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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)

**SECOND 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 July 10, 2009.

The grounds for this stipulated motion are as follows:

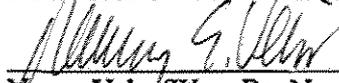
1. On April 21, 2009, Kern River filed an *Appeal of Air Quality Permit MD-7883*.
2. By Order filed April 22, 2009, this Council ordered that DEQ file a Response to Kern River's Appeal on or before May 22, 2009.
3. On May 19, 2009, the DEQ/AQD and Kern River were engaged in settlement discussions and, to facilitate settlement negotiations, filed a stipulated motion to extend the DEQ/AQD's deadline for filing a response until June 22, 2009.

4. By Order dated May 20, 2009, this Council granted the DEQ/AQD and Kern River's stipulated motion, extending the DEQ/AQD's response filing deadline up to and including June 22, 2009.
5. DEQ/AQD and Kern River continue to engage in settlement discussions, with the next settlement discussion set for early July.
6. In conjunction with the settlement discussions, Kern River represents that it has had to, and continues to, conduct additional technical analysis.
7. If the parties are unable to reach an agreement by the end of this requested extension period, DEQ/AQD intends to submit a Response on July 10, 2009.
8. 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.

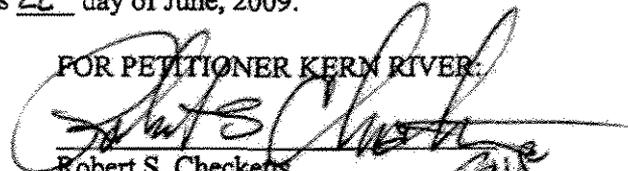
WHEREFORE, DEQ and Kern River respectfully move this Council for an Order extending DEQ's deadline to file a Response until July 10, 2009. A proposed order is attached.

RESPECTFULLY SUBMITTED this 22nd day of June, 2009.

FOR RESPONDENT DEQ:


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