



C A L I F O R N I A

DEPARTMENT OF JUSTICE

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September 18, 2026

By Electronic Filing

Hon. Scott Harris
Supreme Court of the United States
1 First St., NE
Washington, DC 20543

RE: Request for extension of time to file brief in opposition to petitions for certiorari in *Kentucky, et al. v. EPA, et al.* (No. 26-277) and *Chamber of Commerce, et al. v. EPA, et al.* (No. 26-298)

Dear Mr. Harris:

This office represents the State of California in these two cases. The petition for certiorari in *Chamber of Commerce v. EPA*, No. 26-298, was filed on August 28, 2026, and responses are due on October 8, 2026. We respectfully request that the due date for responses to the *Chamber of Commerce* petition be extended by 30 days to November 7.

The petition for certiorari in *Kentucky v. EPA*, No. 26-277, was filed on August 28, 2026, and responses are due on October 2, 2026. We respectfully request that the due date for responses to the *Kentucky* petition also be extended (by 36 days) to November 7.

No extensions have been previously requested in either case. The extensions are requested so that we may prepare a brief that best serves the Court. The two petitions seek this Court's review of the same decision by the U.S. Court of Appeals for the D.C. Circuit regarding an EPA rule. California, along with other state and local governments, therefore expects to file a single brief in response to the two petitions. In addition, an amicus brief in support of the petitions has already been filed, we have recently been notified of the federal government's intent to file a brief as respondents in support of petitioners, and we have received notice that another amicus brief in support of the petitions will be filed. Both of the forthcoming briefs are due by October 2 in the *Kentucky* case and by October 8 in the *Chamber of Commerce* case. The requested extensions are needed so that we can file a response that accounts for those briefs.

Petitioners in *Kentucky* do not oppose the requested extension. The petitioners in *Chamber of Commerce* have stated that "petitioners do not oppose the extension provided that it is the only extension movants receive." (Counsel for California, which has not yet been served

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the federal respondents' brief in support of petitioners, or any amicus briefs that may be filed between now and the October deadlines, are unable to determine now whether an additional extension may eventually be needed due to the arguments in those briefs and the press of business.)

Sincerely,

/s/ Joshua A. Klein
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Supervising Deputy Solicitor General

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