



E-Mail Address:  
briefs@wilsonepes.com

1115 H Street, N.E.  
Washington, D.C. 20002

Web Site:  
www.wilsonepes.com

Tel (202) 789-0096  
Fax (202) 842-4896

No. 24A180  
(Related Case Nos. 24A178, 24A179, 24A186, 24A197, 24A199, 24A203)

---

STATE OF NORTH DAKOTA, STATE OF WEST VIRGINIA, et al.,

*Applicants,*

v.

ENVIRONMENTAL PROTECTION AGENCY,

*Respondent.*

---

### AFFIDAVIT OF SERVICE

I HEREBY CERTIFY that on September 18, 2024, one (1) copy of the STATES' REPLY IN SUPPORT OF EMERGENCY APPLICATION FOR AN IMMEDIATE STAY OF ADMINISTRATIVE ACTION PENDING REVIEW IN THE D.C. CIRCUIT in the above-captioned case was served, as required by U.S. Supreme Court Rule 29.5(c), on the following:

ELIZABETH B. PRELOGAR  
*Solicitor General*  
UNITED STATES DEPARTMENT OF JUSTICE  
950 Pennsylvania Ave., NW  
Washington, DC 20530  
(202) 514-2217

*Counsel for United States*

SUE SI CHEN  
U.S. DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATURAL  
RESOURCES DIVISION  
ENVIRONMENTAL DEFENSE SECTION  
P.O. Box 7611  
Washington, DC 20044  
(202) 305-0283

*Counsel for Environmental Protection Agency*

PHILIP AXT  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
600 E Boulevard Ave., Dept. 125  
Bismarck, ND 58505  
(701) 328-2210

*Counsel for State of North Dakota*

CREIGHTON MAGID  
DORSEY & WHITNEY LLP  
1401 New York Avenue, NW  
Suite 900  
Washington, DC 20005  
(202) 442-3555

*Counsel for NorthWestern Corporation d/b/a  
NorthWestern Energy*

MISHA TSEYTLIN  
TROUTMAN PEPPER HAMILTON SANDERS LLP  
227 West Monroe Street  
Suite 3900  
Chicago, IL 60606  
(312) 759-1920

*Counsel for Lignite Energy Council and  
National Mining Association*

The following parties have been served via Electronic Service only (with the consent of the parties). Hard copy service is available upon request:

SEAN H. DONAHUE  
DONAHUE, GOLDBERG & HERZOG LLP  
1008 Pennsylvania Avenue, SE  
Washington, DC 20003  
(202) 277-7085

*Counsel for Environmental Defense Fund*

SHAUN ALARIC GOHO  
CLEAN AIR TASK FORCE  
114 State Street, 6th Floor  
Boston, MA 02109  
(617) 624-0234

*Counsel for Alliance of Nurses for Healthy Environments, Citizens for Pennsylvania's Future, Clean Wisconsin, Natural Resources Council of Maine, and the Ohio Environmental Council*

DEBORAH M. MURRAY  
SOUTHERN ENVIRONMENTAL LAW CENTER  
120 Garrett Street, Ste. 400  
Charlottesville, VA 22902  
(434) 977-4090

*Counsel for American Academy of Pediatrics, American Lung Association, American Public Health Association, and Physicians for Social Responsibility*

JOHN D. WALKE  
NATURAL RESOURCES DEFENSE COUNCIL  
1152 15th Street NW, Suite 300  
Washington, DC 20005  
(202) 289-6868

*Counsel for Natural Resources Defense Council*

HANA VESELKA VIZCARRA  
EARTHJUSTICE  
1001 G Street, NW  
Suite 1000  
Washington, DC 20001  
(202) 840-6203

*Counsel for Air Alliance Houston, Chesapeake Climate Action Network, Clean Air Council, Downwinders at Risk, Environmental Integrity Project, Montana Environmental Information Center, and Sierra Club*

STEPHAN J. PETRANY  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
40 Capitol Square, SW  
Atlanta, GA 30334  
(404) 458-3408

*Counsel for State of Georgia*

JOSHUA N. TURNER  
*Chief of Constitutional Litigation and Policy*  
OFFICE OF IDAHO ATTORNEY GENERAL  
P.O. Box. 83720  
Boise, ID 83720  
(208) 334-2400

*Counsel for State of Idaho*

JAMES A. BARTA  
*Solicitor General*  
INDIANA ATTORNEY GENERAL'S OFFICE  
IGCS – 5th Floor  
302 W. Washington St.  
Indianapolis, IN 46204  
(317) 232-0709

*Counsel for State of Indiana*

ERIC H. WESSAN  
*Solicitor General*  
1305 E. Walnut Street  
Des Moines, IA 50319  
(515) 823-9117

*Counsel for State of Iowa*

ANTHONY J. POWELL  
*Solicitor General*  
OFFICE OF KANSAS ATTORNEY GENERAL  
120 SW 10th Avenue, 2nd Floor  
Topeka, KS 66612  
(785) 368-8539

*Counsel for State of Kansas*

MATTHEW F. KUHN  
*Solicitor General*  
OFFICE OF KENTUCKY ATTORNEY GENERAL  
700 Capital Avenue, Suite 118  
Frankfort, KY 40601  
(502) 696-5300

*Counsel for State of Kentucky*

JULIA E. JONAS-DAY  
*Assistant Attorney General*  
ENERGY AND ENVIRONMENT BUREAU  
OFFICE OF THE ATTORNEY GENERAL  
One Ashburton Place  
Boston, MA 02108  
(617) 963-2431

*Counsel for State of Massachusetts*

PETER SURDO  
*Special Assistant Attorney General*  
OFFICE OF THE ATTORNEY GENERAL  
445 Minnesota Street  
Town Square Tower Suite 1400  
Saint Paul, MN 55101  
(651) 757-1061

*Counsel for State of Minnesota*

SCOTT N. KOSCHWITZ  
*Assistant Attorney General*  
CONNECTICUT OFFICE OF THE  
ATTORNEY GENERAL  
165 Capitol Avenue  
Hartford, CT 06106  
(860) 808-5250

*Counsel for State of Connecticut*

JASON E. JAMES  
*Assistant Attorney General*  
OFFICE OF THE ATTORNEY GENERAL  
201 West Pointe Drive, Suite 7  
Belleville, IL 62226  
(872) 276-3583

*Counsel for State of Illinois*

EMMA AKWARI  
*Assistant Attorney General*  
NATURAL RESOURCES DIVISION  
MAINE OFFICE OF THE ATTORNEY GENERAL  
6 State House Station  
Augusta, ME 04333  
(207) 626-8800

*Counsel for State of Maine*

MICHAEL F. STRANDE  
*Assistant Attorney General*  
OFFICE OF THE ATTORNEY GENERAL,  
STATE OF MARYLAND  
MARYLAND DEPARTMENT OF THE  
ENVIRONMENT  
1800 Washington Boulevard  
Suite 6048  
Baltimore, MD 21230-1719  
(410) 537-3421

*Counsel for State of Maryland*

J. BENJAMIN AGUIÑAGA  
*Solicitor General*  
LOUISIANA DEPARTMENT OF JUSTICE  
1885 N. Third Street  
Baton Rouge, LA 70802  
(225) 506-3746

*Counsel for State of Louisiana*

JUSTIN L. MATHENY  
*Deputy Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
P.O. Box 220  
Jackson, MS 39205  
(601) 359-3825

*Counsel for State of Mississippi*

SAMUEL C. FREEDLUND  
*Deputy Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
815 Olive St., Suite 200  
St. Louis, MO 63101  
(314) 340-4869

*Counsel for State of Missouri*

CHRISTIAN B. CORRIGAN  
*Solicitor General*  
MONTANA DEPARTMENT OF JUSTICE  
215 N. Sanders Helena, MT 59601  
(406) 444-2707

*Counsel for State of Montana*

MICHAEL T. HILGERS  
*Attorney General*  
ERIC J. HAMILTON  
*Solicitor General*  
NEBRASKA ATTORNEY GENERAL'S OFFICE  
2115 State Capitol  
Lincoln, NE 68509  
(402) 471-2683

*Counsel for State of Nebraska*

GARRY M. GASKINS, II  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL OF  
OKLAHOMA  
313 NE Twenty-First St.  
Oklahoma City, OK 73105  
(405) 521-3921

*Counsel for State of Oklahoma*

THOMAS T. HYDRICK  
*Assistant Deputy Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL OF  
SOUTH CAROLINA  
1000 Assembly Street  
Columbia, SC 29201

JENNIFER MATUJA  
*Assistant Attorney General*  
MICHIGAN DEPARTMENT OF THE  
ATTORNEY GENERAL  
ENVIRONMENT, NATURAL RESOURCES AND  
AGRICULTURE DIVISION  
P.O. Box 30755  
Lansing, MI 48909  
(517) 335-7664

*Counsel for State of Michigan*

LISA J. MORELLI  
*Deputy Attorney General*  
NEW JERSEY DIVISION OF LAW  
25 Market Street  
Trenton, NJ 08625  
(609) 376-2740

*Counsel for State of New Jersey*

ESTER MURDUKHAYEVA  
*Deputy Solicitor General*  
OFFICE OF THE NEW YORK ATTORNEY  
General 28 Liberty Street  
New York, NY 10005  
(212) 416-6279

*Counsel for State of New York*

PAUL A. GARRAHAN  
*Attorney-in-Charge*  
NATURAL RESOURCES SECTION  
OREGON DEPARTMENT OF JUSTICE  
1162 Court Street NE  
Salem, OR 97301  
(503) 947-4540

*Counsel for State of Oregon*

ANN R. JOHNSTON  
*Senior Deputy Attorney General*  
OFFICE OF THE ATTORNEY GENERAL  
CIVIL ENVIRONMENTAL ENFORCEMENT UNIT  
Strawberry Square, 14th Floor  
Harrisburg, PA 17120  
(717) 497-3678

*Counsel for State of Pennsylvania*

ALISON HOFFMAN CARNEY  
OFFICE OF THE ATTORNEY GENERAL,  
STATE OF RHODE ISLAND  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400

*Counsel for State of Rhode Island*

(803) 734-4127  
*Counsel for State of South Carolina*

STEVE BLAIR  
*Deputy Attorney General*  
OFFICE OF THE ATTORNEY GENERAL OF  
SOUTH DAKOTA  
1302 East Highway 14, Suite 1  
Pierre, SD 57501-8501  
(605) 773-3215

*Counsel for State of South Dakota*

WHITNEY HERMANDORFER  
*Director of Strategic Litigation*  
OFFICE OF THE ATTORNEY GENERAL AND  
REPORTER OF TENNESSEE  
P.O. Box 20207  
Nashville, TN 37202-0207  
(615) 741-7403

*Counsel for State of Tennessee*

JOHN R. HULME  
*Assistant Attorney General*  
OFFICE OF THE TEXAS ATTORNEY GENERAL  
P.O. Box 12548  
Austin, TX 78711-2548

*Counsel for State of Texas*

STANFORD PURSER  
*Solicitor General*  
OFFICE OF THE UTAH ATTORNEY GENERAL  
160 East 300 South, Fifth floor  
Salt Lake City, UT 84111  
(385) 366-4334

*Counsel for State of Utah*

KEVIN M. GALLAGHER  
*Principal Deputy Solicitor General*  
VIRGINIA ATTORNEY GENERAL'S OFFICE  
202 North 9th Street  
Richmond, VA 23219  
(804) 786-2071

*Counsel for State of Virginia*

D. DAVID DEWALD  
*Deputy Attorney General*  
WYOMING ATTORNEY GENERAL'S OFFICE  
WATER & NATURAL RESOURCES DIVISION  
109 State Capitol  
Cheyenne, WY 82002  
(307) 777-7895

*Counsel for State of Wyoming*

HANNA YINDRA  
*Assistant Attorney General*  
VERMONT ATTORNEY GENERAL'S OFFICE  
109 State Street  
Montpelier, VT 05609  
(802) 828-3186  
*Counsel for State of Vermont*

Gabe Johnson-Karp  
Assistant Attorney General  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53702-7857  
(608) 267-8904  
*Counsel for State of Wisconsin*

CAROLINE S. VAN ZILE  
*Solicitor General*  
OFFICE OF THE ATTORNEY GENERAL  
400 Sixth Street, NW, Suite 8100  
Washington, DC 20001  
(202) 724-6609  
*Counsel for the District of Columbia*

DAWN LETTMAN  
*Chief Solicitor*  
BALTIMORE CITY LAW DEPARTMENT  
100 North Holliday Street, Suite 101  
Baltimore, MD 21202  
(410) 396-8393  
*Counsel for City of Baltimore*

MYRIAM ZRECHNY KASPER  
DEPUTY CORPORATION COUNSEL –  
APPEALS DIVISION  
CITY OF CHICAGO LAW DEPARTMENT  
2 North LaSalle Street, Suite 540  
Chicago, IL 60602  
(312) 744-3564  
*Counsel for City of Chicago*

CHRIS KING  
*Senior Counsel*  
NEW YORK CITY LAW DEPARTMENT  
100 Church Street  
New York, NY 10007  
(212) 356-2316  
*Counsel for City of New York*

JENNIFER FREEL  
JACKSON WALKER LLP  
100 Congress Avenue, Suite 1100  
Austin, TX 78701  
(512) 236-2222  
*Counsel for San Miguel Electric Cooperative, Inc.*

YAAKOV M. ROTH  
JONES DAY  
51 Louisiana Ave., N.W.  
Washington, DC 20001  
(202) 879-7658  
*Counsel for NACCO Natural Resources Corporation*

ELIZABETH CHEROKEE WILLIAMSON  
BALCH & BINGHAM LLP  
601 Pennsylvania Avenue, NW  
Suite 825 South  
Washington, DC 20004  
(202) 661-6342  
*Counsel for National Rural Electric Cooperative Association, Minnkota Power Cooperative, Inc., East Kentucky Power Cooperative, Inc., Associated Electric Cooperative Inc., and Basin Electric Power Cooperative*

MEGAN H. BERGE  
BAKER BOTTS LLP  
700 K Street, NW  
Washington, DC 20001-5692  
(202) 639-1308  
*Counsel for Rainbow Energy Center, LLC*

C. GRADY MOORE, III, ATTORNEY  
BALCH & BINGHAM LLP  
1901 6th Avenue North  
Suite 1500  
Birmingham, AL 35203  
(205) 251-8100  
*Counsel for Oak Grove Management Company, LLC and Luminant Generation Company LLC*

JOSHUA BRADFORD FRANK  
BAKER BOTTS LLP  
700 K Street, NW  
Washington, DC 20001-5692  
(202) 639-7748  
*Counsel for Talen Montana, LLC*

PATRICK J. MORRISEY  
WEST VIRGINIA OFFICE OF THE  
ATTORNEY GENERAL  
1900 Kanawha Boulevard, East  
State Capitol, Room E-26  
Charleston, WV 25305  
(304) 558-2021

*Counsel for State of West Virginia*

GARRISON TODD  
*Assistant Attorney General*  
ALASKA DEPARTMENT OF LAW  
1031 W. 4th Ave. Ste. 200  
Anchorage, AK 99501  
(907) 269-5100

*Counsel for State of Alaska*

NICHOLAS J. BRONNI  
*Solicitor General*  
323 Center Street, Suite 200  
Little Rock, AR 72201  
(501) 682-2007

*Counsel for State of Arkansas*

MARK W. DELAQUIL  
BAKER & HOSTETLER LLP  
1050 Connecticut Avenue, NW  
Washington Square, Suite 1100  
Washington, DC 20036-5304  
(202) 861-1500

*Counsel for Westmoreland Mining Holdings  
LLC, Westmoreland Mining LLC, and  
Westmoreland Rosebud Mining LLC*

MAKRAM B. JABER  
MCGUIREWOODS LLP  
888 16th Street, NW  
Suite 500  
Washington, DC 20006  
(202) 857-1700

*Counsel for America's Power and Electric  
Generators MATS Coalition*

DAVID MICHAEL FLANNERY  
STEPTOE & JOHNSON PLLC  
707 Virginia Street East  
Chase Tower, 17th Floor  
Charleston, WV 25301  
(304) 353-8000

*Counsel for Midwest Ozone Group*


The following email addresses have also been served electronically:

supremectbriefs@usdoj.gov  
sean@donahuegoldberg.com  
dmurray@selcva.org  
hvizcarra@earthjustice.org  
Peter.Surdo@ag.state.mn.us  
Jason.James@ilag.gov  
michael.strande@maryland.gov  
Lisa.Morelli@law.njoag.gov  
Paul.Garrahan@doj.oregon.gov  
ahoffman@riag.ri.gov  
johnsonkarp@doj.state.wi.us  
dawn.lettman@baltimorecity.gov  
CKing@law.nyc.gov  
patrick.morrissey@wvago.gov  
nicholas.bronni@arkansasag.gov  
Josh.Turner@ag.idaho.gov  
eric.wessan@ag.iowa.gov  
Matt.Kuhn@ky.gov  
justin.matheny@ago.ms.gov  
Christian.Corrigan@mt.gov  
garry.gaskins@oag.ok.gov  
steven.blair@state.sd.us

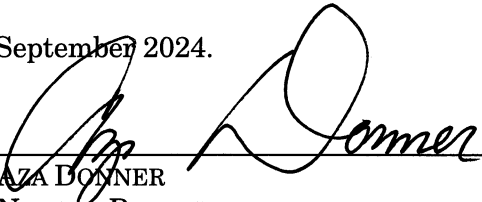
sue.chen@usdoj.gov  
sgoho@catf.us  
jwalke@nrdc.org  
Julia.Jonas-Day@mass.gov  
Scott.Koschwitz@ct.gov  
Emma.akrawi@maine.gov  
matujaj@michigan.gov  
Ester.Murdgukhayeva@ag.ny.gov  
ajohnston@attoreygeneral.gov  
Hanna.Yindra@vermont.gov  
Caroline.vanzile@dc.gov  
Myriam.Kasper@cityofchicago.org  
pjaxt@nd.gov  
Garrison.Todd@alaska.gov  
spetrany@law.ga.gov  
james.barta@atg.in.gov  
Anthony.Powell@ag.ks.gov  
aguinagab@ag.louisiana.gov  
Samuel.Freedlund@ago.mo.gov  
eric.hamilton@nebraska.gov  
thomashydrick@scag.gov  
atgservice@state.sd.us

Whitney.Hermandorfer@ag.tn.gov  
Spurser@agutah.gov  
david.dewald@wyo.gov  
yroth@jonesday.com  
ewilliamson@balch.com  
megan.berge@bakerbotts.com  
joshua.frank@bakerbotts.com  
mjaber@mcguirewoods.com  
magid.chip@dorsey.com  
keenanbp@doj.state.wi.us  
peter.torstensen@mt.gov  
dfriedland@bdlaw.com

John.hulme@oag.texas.gov  
kgallagher@oag.state.va.us  
jfreel@jw.com  
ctwehland@jonesday.com  
Misha.tseytlin@troutman.com  
gmoore@balch.com  
mdelaquil@bakerlaw.com  
dave.flannery@steptoe-johnson.com  
tracy.triplett@mass.gov  
rbergethon@law.ga.gov  
ncoppinger@bdlaw.com

  
\_\_\_\_\_  
ALAN JAMES SMITH  
WILSON-EPES PRINTING COMPANY, INC.  
1115 H Street, N.E.  
Washington, D.C. 20002  
(202) 789-0096

Sworn to and subscribed before me this 18th day of September 2024.

  
\_\_\_\_\_  
AZA DONNER  
NOTARY PUBLIC  
District of Columbia  
My commission expires April 30, 2029.

