

**FILED**

**MAY 19 2009**

**Jim Ruby, Executive Secretary  
Environmental Quality Council**

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

IN THE MATTER OF: )  
KERN RIVER GAS TRANSMISSION CO. )  
MUDDY CREEK COMPRESSOR STATION, ) Docket No. 09-2601  
AIR QUALITY PERMIT MD-7883 )

**STIPULATED MOTION TO EXTEND RESPONSE FILING DEADLINE**

The Wyoming Department of Environmental Quality, Air Quality Division ("DEQ/AQD"), through the Office of the Attorney General, and Kern River Gas Transmission Company ("Kern River") pursuant to Chapter 2, § 3 of the DEQ Rules of Practice and Procedure, move for an order extending the DEQ/AQD's deadline to file a Response to Kern River's Appeal of Air Quality Permit MD-7883 until June 22, 2009.

The grounds for this stipulated motion are as follows:

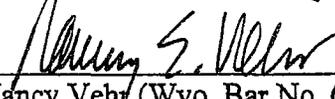
1. On April 21, 2009, Kern River filed an *Appeal of Air Quality Permit MD-7883*.
2. By Order filed April 22, 2009, this Council ordered that DEQ file a Response to Kern River's Appeal on or before May 22, 2009.
3. DEQ/AQD and Kern River have engaged in settlement discussions and intend to continue such discussions over the next thirty (30) days. If the parties are unable to reach an agreement by the end of the 30-day extension period, DEQ/AQD intends to submit a Response on June 22, 2009.

4. Granting this Motion will facilitate settlement discussions and could lead to a settlement or withdrawal of Kern River's Appeal, thereby avoiding unnecessary litigation and other costs to the parties.

WHEREFORE, DEQ and Kern River respectfully move this Council for an Order extending DEQ's deadline to file a Response until June 22, 2009. A proposed order is attached.

RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of May, 2009.

FOR RESPONDENT DEQ:

  
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