

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Nos. 14-2274/2275

UNITED STATES OF AMERICA (14-2274),
Plaintiff - Appellant,SIERRA CLUB (14-2275),
Intervenor Plaintiff - Appellant,

v.

DTE ENERGY COMPANY and DETROIT EDISON
COMPANY,

Defendants - Appellees.

Before: BATCHELDER, DAUGHTREY, and ROGERS, Circuit Judges.

JUDGMENTOn Appeal from the United States District Court
for the Eastern District of Michigan at Detroit.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's grant of summary judgment to DTE Energy Company is REVERSED, and the case is REMANDED for further proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk**FILED**
Jan 10, 2017
DEBORAH S. HUNT, Clerk