

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

IN RE CONTURA COAL WEST)
LLC PT0214) **DOCKET 18-4803**
) **consolidated with 18-4805**

ORDER

The Parties appeared for a pre-hearing conference in this matter on Monday January 14, 2019 at 1:30 a.m. Appearing on behalf of the Department of Environmental Quality was James Kaste, on behalf of Blackjewel was Tom Throne, on behalf of Powder River Basin Resource Council was Shannon Anderson and appearing on behalf of Contura Coal West LLC was Jeff Pope and Jennifer Scoggins. Also present were Mark Thrall, Gretchen Anderson, Kyle Wendtland, Jason Wasserburg and Jill Harrison. EQC staff present were Jim Ruby and Joe Girardin.

Wyoming Court Reporting Service transcribed the hearing.

The parties agreed to consolidation of 18-4803 and 18-4805. Therefore, the cases are consolidated and all filings should be made under docket 18-4803. The parties agreed to the following timeline.

1. The final hearing will be on May 15 and 16, 2019 in Cheyenne WY. The exact location will be determined later and the parties will be notified.
2. Requests for production of documents, written interrogatories and other discovery may be undertaken by phone, email, fax or mail. Deadline for service of discovery shall be February 15, 2019 5:00 p.m. Responses to Discovery shall be no later than 30 days after receipt.
3. Expert witnesses must be identified no later than 5:00 p.m. March 14, 2019 and the parties must comply with Rule 26 of the Wyoming Supreme Court Rules of Civil Procedure

4. Identification of witness and a summary of their testimony shall be exchanged by the parties no later than 12:00 noon on April 15, 2019. Exhibits shall be filed with each party and with the Council no later than 12:00 noon on May 8, 2019. The filing of all of these documents for the Council can and should be done on the e-file docket site. Prior to filing, any exhibits contact Mr. Girardin at 307-777-7170. He will help insure that the final exhibits are properly filed. The system will number your exhibits but you can choose the first three letters for the exhibits. Final exhibits and pleading exhibits are filed differently.
5. The filing of any prehearing motions should be done on April 15, 2019. Responses to motions should be filed by April 25, 2019.
6. Any trial briefs should be filed no later than May 13, 2019.

DATED this 14th day of January 2019.


Meghan Lally, Hearing Examiner
Environmental Quality Council

CERTIFICATE OF SERVICE

I, James Ruby, certify that at Cheyenne, Wyoming, on the 15th day of January 2019, I served a copy of the foregoing **Order** by electronic mail or first class mail U.S. Mail to the following:


James Kaste
Attorney for DEQ
James.kaste@wyo.gov

Shannon Anderson
Attorney for the Powder River Basin Resource Council
sanderson@powderriverbasin.org

Tom Throne
Attorney for Blackjewel
MLawson@throne-law.com

Jennifer Scoggins
Attorney for Contura Coal West, LLC
TMPlunkett@hollandhart.com
jscoggin@hollandhart.com

Jeff Pope
Attorney for Contura Coal West, LLC
jspope@hollandhart.com



Jim Ruby
Environmental Quality Council
2300 Capitol Ave.
Hathaway Building
Cheyenne, WY 82002
Phone: 307-777-7170