

FILED

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

Jan 14, 2010

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

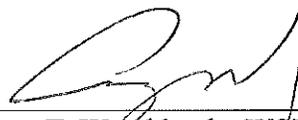
IN THE MATTER OF:)
Mullinax Concrete Services Co.) **DOCKET NO. 09-4602**
Limited Mining Operation Application)
TFN 5 4/123)

UNOPPOSED MOTION FOR RESCHEDULING TELEPHONE HEARING

Anthony T. Wendtland, Counsel for Petitioner Mullinax Concrete Service Company, Inc., respectfully moves the Council to change the setting for the Friday, January 15, 2010 hearing on the Department of Environmental Quality's December 3, 2009 Motion To Dismiss from 8:30 a.m. (MST) to the same date but at 10:00 a.m. (MST). Counsel have conferred by telephone and counsel for the Department does not oppose this request. Counsel for Mullinax will continue to plan to participate in the hearing, as otherwise set by the Council, by telephone. Mullinax's counsel's cellular telephone number is 307.751.7993 and that phone will be on all morning on January 15, 2010 until the hearing is completed.

Respectfully submitted this 14th day of January, 2010.

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CERTIFICATE OF SERVICE

I, Anthony T. Wendtland, attorney for the Petitioner, in the above-entitled and numbered cause do hereby certify that on the 14th day of January, 2010, I caused a true and correct copy of the Petitioner's Unopposed Motion For Rescheduling Telephone Hearing to be served by first class U.S. Mail and by electronic mail as follows:

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