

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUN 03 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

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

DOCKET NO. 09-3802

ORDER

On the motion of the Council the prehearing conference and the final hearing in the above entitled matter is rescheduled for the following dates and the Scheduling Order is amended as follows:

Pre-hearing memorandums and three copies of all exhibits shall be filed with the Council by 12:00 noon on or before October 13, 2010. A copy of all exhibits shall also be served on the opposing parties. At a minimum, the memorandum shall identify all contested issues and all uncontested issues, will-call and may-call witnesses, exhibits and any other matters the Parties need to have considered at the pre-hearing conference.

The pre-hearing conference shall be held on October 20, 2010 at 1:30 p.m. at the offices of the Council in Cheyenne, WY. The parties may appear by teleconference if personal attendance at the offices of the Council in Cheyenne, WY, is impractical. The purpose of the pre-hearing conference is:

1. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony.
2. Clarification of the legal issues, both substantive and procedural, of all the parties, including the statutory provisions and regulations that form the basis of this appeal.

3. Stipulation to uncontested facts.

4. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony.

5. Pending motions.

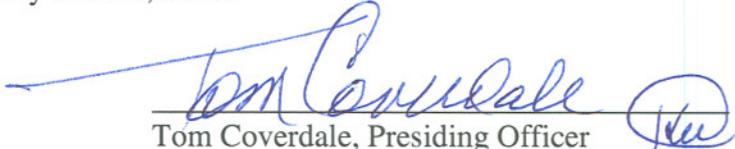
Final hearing in this matter is scheduled for November 16, 17 and 18th, 2010. Said hearing shall be held in Laramie Wyoming at the University of Wyoming. The exact location shall be finalized at a later date. The hearing shall start at 9:00 a.m. on November 16, 2010.

All documents shall be delivered no later than 12:00 noon on the above referenced dates. For the purpose of this order, deliver shall mean that the recipient has the pertinent documents in hand. Delivery does not mean that the documents were placed in the mail or with a delivery service. The parties may deliver documents via fax or e-mail, if prior arrangements have been made with the recipients and the original is mailed at the same time.

The parties shall have ten days from the date of receipt of this Order to file any objections to this Scheduling Order.

SO ORDERED.

DATED this 3rd day of June, 2010.


Tom Coverdale, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 3rd day of June, 2010, I served a copy of the foregoing ORDER by electronic mail to the following:

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