

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL COALITION FOR
ADVANCED TRANSPORTATION,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

ANDREW R. WHEELER, in his official
capacity as Administrator, United States
Environmental Protection Agency,

UNITED STATES DEPARTMENT OF
TRANSPORTATION,

ELAINE L. CHAO, in her official capacity
as Secretary, United States Department of
Transportation,

NATIONAL HIGHWAY TRAFFIC
SAFETY ADMINISTRATION,

JAMES C. OWENS, in his official
capacity as Deputy Administrator,
National Highway Traffic Safety
Administration,

Respondents.

No. 20-1174

PETITION FOR REVIEW

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure, D.C. Circuit Rule 15, 42 U.S.C. § 7607(b)(1), and 49 U.S.C. § 32909(a)(1), the National

Coalition for Advanced Transportation hereby petitions this Court for review of the final action entitled, “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks,” issued by respondents United States Environmental Protection Agency and Administrator Andrew Wheeler in his official capacity, United States Department of Transportation and Secretary Elaine L. Chao in her official capacity, National Highway Traffic Safety Administration and Deputy Administrator James C. Owens in his official capacity, and published in the *Federal Register* at 85 Fed. Reg. 24,174 on April 30, 2020. The National Coalition for Advanced Transportation also petitions for review of respondent United States Environmental Protection Agency’s action, entitled “Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022–2025 Light-Duty Vehicles,” published in the *Federal Register* at 83 Fed. Reg. 16,077 on April 13, 2018. *See* 5 U.S.C. § 704 (“A preliminary, procedural, or intermediate agency action or ruling not directly reviewable is subject to review on the review of the final agency action.”).

Dated: May 28, 2020

Respectfully submitted,

/s/ Stacey L. VanBellegem

Stacey L. VanBellegem

Robert A. Wyman

Devin M. O'Connor

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*Counsel for Petitioner National Coalition
for Advanced Transportation*

CERTIFICATE OF SERVICE

I, Stacey VanBelleghem, hereby certify that on this 28th day of May, 2020, a true and correct copy of the foregoing Petition for Review was served by certified mail, return receipt requested, on the following:

Hon. Andrew Wheeler, Administrator
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Correspondence Control Unit
Office of General Counsel (2311)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
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Hon. William Barr
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
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Hon. James Owen
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Mr. Jonathan Morrison
Chief Counsel
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Hon. Elaine L. Chao
Office of the Secretary
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Office of the General Counsel
United States Department of Transportation
1200 New Jersey Avenue, SE
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/s/ Stacey L. VanBelleghem

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No. _____

RULE 26.1 CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule

26.1, Petitioner National Coalition for Advanced Transportation (“NCAT”) states as follows:

NCAT is a coalition of companies and non-profit organizations that supports electric vehicle and other advanced transportation technologies and related infrastructure, including business leaders engaged in energy supply, transmission, and distribution; vehicle and component design and manufacturing; and charging infrastructure production and implementation, among other activities. NCAT is an unincorporated association and does not have a parent corporation. No publicly-held entity owns 10% or more of NCAT.

NCAT currently has the following members¹:

- Atlantic City Electric
- Baltimore Gas & Electric
- ChargePoint
- Commonwealth Edison Company
- Delmarva Power
- Edison International
- EVgo

¹ NCAT member Center for Climate and Energy Solutions (“C2ES”) is not participating in this litigation, because C2ES does not participate in litigation as a matter of general practice.

- Exelon Corporation
- Pacific Gas and Electric Company
- PECO
- PEPCO
- Plug In America
- Portland General Electric
- Rivian Automotive
- Sacramento Municipal Utility District
- Tesla, Inc.

Dated: May 28, 2020

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*Counsel for Petitioner National Coalition
for Advanced Transportation*

CERTIFICATE OF SERVICE

I, Stacey VanBelleghem, hereby certify that on this 28th day of May, 2020, a true and correct copy of the foregoing Rule 26.1 Corporate Disclosure Statement was served by certified mail, return receipt requested, on the following:

Hon. Andrew Wheeler, Administrator
Office of the Administrator (1101A)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

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/s/ Stacey L. VanBelleghem

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