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January 15, 2019

Via Supreme Court Electronic Filing System

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: *Electric Power Supply Association, et al. v. John B. Rhodes, et al., S. Ct.*
No. 18-879

Dear Mr. Harris:

Pursuant to Supreme Court Rule 30.4, I write on behalf of New York State Respondents John B. Rhodes, *et al.* to request a thirty-day extension of time, until Monday, March 11, 2019, to file Respondents' opposition to the petition for certiorari. The petition was docketed on January 9, 2019; Respondent's brief in opposition is currently due on February 8, 2019.

An extension to and including March 11, 2019 is requested to ensure that the State Respondents have sufficient time to analyze and respond to the arguments raised in the Petition, and to address any *amicus* briefs that may be filed in support of Petitioners.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Scott H. Strauss

John Sipos
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Scott H. Strauss
Counsel of Record for
Respondents John B. Rhodes, et al.

In the
Supreme Court of the United States

ELECTRIC POWER SUPPLY ASSOCIATION, and NRG ENERGY, INC.,
Petitioners,

v.

JOHN B. RHODES, in his official capacity as Chair of the New York Public Service Commission, GREGG C. SAYRE, in his official capacity as Chair of the New York Public Service Commission, DIANE X. BURMAN, in her official capacity as Commissioner of the New York Public Service Commission, JAMES S. ALESI, in his official capacity as Commissioner of the New York Public Service Commission, and EXELON CORP., R.E. GINNA NUCLEAR POWER PLANT LLC, CONSTELLATION ENERGY NUCLEAR GROUP, LLC, NINE MILE POINT NUCLEAR STATION LLC,
Respondents.

PROOF OF SERVICE

I, Scott H. Strauss, a member of the Supreme Court Bar, hereby certify that on the fifteenth day, January, 2019, I caused the enclosed request for an extension of time in which to file Respondents' opposition to the petition for certiorari to be served on:

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Service was made by United States Postal Service first-class mail, as well as by email.

Respectfully submitted,

/s/ Scott H. Strauss

Scott H. Strauss

Counsel of Record for Respondents
John B. Rhodes, *et al.*