

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

SEP 15 2014

Jim Ruby, Executive Secretary
Environmental Quality Council

In the Matter of the Appeal)
and Petition for Review of:)
BART Permit No. MD-6040) Docket No. 10-280 I
(Jim Bridger Power Plant); and)
BART Permit No. MD-6042)
(Naughton Power Plant))

JOINT MOTION FOR DISMISSAL

Petitioner PacifiCorp, by and through its counsel of record, and Respondent Wyoming Department of Environmental Quality, Air Quality Division (“DEQ/AQD”), by and through the Wyoming Attorney General’s Office, and pursuant to Wyo. Stat. § 16-3-107(n) and Chapter I, § 11 of the DEQ’s Rules of Practice and Procedure hereby jointly move the Council for an Order approving their Motion to Dismiss.

Wyo. Stat. § 16-3-107(n) and Chapter I, § II of the DEQ's Rules of Practice and Procedure provide for disposition of contested cases by agreed settlement of the parties upon approval of the Environmental Quality Council (the “Council”).

PacifiCorp and DEQ/AQD previously conferred regarding the issues involved in this contested case hearing and arrived at a mutually agreeable settlement, which was accepted by the Council on November 19, 2010. *Order, EQC Docket No. 10-2801*, Nov. 19, 2010. The Council ordered the dismissal of this case and retained limited jurisdiction for the purpose of enabling the parties to alter their Settlement Agreement as a result of changed circumstances. *Id.* at ¶ 6. The parties agree that the changed circumstances described in Section 7 of the Settlement Agreement will not occur, and move the Council to dismiss this case in its entirety.

WHEREFORE, PacifiCorp and DEQ/AQD jointly request that the Council enter an Order dismissing the Council's limited jurisdiction over the Settlement Agreement.

RESPECTFULLY SUBMITTED this 15 day of September 2014.

FOR PACIFICORP:



Paul Hickey (5-1431)
John Coppede (5-2485)
Hickey & Evans, LLP
1800 Carey Avenue, Suite 700
Cheyenne, WY 82001

FOR DEQ/AQD:



Jeremiah Williamson (7-4748)
123 Capitol Building
Cheyenne, WY 82002

E. Blaine Rawson (pro hac vice)

Ray Quinney & Nebeker, P.C.
36 South State Street, Suite 1400
Salt Lake City, UT 84111

WHEREFORE, PacifiCorp and DEQ/AQD jointly request that the Council enter an Order dismissing the Council's limited jurisdiction over the Settlement Agreement.

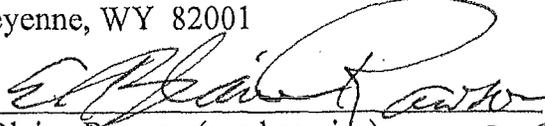
RESPECTFULLY SUBMITTED this 11th day of August, 2014.

FOR PACIFICORP:

FOR DEQ/AQD:

Paul Hickey (5-1431)
John Coppede (5-2485)
Hickey & Evans, LLP
1800 Carey Avenue, Suite 700
Cheyenne, WY 82001

Jeremiah Williamson (7-4748)
123 Capitol Building
Cheyenne, WY 82002


E. Blaine Rawson (pro hac vice) 

Ray Quinney & Nebeker, P.C.
36 South State Street, Suite 1400
Salt Lake City, UT 84111

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 2014, a true and correct copy of the foregoing *Joint Motion for Dismissal* was served by placing the same in the United States mail, postage pre-paid, addressed to:

Paul Hickey
Hickey and Evans, LLP
1800 Carey Avenue, Suite 700
Cheyenne, WY 82001

E. Blaine Rawson

Ray Quinney & Nebeker, P.C.
36 South State Street, Suite 1400
Salt Lake City, UT 84111

Michael Jenkins
PacifiCorp
1407 West North Temple, Suite 320
Salt Lake City, UT 84116

and via interoffice mail addressed to

Todd Parfitt, DEQ Director
Herschler Building, 4th Floor



Wyoming Attorney General's Office