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FILED
NOV 16 2009
Jim Ruby, Executive Secretary
Environmental Quality Council

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

IN THE MATTER OF:)
MEDICINE BOW FUEL & POWER, LLC) DOCKET NO. 09-2801
AIR PERMIT CT-5873)

**MOTION FOR SUMMARY JUDGMENT OF
MEDICINE BOW FUEL & POWER, LLC'S**

COMES NOW the Permittee/Respondent, Medicine Bow Fuel & Power, LLC, by and through its attorneys, and pursuant to Rule 56 of the Wyoming Rules of Civil Procedure, and hereby moves the counsel for an order granting summary judgment in favor of Medicine Bow Fuel & Power, LLC and against the Petitioner on its remaining claims in this matter: Claims I, II, III, V, and VII.

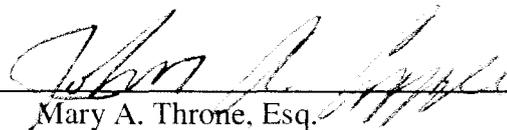
In support of this motion, Medicine Bow Fuel & Power, LLC submits a memorandum of points and authority along with the affidavits of Katrina Winborn and James Knox, as well as the

other exhibits attached to its memorandum, which sets out more fully the grounds for the relief requested.

WHEREFORE, Medicine Bow Fuel & Power, LLC respectfully requests the Counsel enter its order granting summary judgment in favor of Medicine Bow Fuel & Power, LLC and against the Petitioner on all of its remaining claims in this matter, and for further and other relief as the Counsel may deem just and proper in the premises.

DATED this 16th day of November 2009.

MEDICINE BOW FUEL & POWER, LLC
Permittee

By: 
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Attorneys for Permittee

CERTIFICATE OF SERVICE

I, John A. Coppede, hereby certify that on this 16th day of November 2009 a true and correct copy of the foregoing **MEDICINE BOW FUEL & POWER, LLC'S RULE 56.1 STATEMENT IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT** was served by regular mail and electronic mail to:

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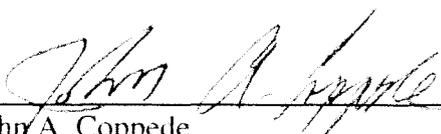
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