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

**IN THE MATTER OF THE PETITION)
FOR HEARING OF:)
TWO ELK GENERATION PARTNERS') DOCKET NO. 14-2801
DEQ AQD PERMIT CT-1352B)
DATED APRIL 24, 2014)**

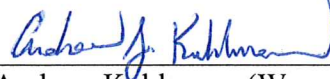
DEQ'S MOTION TO DISMISS FOR LACK OF JURISDICTION

Respondent Wyoming Department of Environmental Quality ("DEQ"), by and through its undersigned counsel, and pursuant to WYO. R. CIV. P. 12(b)(1) and the Environmental Quality Council Rules, Chapter II, Sections 3 and 14, hereby moves the Environmental Quality Council to dismiss Powder River Basin Resource Council and Sierra Club's Petition for a Show Cause Hearing for lack of jurisdiction. The grounds for this Motion are set forth in DEQ'S Memorandum in Support of Motion to Dismiss, which is filed with this Motion.

WHEREFORE, Respondent DEQ respectfully requests the Council enter an Order dismissing the Petition for a Show Cause Hearing and such other and further relief as the Council deems appropriate. A proposed Order is attached to this Motion.

DATED this 3rd of June, 2014.

FOR RESPONDENT DEQ:



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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of June, 2014, a true copy of the foregoing document was emailed to the following:

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