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August 28, 2009

VIA HAND DELIVERY TO:
Mr. Dennis Boal, Chairman
Wyoming Environmental Quality Council
122 W. 25th Street
Herschler Building, Rm 1714
Cheyenne, WY 82002

Re: *In re Appeal of Air Quality Permit MD-7883, Kern River Gas Transmission Co.*

Dear Mr. Boal,

In accordance with the Council's August 24, 2009 Order, the DEQ has filed a response in the above matter. As the Order notes, the DEQ and Kern River are working in good faith towards the goals outlined in the parties' draft settlement agreement, and continue to anticipate the parties' respective obligations will be completed by October 8, 2009, thereby resolving the need for this appeal. Therefore, in the interest of saving the parties' and the Council's time, the DEQ respectfully request the Council refrain from setting a scheduling conference for this matter until after October 8, 2009.

Sincerely,

Nancy E. Vehr
Sr. Assistant Attorney General

cc: Robert S. Checketts
Bret Reich