

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-1244

September Term 2008

**EPA-70FR25162
EPA-71FR25304
EPA-71FR25328**

Filed On: October 21, 2008

State of North Carolina,

Petitioner

v.

Environmental Protection Agency,

Respondent

Utility Air Regulatory Group, et al.,
Intervenors

Consolidated with 05-1246, 05-1249, 05-1250,
05-1251, 05-1252, 05-1253, 05-1254, 05-1256,
05-1259, 05-1260, 05-1262, 06-1217, 06-1222,
06-1224, 06-1226, 06-1227, 06-1228, 06-1229,
06-1230, 06-1232, 06-1233, 06-1235, 06-1236,
06-1237, 06-1238, 06-1240, 06-1241, 06-1242,
06-1243, 06-1245, 07-1115

ORDER

Upon consideration of the petition for rehearing and rehearing en banc filed by Respondent, it is

ORDERED, on the court's own motion, that within 15 days of the date of this order, aligned Petitioners file a response to the petition for rehearing and rehearing en banc. Additionally, petitioners are directed to address (1) whether any party is seeking vacatur of the Clean Air Interstate Rule, and (2) whether the court should stay its mandate until Respondent promulgates a revised rule. The responses may not exceed 15 pages each. Absent further order of the court, the court will not accept a reply to the responses, but Respondent may reply to the question whether a stay of the court's mandate in lieu of immediate vacatur would suffice; the reply may not exceed five pages.

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-1244

September Term 2008

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail

Deputy Clerk