

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 14-1210

September Term, 2014

NRC-79FR56238

Filed On: May 22, 2015

State of New York, et al.,

Petitioners

v.

U.S. Nuclear Regulatory Commission and  
United States of America,

Respondents

Commonwealth of Massachusetts, et al.,  
Intervenors

Consolidated with 14-1212, 14-1216, 14-1217

**BEFORE:** Griffith, Srinivasan, and Pillard, Circuit Judges

**ORDER**

Upon consideration of the joint motion to govern further proceedings filed April 1, 2015, and petitioners' briefing proposal filed January 20, 2015, referenced in the motion, it is

**ORDERED** that the following briefing format and schedule shall apply:

Opening Briefs for Petitioners and  
Intervenor Commonwealth of Massachusetts  
(not to exceed a total of 15,500 words)

June 29, 2015

Brief for Amicus Curiae Sierra Club  
(not to exceed 7,000 words)

July 6, 2015

Joint Brief for Respondents  
(not to exceed 15,500 words)

September 4, 2015

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Joint Brief for Intervenors Supporting Respondents (not to exceed 8,750 words)	September 11, 2015
Reply Briefs for Petitioners and Intervenor Commonwealth of Massachusetts (not to exceed a total of 7,000 words)	October 23, 2015
Deferred Appendix	November 6, 2015
Final Briefs	November 13, 2015

Petitioners and intervenor Commonwealth of Massachusetts may file one opening brief for the governmental parties and one opening brief for the non-governmental parties, dividing the allotted 15,500 words between these two briefs as they see fit. They may file one reply brief for the governmental parties and one reply brief for the non-governmental parties, dividing the allotted 7,000 words between these two briefs as they see fit. The intervenors supporting respondents shall file a single joint brief not exceeding 8,750 words. See D.C. Cir. Rule 28(d)(4).

The Clerk is instructed to calendar this case for presentation to a merits panel. The parties will be notified separately of the oral argument date and the composition of the merits panel. The court reminds the parties that

In cases involving direct review in this court of administrative actions, the brief of the appellant or petitioner must set forth the basis for the claim of standing . . . . When the appellant's or petitioner's standing is not apparent from the administrative record, the brief must include arguments and evidence establishing the claim of standing.

See D.C. Cir. Rule 28(a)(7).

To enhance the clarity of their briefs, the parties are urged to limit the use of abbreviations, including acronyms. While acronyms may be used for entities and statutes with widely recognized initials, briefs should not contain acronyms that are not widely known. See D.C. Circuit Handbook of Practice and Internal Procedures 41 (2013); Notice Regarding Use of Acronyms (D.C. Cir. Jan. 26, 2010).

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Parties are strongly encouraged to hand deliver the paper copies of their briefs to the Clerk's office on the date due. Filing by mail may delay the processing of the brief. Additionally, counsel are reminded that if filing by mail, they must use a class of mail that is at least as expeditious as first-class mail. See Fed. R. App. P. 25(a). All briefs and appendices must contain the date that the case is scheduled for oral argument at the top of the cover. See D.C. Cir. Rule 28(a)(8).

**Per Curiam**

**United States Court of Appeals**District of Columbia Circuit  
Washington, D.C. 20001-2866Mark J. Langer  
ClerkGeneral Information  
(202) 216-7000**NOTICE TO COUNSEL:  
SCHEDULING ORAL ARGUMENT**

The court has entered an order setting a briefing schedule in a case in which you are counsel of record. Once a briefing order has been entered, the case may be set for oral argument. Typically, the argument date will be a minimum of 45 days after briefing is completed.

You will be notified by separate order of the date and time of oral argument. Once a case has been calendared, the Clerk's Office cannot change the argument date, and the court will not ordinarily reschedule it. Any request to reschedule must be made by motion, which will be presented to a panel of the court for disposition. The court disfavors motions to postpone oral argument and will grant such a motion only upon a showing of "extraordinary cause." See D.C. Cir. Rule 34(g).

If you are the arguing counsel and you know you will be unavailable to appear for oral argument on a date in the future, so advise the Clerk's Office by letter, filed electronically, with a copy to opposing counsel. The notification should be filed as soon as possible and updated if a potential scheduling conflict later arises or if there is any change in availability. To the extent possible, the Clerk's Office will endeavor to schedule oral argument to avoid conflicts that have been brought to the court's attention in advance.