

**District of Columbia  
Court of Appeals**

**No. 23-CV-0826**

CLIENT EARTH, *et al.*,

Appellants,

v.

**2022-CA-003323-B**



WASHINGTON GAS LIGHT COMPANY,

Appellee.

BEFORE: Blackburne-Rigsby, Chief Judge, and Beckwith, Easterly, McLeese, Deahl, Howard, and Shanker, Associate Judges.

**ORDER**

On consideration of appellants' petition for rehearing en banc and appellee's opposition to appellants' petition for rehearing en banc, and it appearing that a majority of the judges of this court has voted to grant the petition for rehearing en banc, it is

ORDERED that appellants' petition for rehearing en banc is granted and that the opinion and judgment of September 4, 2025, are hereby vacated. It is

FURTHER ORDERED that the Clerk shall schedule this matter for argument before the court sitting en banc as soon as the calendar permits. Oral argument time shall not exceed 45 minutes per side. It is

FURTHER ORDERED that appellants shall file a supplemental brief within 30 days from the date of this order and appellee shall file a responsive supplemental brief within 30 days after the filing of appellants' supplemental brief. Any reply brief shall be filed within 21 days thereafter. Any amicus brief shall be filed within 7 days of the opening brief of the party it supports. These new briefs shall be specifically designed for consideration by and addressed to the en banc court and shall supersede all briefs previously filed in this appeal. The parties should limit their arguments to addressing whether the District's Consumer Protection Procedures Act, D.C. Code §§ 28-3901–28-3913, prohibits public interest organizations from bringing private suits against entities subject to regulation by the Public Service Commission and, if it does not, whether this court's decision in *Gomez v. Indep. Mgmt. of Delaware, Inc.*, 967 A.2d 1276, 1284-88 (D.C. 2009), should be overruled.

**PER CURIAM**

**No. 23-CV-0826**

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