDonnell as Petitioner. See Pa. R.A.P. 502(b). The Prothonotary shall amend the caption as reflected above. Petitioner's Application for Leave to File Supplemental Brief in Support of Application for Expedited and Special Relief, which Intervenor's oppose, is GRANTED. The Prothonotary shall accept for filing Petitioner's Supplemental Brief in Support of Application for Expedited Special and Summary Relief.			
July 5, 2022	Order Filed Wojcik, Michael H.			07/05/2022
	Document Name: Scheduling Order Comment: NOW, July 5, 2022, after a June 30, 2022, status conference in the above matter, and by agreement of the parties, it is hereby ORDERED as follows: 1. The Preliminary Objections of Respondents and House Intervenor Respondents ¹ and Petitioner's Verified Application for Expedited Special and Summary Relief shall be listed for oral argument during the Court's September 2022 Argument session (Harrisburg). 2. Discovery, if any, shall be completed no later than August 15, 2022. 3. No later than September 23, 2022, the parties shall file and serve any applications for summary relief (4 copies) and a brief in support thereof (4 copies). 4. No later than October 14, 2022, any briefs in opposition to an application for summary relief (4 copies) shall be filed and served. 5. No later than October 21, 2022, any reply briefs (4 copies) shall be filed and served. 6. The Prothonotary shall list the applications for summary relief during the Court's November 2022 Argument session (Philadelphia).			
July 5, 2022	Petitioner's Supplemental Brief Filed Ziadeh, Ramez		Petitioner	
	Document Name: Brief in Support of Special and Summary Relief			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 6, 2022	Tentative Session Date Krimmel, Michael Document Name: September 2022			
July 7, 2022	Transcript Filed Court Reporter Document Name: Proceedings of June 30, 2022.			
July 8, 2022	Memorandum Opinion Filed Wojcik, Michael H. Document Name: Re: Denial of Applications for Leave to Intervene Comment: Order Filed 6/28/2022			07/08/2022
July 8, 2022	Memorandum Opinion Filed Wojcik, Michael H. Document Name: Senate Intervenors' Preliminary Injunction Granted Comment: AND NOW, this 8th day of July, 2022, upon consideration of the Application for Relief in the Nature of a Preliminary Injunction, filed on behalf of Intervenors President Pro Tempore of the Pennsylvania Senate Jake Corman, Senate Majority Leader Kim Ward, Chair of the Senate Environmental Resources and Energy Committee Gene Yaw, and Chair of the Senate Appropriations Committee Pat Browne, and after hearing on the issue, the Application is GRANTED. Respondents the Legislative Reference Bureau, Vincent D. DeLiberato and Amy Mendelsohn are ENJOINED from proceeding to codification of the CO2Budget Trading Program (Rulemaking) in the Pennsylvania Code and the Department of Environmental Protection is ENJOINED from implementing and enforcing the Rulemaking until further order of Court.			07/08/2022
July 11, 2022	Notice of Appeal to PA Supreme Court Filed Kearney, Brian Nolan Document Name: 79 MAP 2022	Ziadeh, Ramez	Petitioner	
July 11, 2022	Exhibit Court Reporter Document Name: Nonprofit Proposed Intervenors' Exhibits for Intervention 6/24/2022 - not offered or admitted			
July 11, 2022	Transcript Filed Court Reporter Document Name: of May 10-11, 2022 hearing (exhibits)			
July 13, 2022	Praeipice Klein, Peter William Klein, Peter William Klein, Peter William Document Name: Praeipice to Provide Relevant Information to the Court re: LRB's Inability to Comply with Court Order	Pennsylvania Legislative Reference DeLiberato, Jr., Vincent C. Mendelsohn, Amy J.	Respondent Respondent Respondent	
July 14, 2022	Notice of Appeal to PA Supreme Court Filed Hummel, Amoré Ivette Hummel, Amoré Ivette Document Name: 81 MAP 2022	Constellation Energy Corporation Constellation Energy Generation LLC	Possible Intervenor Possible Intervenor	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 14, 2022	Notice of Appeal to PA Supreme Court Filed			
	Hummel, Amorie Ivette	Constellation Energy Corporation	Possible Intervenor	
	Hummel, Amorie Ivette	Constellation Energy Generation LLC	Possible Intervenor	
	Document Name: 83 MAP 2022			
July 14, 2022	Application to Vacate			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Application to Vacate Automatic Supersedeas			
July 14, 2022	Application to Strike			
	Gallagher, Thomas Joseph, IV	Ziadeh, Ramez	Petitioner	
	Document Name: Application to Strike Portion of July 13, 2022 Praecipe Filed by Respondent, LRB			
July 15, 2022	Order Filed			07/15/2022
	Per Curiam			
	Document Name: Answers to Application to Vacate Automatic Supersedeas Due July 22, 2022 by NOON			
	Comment: NOW, July 15, 2022, upon review of Senate Intervenor Respondents' Application To Vacate Automatic Supersedeas, any answers to the Application shall be filed and served no later than Friday, July 22, 2022, 12:00 p.m., noon.			
July 15, 2022	Answer to Application to Strike			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Answer to Petitioner's App to Strike Portion of July 13, 2022 Praecipe Filed by Respondent, LRB			
July 20, 2022	Notice of Appeal to PA Supreme Court Filed			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	Document Name: 85 MAP 2022			
July 20, 2022	Answer to Application to Vacate			
	Bogush, Mark Andrew	Mendelsohn, Amy J.	Respondent	
	Bogush, Mark Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Bogush, Mark Andrew	Pennsylvania Legislative Reference	Respondent	
	Butash, Andrew	Mendelsohn, Amy J.	Respondent	
	Butash, Andrew	DeLiberato, Jr., Vincent C.	Respondent	
	Butash, Andrew	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Document Name: Respondents' Answer to Application to Vacate Automatic Supersedeas			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
July 20, 2022	Notice of Appeal to PA Supreme Court Filed			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Clean Air Council	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	Document Name: 87 MAP 2022			
July 22, 2022	Answer to Application to Vacate			
	Gallagher, Thomas Joseph, IV	Ziadeh, Ramez	Petitioner	
	Document Name: Petitioner's Answer to Application to Vacate Automatic Supersedeas			
July 25, 2022	Order Granting Application to Vacate			07/25/2022
	Wojcik, Michael H.			
	Document Name: The Preliminary Injunction remains in effect			
	Comment: upon consideration of Senate Intervenor Respondents' (1) Application To Vacate Automatic Supersedeas, and the Answers thereto filed by Petitioner(2) and Respondents,(3) and having weighed the criteria for vacating the automatic supersedeas, the Court is satisfied that Senate Intervenor Respondents have satisfied their burden of proof to establish the requirements for (1) The Senate Intervenor Respondents are President Pro Tempore of the Pennsylvania Senate Jake Corman; Senate Majority Leader Kim Ward; Chair of the Environmental Resources and Energy Committee Gene Yaw; and Chair of the Senate Appropriations Committee Pat Browne. The Senate's Application To Vacate is joined by Speaker of the House of Representatives Bryan D. Cutler, Majority Leader Kerry Benninghoff, and Chairman of the House Environmental Resources and Energy Committee Daryl D. Metcalfe (collectively, House Intervenor Respondents). (2) The Court also reviewed Petitioner's brief in support of Answer in Opposition to the Application To Vacate. (3) Respondents take no position on the Application To Vacate. vacatur of the automatic supersedeas. See Department of Environmental Resources v. Jubelirer, 614 A.2d 199 (Pa. 1989) (setting forth standard for vacating an automatic supersedeas); Solano v. Pennsylvania Board of Probation and Parole, 884 A.2d 943 (Pa. Cmwlth. 2005) (Leadbetter, J., single-judge op.) (same). Accordingly, the Application To Vacate is GRANTED, and the Court's July 8, 2022 Order is CONFIRMED and the preliminary injunction remains in effect.			
July 29, 2022	Transcript Filed			
	Court Reporter			
	Document Name: Hearing held June 27, 2022			
July 29, 2022	Transcript Filed			
	Court Reporter			
	Document Name: Hearing held June 24, 2022			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 2, 2022	Status Conference Scheduled Per Curiam Document Name: 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.			08/02/2022
August 3, 2022	Application for Relief Khuri, Brigid Landy Khuri, Brigid Landy Khuri, Brigid Landy Khuri, Brigid Landy Document Name: Application for Leave to File a Responsive Brief to Petitioner's Supplemental Brief	Corman, Jake Ward, Kim Yaw, Gene Browne, Pat	Intervenor Intervenor Intervenor Intervenor	
August 4, 2022	Argument Scheduled Krimmel, Michael Document Name: Wednesday, September 14, 2022, 9:30 a.m. (En Banc), CR 5001, Pennsylvania Judicial Center, Comment: Harrisburg No. 23 on the list.			
August 5, 2022	Order Filed Per Curiam Document Name: Answers to Application for Leave to File Responsive Brief are Due August, 12, 2022, Noon Comment: NOW, August 5, 2022, upon review of the Application for Leave to File a Responsive Brief to Petitioner's Supplemental Brief (Application) filed on behalf of Senate Respondent Intervenor,1 any answer(s) to the Application shall be filed and served no later than Friday, August 12, 2022, at 12:00 p.m., noon. 1 Senate Respondent Intervenor are Jake Corman, President Pro Tempore of the Pennsylvania Senate; Kim Ward, Senate Majority Leader; Gene Yaw, Chair of the Environmental Resources and Energy Committee; and Pat Browne, Chair of the Senate Appropriations Committee.			08/05/2022
August 9, 2022	Tentative Session Date Krimmel, Michael Document Name: November 2022 - Applications for Summary Relief in accordance with July 5, 2022 Order			
August 10, 2022	Answer to Application for Relief Klein, Peter William Klein, Peter William Klein, Peter William Document Name: Respondents' Answer to Application for Leave to File a Responsive Brief to Pet.'s Supp. Brief	Pennsylvania Legislative Reference DeLiberato, Jr., Vincent C. Mendelsohn, Amy J.	Respondent Respondent Respondent	
August 11, 2022	Application to Amend Gallagher, Thomas Joseph, IV Document Name: Petitioner's Application for Leave to Amend Reply and Answer to Senate Intervenor's New Matter	Ziadeh, Ramez	Petitioner	

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
August 12, 2022	Order Filed Per Curiam			08/12/2022
	Document Name: Answers to Application for Leave to Amend Reply are Due by August 19, 2022 Noon			
	Comment: AND NOW, this 12th day of August, 2022, upon review of the "Application for Leave To Amend Reply and Answer to Senate Intervenor Respondents' New Matter and Counterclaims to State New Matter," filed on behalf of Petitioner Ramez Ziadeh, Acting Secretary of the Pennsylvania Department of Environmental Protection and Acting Chair of the Environmental Quality Board, any answers to the Application shall be filed and serve no later than Friday, August 19, 2022, 12:00 p.m.			
August 15, 2022	Order Granting Application for Relief Per Curiam			08/15/2022
	Document Name: Senate Intervenor Respondents' Brief in Response to Petitioner's Supp. Brief is Accepted			
	Comment: NOW, August 15, 2022, upon review of Senate Intervenor Respondents'1 Application for Leave to File a Responsive Brief to Petitioner's Supplemental Brief (Application), which Respondents do not oppose,2 the Application is GRANTED.			
	The Prothonotary shall accept for filing Senate Intervenor Respondents' Brief in Response to Petitioner's Supplemental Brief in Support of Application for Expedited and Special and Summary Relief, submitted contemporaneously with Senate Intervenor Respondents' August 3, 2022, Application.			
August 15, 2022	Intervenor's Reply Brief			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: Senate Intervenor Respondents' Brief in Response to Petitioner's Supplemental Brief			
August 15, 2022	Application for Relief			
	Gallagher, Thomas Joseph, IV	Ziadeh, Ramez	Petitioner	
	Document Name: Petitioner's Application to Quash Senate Intervenor's Subpoena			
August 16, 2022	Order Filed Per Curiam			08/16/2022
	Document Name: Any Answer to Application to Quash Subpoena is Due August 19, 2022 Noon			
	Comment: NOW, August 16, 2022, upon review of Petitioner's Application To Quash Senate Intervenor Respondents'1 Subpoena, any answer to the Application shall be filed and served no later than Friday, August 19, 2022, at 12:00 p.m., noon.			
	1 Senate Respondent Intervenor are Jake Corman, President Pro Tempore of the Pennsylvania Senate; Kim Ward, Senate Majority Leader; Gene Yaw, Chair of the Environmental Resources and Energy Committee; and Pat Browne, Chair of the Senate Appropriations Committee.			
August 16, 2022	Order Filed Per Curiam			08/16/2022
	Document Name: Parties Directed to File Report on Outstanding Discover by Aug. 19, 2022, 3:00pm			
	Comment: NOW, August 16, 2022, after a status conference held in the above matters, the parties shall file and serve a report no later than Friday, August 19, 2022, at 3:00 p.m., advising the Court of any outstanding discovery issues identified during the status conference			

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August 19, 2022	Answer to Application to Amend			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Resps' Answer to Pet's App for Leave to Amend Reply & Answer to Senate Intervenor Resps'			
	Comment: New Matter & Counterclaims to State New Matter			
August 19, 2022	Answer to Application for Relief			
	Klein, Peter William	Pennsylvania Legislative Reference	Respondent	
	Klein, Peter William	DeLiberato, Jr., Vincent C.	Respondent	
	Klein, Peter William	Mendelsohn, Amy J.	Respondent	
	Document Name: Respondents' Answer to Petitioner's Application to Quash Seante Intervenor Respondents' Subpoena			
August 19, 2022	Answer to Application to Amend			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor Resps' Answer in Opposition to Pet's App for Leave to Amend Reply & Answer			
August 19, 2022	Answer to Application to Amend			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: House Intevenor Resps' Answer to Pet's App for Leave to Amend Reply and Answer to			
	Comment: Senate Intevenor Resp's New Matter & Counterclaims to State New Matter			

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August 19, 2022	Report Filed			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Gallagher, Thomas Joseph, IV	Ziadeh, Ramez	Petitioner	
	Hazlett, Thomas W.	Ziadeh, Ramez	Petitioner	
	Kearney, Brian Nolan	Ziadeh, Ramez	Petitioner	
	White, Matthew Adam	Ziadeh, Ramez	Petitioner	
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Hazlett, Thomas W.	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	White, Matthew Adam	McDonnell, Patrick J.	Petitioner	
	White, Matthew Adam	Patrick J. McDonnell, Secretary of th	Petitioner	
	Crompton, J. Andrew	Ward, Kim	Intervenor	
	Crompton, J. Andrew	Yaw, Gene	Intervenor	
	Crompton, J. Andrew	Browne, Pat	Intervenor	
	Crompton, J. Andrew	Corman, Jake	Intervenor	
	Hughey, Austin David	Ward, Kim	Intervenor	
	Hughey, Austin David	Browne, Pat	Intervenor	
	Hughey, Austin David	Corman, Jake	Intervenor	
	McCaulley, Errin Todd, Jr.	Ward, Kim	Intervenor	
	McCaulley, Errin Todd, Jr.	Yaw, Gene	Intervenor	
	McCaulley, Errin Todd, Jr.	Browne, Pat	Intervenor	
	McCaulley, Errin Todd, Jr.	Corman, Jake	Intervenor	
	Document Name: Petitioner and Senate Intervenor Respondents' Joint Report to Court Regarding Status of Discovery			
August 29, 2022	Letter			
	Krimmel, Michael			
	Document Name: Letter to counsel requesting additional copies of documents previously filed			
September 2, 2022	Stipulation Filed			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Supplemental Joint Stipulation			
September 8, 2022	Letter			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: Re: Argument			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
September 8, 2022	Notice Commonwealth Court of Pennsylvania Document Name: Notice - Amended COVID-19 Protocols For In-Person Proceedings and Oral Argument Sessions			
September 12, 2022	Order Filed Per Curiam Document Name: 40 Minutes Shall Be Set Aside for Oral Argument in this Matter Comment: NOW, September 12, 2022, 40 minutes shall be set aside for oral argument in this matter before the Court sitting en banc on September 14, 2022. Petitioner shall have 20 minutes to present his arguments in support of his Verified Application for Expedited Special and Summary Relief and in opposition to the Preliminary Objections. ¹ Respondents, House Intervenor Respondents, and Senate Intervenor Respondents ² shall share 20 minutes to present their arguments in support of the Preliminary Objections and in opposition to the Verified Application for Expedited Special and Summary Relief. Each side may reserve a portion of their allotted time for rebuttal. Respondents, House Intervenor Respondents, and Senate Intervenor Respondents shall advise the Court how they intend to divide their shared time at the commencement of argument.			09/12/2022
September 23, 2022	Application for Summary Relief Kearney, Brian Nolan Document Name: Petitioner's Application for Summary Relief	Ziadeh, Ramez	Petitioner	
September 23, 2022	Filed - Other Kearney, Brian Nolan Document Name: Appendix In Support of Petitioner's Application for Summary Relief	Ziadeh, Ramez	Petitioner	
September 23, 2022	Memorandum of Law Filed Kearney, Brian Nolan Document Name: Petitioner's Memorandum of Law in Support of Application for Summary Relief	Ziadeh, Ramez	Petitioner	
September 23, 2022	Amicus Curiae Brief Widener University Environmental Law and Sustainability Center Document Name: Brief in Support of Commonwealth's Application for Summary Relief		Amicus Curiae	
September 23, 2022	Amicus Curiae Brief Citizens for Pennsylvania's Future Clean Air Council Sierra Club National Federation of Independent Business Environmental Defense Fund Document Name: Brief in Support of Commonwealth's Application for Summary Relief		Possible Intervenor Possible Intervenor Possible Intervenor Amicus Curiae Amicus Curiae	

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September 23, 2022	Application for Summary Relief			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor Respondents' Application for Summary Relief			
September 23, 2022	Amicus Curiae Brief			
	Pennsylvania Manufacturers' Association		Amicus Curiae	
	Industrial Energy Consumers of Pennsylvania		Amicus Curiae	
	Pennsylvania Energy Consumer Alliance		Amicus Curiae	
	Pennsylvania Chamber of Business and Industry		Amicus Curiae	
	National Federation of Independent Business		Amicus Curiae	
	Document Name: Brief of Amici Curiae Pa. Manufactures' Ass., Industrial Energy Consumers of Pa., Pa. Energy			
	Comment: Consumer Alliance, Pa. Chamber of Business and Industry and National Federation of Independent Business in Support of the Senate Intervenor's App. for Summary Relief			
September 23, 2022	Intervenor's Brief			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: Brief in Support of Application for Summary Relief			
October 12, 2022	Notice			
	Commonwealth Court Filing Office			
	Document Name: 79 MAP 2022-Record forwarded to the Supreme Court of PA, Middle District.			
October 12, 2022	Order Filed			10/12/2022
	Supreme Court of Pennsylvania			
	Document Name: 81 MAP 2022-QUASHED.			
October 12, 2022	Order Filed			10/12/2022
	Supreme Court of Pennsylvania			
	Document Name: 83 MAP 2022-QUASHED.			
October 13, 2022	Certificate of Service Filed			
	Commonwealth Court Filing Office			
	Document Name: List of documents forwarded to counsel & all unrepresented parties pursuant to Pa. R.A.P. 1931(d).			

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October 13, 2022	Argument Scheduled Krimmel, Michael Document Name: WEDNESDAY, November 16, 2022 @ 9:30 a.m. (En Banc), Court Room 1, Ninth Floor, Widener Building, Comment: 1339 Chestnut Street, Philadelphia, PA No. 36 on the list. Cross-applications for summary relief			
October 14, 2022	Amicus Curiae Brief Calpine Corporation Tenaska Westmoreland Management, LLC Fairless Energy, L.L.C. Document Name: Brief in Opposition to Petitioners' Application for Summary Relief		Amicus Curiae Amicus Curiae Amicus Curiae	
October 14, 2022	Amicus Curiae Brief State of New York State of Connecticut State of Maine State of Maryland Commonwealth of Massachusetts State of New Jersey State of Rhode Island City of New York Document Name: Brief in Opposition to Senate Intervenors Application for Summary Relief		Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae	
October 14, 2022	Memorandum of Law Filed Patrick J. McDonnell, Secretary of the Department of Environmental Protection McDonnell, Patrick J. Ziadeh, Ramez Document Name: Memo of Law in Opposition to Senate Intervenors' Application for Summary Relief		Petitioner Petitioner Petitioner	
October 14, 2022	Intervenor's Brief Corman, Jake Ward, Kim Yaw, Gene Browne, Pat Document Name: Brief in Opposition to Petitioners' Application for Summary Relief		Intervenor Intervenor Intervenor Intervenor	
October 14, 2022	Amicus Curiae Brief Constellation Energy Corporation Constellation Energy Generation LLC Document Name: Brief in Opposition to Senate Intervenors' and Petitioners' Applications for Summary Relief		Amicus Curiae Amicus Curiae	

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October 14, 2022	Intervenor's Brief			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalf, Daryl D.	Intervenor	
	Cutler, Bryan D.		Intervenor	
	Benninghoff, Kerry A.		Intervenor	
	Metcalf, Daryl D.		Intervenor	
	Document Name: Brief in Opposition to Petitioner's Application for Summary Relief			
October 21, 2022	Petitioner's Reply Brief Filed			
	McDonnell, Patrick J.		Petitioner	
	Ziadeh, Ramez		Petitioner	
	Document Name: Petitioner Reply Memorandum			
October 21, 2022	Intervenor's Reply Brief			
	Corman, Jake		Intervenor	
	Ward, Kim		Intervenor	
	Yaw, Gene		Intervenor	
	Browne, Pat		Intervenor	
	Document Name: Senate Intervenor's Reply Brief			
November 11, 2022	Order Filed			11/11/2022
	Per Curiam			
	Document Name: Regarding presentation of argument			
	Comment: NOW, November 11, 2022, 30 minutes shall be set aside for oral argument in this matter before the Court sitting en banc on November 16, 2022. Petitioner shall have 15 minutes to present his arguments in support of his Application for Summary Relief and in opposition to the Application for Summary Relief filed by Senate Intervenor Respondents. Senate Intervenor Respondents shall have 15 minutes to present their arguments in support of their Application for Summary Relief and in opposition to Petitioner's Application for Summary Relief.			
	Each side may reserve a portion of their allocated time for rebuttal.			
December 5, 2022	Application for Relief			
	Khuri, Brigid Landy	Corman, Jake	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Browne, Pat	Intervenor	
	Document Name: Senate Intervenor's Application for Order Confirming Substitution of Parties and Amending Caption			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 7, 2022	Order Filed Wojcik, Michael H.			12/07/2022
	Document Name: Application seeking Amendment is Denied / Substituion is Granted			
	Comment: AND NOW, December 7, 2022, upon review of the Senate Intervenor Respondents' "Application for Order Confirming Substitution of Parties and Amending Caption" (Application), that portion of said Application seeking amendment is DENIED. However, in accordance with Pa. R.A.P. 502(c), the Court confirms and recognizes the substitution of the Senate Intervenor Respondents as Kim Ward, Interim Senate President Pro Tempore; Joseph Pittman, Senate Majority Leader; Gene Yaw, Chair of the Senate Environmental Resources and Energy Committee; and Scott Martin, Chair of the Senate Appropriations Committee. ¹			
	1 Prior hereto, the Senate Intervenor Respondents included Jake Corman, President Pro Tempore of the Pennsylvania Senate; Kim Ward, Senate Majority Leader; Gene Yaw, Chair of the Environmental Resources and Energy Committee; and Pat Browne, Chair of the Senate Appropriations Committee.			
December 14, 2022	Application for Reconsideration Gallagher, Thomas Joseph, IV Gallagher, Thomas Joseph, IV	McDonnell, Patrick J. Ziadeh, Ramez	Petitioner Petitioner	
	Document Name: Pet's Application for Reconsideration of the Portion of the Court's 12/7/22 Order confirming and			
	Comment: recognizing the substitution onf the Senate Intervenor Respondents.			
December 29, 2022	Answer to Application for Reconsideration Khuri, Brigid Landy Khuri, Brigid Landy Khuri, Brigid Landy Khuri, Brigid Landy	Martin, Scott Ward, Kim Yaw, Gene Pittman, Joseph	Intervenor Intervenor Intervenor Intervenor	
	Document Name: Answer in Opposition to Petitioner's Application for Reconsideration			
January 3, 2023	Order Denying Application for Reconsideration Wojcik, Michael H.			01/03/2023
	Document Name: Recon Denied			
	Comment: NOW, January 3, 2023, upon review of Petitioner's "Application for Reconsideration of the Portion of this Court's December 7, 2022 Order Confirming and Recognizing the Substitution of the Senate Intervenor Respondents" (Application), and the Answer in opposition thereto filed by the Senate Intervenor Respondents, said Application is hereby DENIED.			
January 19, 2023	Dismissed Wojcik, Michael H.			01/19/2023
	Document Name: Memorandum Opinion: Pet's. PFR is DISMISSED / POs & App. for Summary Relief are dismissed as moot.			
	Comment: AND NOW, this 19th day of January, 2023, the Petition for Review in the Nature of a Complaint for Permanent and Peremptory Mandamus and for Declaratory Relief filed by Ramez Ziadeh, Acting Secretary of the Department of Environmental Protection and Acting Chairperson of the Environmental Quality Board, is DISMISSED as moot; the related preliminary objections and application for summary relief filed by the parties and intervenors in the above-captioned matter are likewise dismissed as moot.			
	Judge Covey did not participate in the decision of this case.			
	Judge Fizzano Cannon did not participate in the decision of this case.			
	Judge Wallace did not participate in the decision of this case.			

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Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
April 4, 2023	Praecepte			
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: Praecepte to Substitute Parties Intervenor			
April 10, 2023	Application for Relief			
	Kearney, Brian Nolan	Ziadeh, Ramez	Petitioner	
	Document Name: Application to Substitute Party			
May 19, 2023	Application for Relief			
	Gallagher, Thomas Joseph, IV	McDonnell, Patrick J.	Petitioner	
	Gallagher, Thomas Joseph, IV	Ziadeh, Ramez	Petitioner	
	Document Name: Application to Take Notice of New Authority			
June 1, 2023	Answer to Application for Relief			
	Khuri, Brigid Landy	Martin, Scott	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Pittman, Joseph	Intervenor	
	Document Name: Senate Intervenor's Response to Application to Take Notice of New Authority			
June 2, 2023	Answer to Application for Relief			
	Kutz, James John	Causer, Martin T.	Intervenor	
	Kutz, James John	Cutler, Bryan D.	Intervenor	
	Kutz, James John	Benninghoff, Kerry A.	Intervenor	
	Kutz, James John	Metcalfe, Daryl D.	Intervenor	
	Document Name: House Intervenor's Answer to Pet.'s App. to Take Notice of New Authority			
June 8, 2023	Order Granting Application for Relief			06/08/2023
	Per Curiam			
	Document Name: App. to Take Notice is Granted In Part			
	Comment: AND NOW, this 8th day of June, 2023, Petitioners' 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 1, 2023	Summary Relief Granted			11/01/2023
	Wojcik, Michael H.			
	Document Name: Memorandum Opinion: Senate Intervenor's ASR is GRANTED / All outstanding ASRs & apps. are DISMISSED.			
	Comment: AND NOW, this 1st day of November, 2023, the Application for Summary Relief (ASR) filed by Senate Intervenor in the above-captioned matter is GRANTED in part, in accordance with the foregoing Memorandum Opinion. The regulations promulgated by the Department of Environmental Protection (DEP) and the Environmental Quality Board (EQB) referred to as the "Trading Program Regulation" (Rulemaking), and found at 25 Pa. Code §§145.301-145.409, are DECLARED VOID. The Acting Secretary of DEP and Acting Chairperson of EQB is ENJOINED from enforcing the Rulemaking. All outstanding ASRs and applications filed in this case are DISMISSED as moot.			
	Judge Covey did not participate in the decision of this case.			
	Judge Fizzano Cannon did not participate in the decision of this case.			
	Judge Wallace did not participate in the decision of this case.			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
November 21, 2023	Notice of Appeal to PA Supreme Court Filed			
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	Ziadeh, Ramez	Petitioner	
	Document Name: 106 MAP 2023			
November 22, 2023	Application for Relief			
	Khuri, Brigid Landy	Martin, Scott	Intervenor	
	Khuri, Brigid Landy	Ward, Kim	Intervenor	
	Khuri, Brigid Landy	Yaw, Gene	Intervenor	
	Khuri, Brigid Landy	Pittman, Joseph	Intervenor	
	Document Name: Senate Intervenors' Application to Vacate Automatic Supersedeas			
November 22, 2023	Answer to Application for Relief			
	Kearney, Brian Nolan	Patrick J. McDonnell, Secretary of th	Petitioner	
	Kearney, Brian Nolan	McDonnell, Patrick J.	Petitioner	
	Kearney, Brian Nolan	Ziadeh, Ramez	Petitioner	
	Document Name: Petitioners' Answer to Senate Intervenor Respondents' Application to Vacate Automatic Supersedeas			
November 28, 2023	Order Granting Application for Relief			11/28/2023
	Per Curiam			
	Document Name: Automatic Supersedeas is Vacated			
	Comment: AND NOW, this 28th day of November, 2023, upon consideration of Intervenors' Application to Vacate Automatic Supersedeas (Application), and Petitioner's Answer to the Application wherein Petitioner does not oppose the requested relief, the Application is hereby GRANTED in accordance with our memorandum opinion in Ziadeh v. Pennsylvania Legislative Reference Bureau (Pa. Cmwlth., No. 41 M.D. 2022, filed November 1, 2023). Accordingly, we VACATE the automatic supersedeas of Pa.R.A.P. 1736, which resulted from Petitioner's filing of a notice of appeal in the Pennsylvania Supreme Court, such that our prior Order in this matter dated November 1, 2023, remains in effect.			
November 29, 2023	Notice of Appeal to PA Supreme Court Filed			
	O'Neill, Jessica Rose	Citizens for Pennsylvania's Future	Possible Intervenor	
	O'Neill, Jessica Rose	Clean Air Council	Possible Intervenor	
	O'Neill, Jessica Rose	Sierra Club	Possible Intervenor	
	O'Neill, Jessica Rose	Environmental Defense Fund	Amicus Curiae	
	Document Name: 110 MAP 2023			
November 29, 2023	Notice			
	Commonwealth Court Filing			
	Office			
	Document Name: 110 MAP 2023 - Jurisdictional Statement to Supreme Court Middle District			
December 1, 2023	Notice of Appeal to PA Supreme Court Filed			
	Van Orden, James F.	Constellation Energy Corporation	Amicus Curiae	
	Van Orden, James F.	Constellation Energy Generation LLC	Amicus Curiae	
	Document Name: 115 MAP 2023			
December 1, 2023	Notice of Appeal to PA Supreme Court Filed			
	Van Orden, James F.	Constellation Energy Corporation	Amicus Curiae	
	Van Orden, James F.	Constellation Energy Generation LLC	Amicus Curiae	
	Document Name: 113 MAP 2023			

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DOCKET ENTRY

Filed Date	Docket Entry / Filer	Representing	Participant Type	Exit Date
December 19, 2023	Praecipe for Withdrawal of Appearance			
	Minott, Joseph Otis	Clean Air Council	Possible Intervenor	
	Cohen, Paul Jay, II	Clean Air Council	Possible Intervenor	
	Document Name: Attys. Minott and Cohen for Clean Air Counsel			
February 9, 2024	Order Filed			02/09/2024
	Supreme Court of Pennsylvania			
	Document Name: 79 MAP 2022-Discontinued. Original record has been placed at 85 MAP 2022.			

SESSION INFORMATION

Journal Number: 36-11-2022
 Consideration Type: En Banc Argument
 Listed/Submitted Date: November 16, 2022

DISPOSITION INFORMATION

Final Disposition: No

Related Journal No:

Category: Decided

Disposition: Dismissed

Disposition Comment: AND NOW, this 19th day of January, 2023, the Petition for Review in the Nature of a Complaint for Permanent and Peremptory Mandamus and for Declaratory Relief filed by Ramez Ziadeh, Acting Secretary of the Department of Environmental Protection and Acting Chairperson of the Environmental Quality Board, is DISMISSED as moot; the related preliminary objections and application for summary relief filed by the parties and intervenors in the above-captioned matter are likewise dismissed as moot.

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

Dispositional Filing: **Memorandum Opinion**

Filed Date: 1/19/2023 12:00:00AM

Filing Author: Wojcik, Michael H.

Dispositional Filing: **Concurring Statement**

Filed Date: 1/19/2023 12:00:00AM

Filing Author: McCullough, Patricia A.

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DISPOSITION INFORMATION

Final Disposition: No

Related Journal No: Judgment Date:

Category: Decided Disposition Author: Wojcik, Michael H.

Disposition: Summary Relief Granted Disposition Date: November 1, 2023

Disposition Comment: AND NOW, this 1st day of November, 2023, the Application for Summary Relief (ASR) filed by Senate Intervenors in the above-captioned matter is GRANTED in part, in accordance with the foregoing Memorandum Opinion. The regulations promulgated by the Department of Environmental Protection (DEP) and the Environmental Quality Board (EQB) referred to as the "Trading Program Regulation" (Rulemaking), and found at 25 Pa. Code §§145.301-145.409, are DECLARED VOID. The Acting Secretary of DEP and Acting Chairperson of EQB is ENJOINED from enforcing the Rulemaking. All outstanding ASRs and applications filed in this case are DISMISSED as moot.

Judge Covey did not participate in the decision of this case.

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

Judge Wallace did not participate in the decision of this case.

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

Filed Date: 11/1/2023 12:00:00AM

Dispositional Filing: **Dissenting Opinion** Filing Author: Ceisler, Ellen

Filed Date: 11/1/2023 12:00:00AM

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date: December 14, 2022

Disposition: Order Denying Application for Reconsideration

Disposition Date: January 3, 2023

Record Remittal: