20-1530 WEST VIRGINIA V. ENVIRONMENTAL PROTECTION AGENCY

DECISION BELOW: 985 F.3d 914

LOWER COURT CASE NUMBER: 19-1140, 19-1165, 19-1166, 19-1173, 19-1175, 19-1176, 19-1177, 19-1179, 19-1185, 19-1186, 19-1187, 19-1188

QUESTION PRESENTED:

In 42 U.S.C. § 7411(d), an ancillary provision of the Clean Air Act, did Congress constitutionally authorize the Environmental Protection Agency to issue significant rules-including those capable of reshaping the nation's electricity grids and unilaterally decarbonizing virtually any sector of the economy-without any limits on what the agency can require so long as it considers cost, nonair impacts, and energy requirements?

Consolidated with 20-1531, 20-1778, and 20-1780 and a total of one hour is allotted for oral argument

CERT. GRANTED 10/29/2021