



State of New Jersey

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May 23, 2014

Via Hand Delivery

Joseph H. Orlando, Clerk
Superior Court of New Jersey
Appellate Division
R.J. Hughes Justice Complex
25 Market St., P.O. Box 006
Trenton, NJ 08625-006
Attn: Rhonda L. Collins, Case Manager

Re: In re Regional Greenhouse Gas Initiative (RGGI)
Docket No. A-4878-11T4

Dear Mr. Orlando:

On March 25, 2014, this court issued an opinion ordering the New Jersey Department of Environmental Protection (the Department) to take the necessary action under the Administrative Procedure Act (APA) to either repeal its CO₂ Budget Trading Program Rules, or amend those rules to make clear that they are only applicable when New Jersey is a participant in the Regional Greenhouse Gas Initiative (RGGI). The court ordered the Department to begin the APA process within sixty days.

We have been informed that yesterday, May 22, 2014, the Department transmitted a notice of proposal to the Office of Administrative Law in accordance with the court's order. The Department expects the rule proposal, which proposes to repeal the CO₂ Budget Trading Program Rules because they are no longer applicable due to New Jersey's withdrawal from RGGI at the end of 2011, to be published in the New Jersey Register on July 7, 2014. The proposed rule will accordingly be released to the public at that time as required by law. In order to expedite the process, the Department is proposing a sixty (60) day public



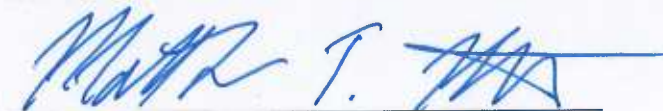
comment period, thereby exempting the rule from the calendar requirement of N.J.S.A. 52:14B-3(4).

We trust that this satisfies the Department's obligations pursuant to the court's opinion and order. Please let us know if you require any additional information or if we can be of any further assistance.

Respectfully Submitted,

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY

By:



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