

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

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ORIGINAL

OCT 23 2015

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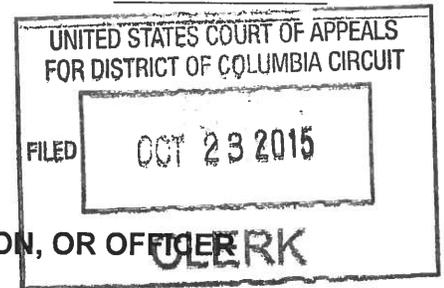
Case Caption: NorthWestern Corporation  
Petitioner

15-1378

v.

Case Number:

United States EPA, et al.  
Respondent



**PETITION FOR REVIEW OF AN AGENCY, BOARD, COMMISSION, OR OFFICER**

Notice is hereby given this the 23rd day of October 2015 that petitioner(s) NorthWestern Corporation hereby petitions the United States Court of Appeals for the District of Columbia Circuit for review of the order of the respondent(s) United States EPA, et al. entered the 23rd day of October 2015.

Attorney for Petitioner(s)/Pro Se Party,

William M. Bumpers

Megan H. Berge

Address: 1299 Pennsylvania Ave., NW

Washington, DC 20004

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UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

OCT 23 2015

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

**RECEIVED**  
NORTHWESTERN  
CORPORATION,  
d/b/a/ NorthWestern Energy

Petitioner,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, and  
GINA MCCARTHY, Administrator,  
United States Environmental Protection  
Agency

Respondents.

ORIGINAL

15-1378

No. \_\_\_\_\_

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT  
FILED OCT 23 2015  
CLERK

**PETITION FOR REVIEW**

Pursuant to Rule 15 of the Federal Rules of Appellate Procedure, Circuit Rule 15, and Section 307(b) of the Clean Air Act, § 7607(b), NorthWestern Corporation d/b/a NorthWestern Energy hereby petitions this Court to review the final rule of respondents United States Environmental Protection Agency (“EPA”) and Gina McCarthy, EPA Administrator, entitled “*Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.*” 80 Fed. Reg. 64,661 (Oct. 23, 2015) (“Final Rule”). A copy of the Final Rule is attached to this Petition.

October 23, 2015

Respectfully submitted,



William M. Bumpers

Megan H. Berge

Baker Botts L.L.P.

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*Counsel for NorthWestern Corporation*

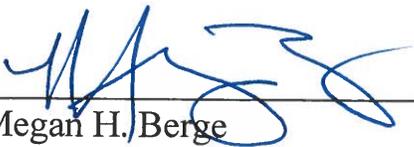
## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 2015, I caused a copy of the foregoing Petition for Review to be served by first-class mail, postage prepaid, on each of the following:

The Honorable Gina McCarthy  
Administrator  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 1101A  
Washington, DC 20460

The Honorable Loretta E. Lynch  
Attorney General of the United States  
U.S. Department of Justice  
Room 4400  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Avi Garbow  
General Counsel  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2310A  
Washington, DC 20460

  
Megan H. Berge

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

NORTHWESTERN )  
CORPORATION, )  
d/b/a/ NorthWestern Energy )  
) )  
Petitioner, )  
) )  
v. )  
) )  
UNITED STATES ENVIRONMENTAL )  
PROTECTION AGENCY, and )  
GINA MCCARTHY, Administrator, )  
United States Environmental Protection )  
Agency )  
) )  
Respondents. )  
\_\_\_\_\_ )

No. 15-1378

**RULE 26.1 DISCLOSURE STATEMENT OF PETITIONER  
NORTHWESTERN CORPORATION**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Petitioner NorthWestern Corporation d/b/a NorthWestern Energy makes the following declarations:

NorthWestern Corporation is a publicly traded company (NYSE: NWE) incorporated in the State of Delaware with corporate offices in Butte, Montana and Sioux Falls, South Dakota. NorthWestern Corporation has no parent corporation. Two investment fund families own more than ten percent (10 %) or more of NorthWestern Corporation's stock. They are Black Rock Fund Advisors

(approximately 15 percent (15 %)) and Deutsche Asset and Wealth Management (approximately 11 percent (11 %)). In addition to publicly traded stock, NorthWestern Corporation has issued debt and bonds to the public.

NorthWestern Corporation is an electric utility company engaged in the generation, transmission, and distribution of electricity to approximately 422,900 customers in Montana, South Dakota, and Nebraska. NorthWestern Corporation also owns and operates natural gas production, transmission, and distribution systems serving approximately 257,063 customers in these states. NorthWestern Corporation will be affected by the United States Environmental Protection Agency's final rule entitled "*Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units.*" 80 Fed. Reg. 64,661 (Oct. 23, 2015) ("Final Rule"). A copy of the Final Rule is attached to this Rule 26.1 Disclosure Statement.

October 23, 2015

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Megan H. Berge", is written over a horizontal line. To the right of the signature, the initials "MHB" are written in a smaller, blocky font.

Megan H. Berge

William M. Bumpers

Baker Botts L.L.P.

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Washington, DC 20004

(202) 639-7700

megan.berge@bakerbotts.com

*Counsel for NorthWestern Corporation*

## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October, 2015, I caused a copy of the foregoing Rule 26.1 Disclosure Statement to be served by first-class mail, postage prepaid, on each of the following:

The Honorable Gina McCarthy  
Administrator  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 1101A  
Washington, DC 20460

The Honorable Loretta E. Lynch  
Attorney General of the United States  
U.S. Department of Justice  
Room 4400  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Avi Garbow  
General Counsel  
U.S. EPA Headquarters  
William Jefferson Clinton Building  
1200 Pennsylvania Avenue, NW  
Mail Code 2310A  
Washington, DC 20460



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Megan H. Berge