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FILED

OCT 02 2009

Jim Ruby, Executive Secretary
Environmental Quality Council

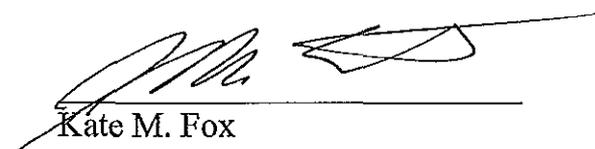
**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
OF THE STATE OF WYOMING**

IN THE MATTER OF THE APPEAL OF)
POWDER RIVER BASIN RESOURCE)
COUNCIL, BERNADETTE BARLOW)
BERNADETTE BARLOW TRUST,) Docket No. 09-3802
WILLIAM L. BARLOW TRUST AND)
ERIC BARLOW FROM WYPDES)
PERMIT NO. WY0052299)

PETITIONERS' WAIVER OF REPORTING OF PRE-HEARING CONFERENCE

Pursuant to the Wyoming Environmental Quality Council's (EQC) Order of September 29, 2009, the above-named Petitioners (Petitioners) hereby waive reporting of the pre-hearing telephone conference set for October 6, 2009, or an alternate date, in the above-captioned case.

DATED this 2nd day of October, 2009.



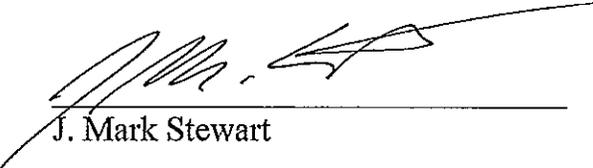
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CERTIFICATE OF SERVICE

I certify that on the 2nd day of October, 2009, I served a true and correct copy of the foregoing by U.S. Mail to:

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