

FILED

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

Terri A. Lorenzon, Director
Environmental Quality Council

**IN THE MATTER OF THE APPEAL)
OF PERMIT NO. CT-1352B)
TWO ELK POWER PLANT)**

DOCKET NO. 07-2601

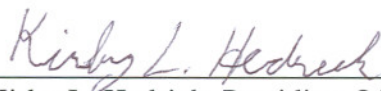
ORDER SETTING HEARING ON THE MOTION TO STAY

THE ABOVE-ENTITLED MATTER has come before the Wyoming Environmental Quality Council upon a motion for stay filed by the Two Elk Generation Partnership, on October 22, 2007. The DEQ will file a response in accordance with the Wyoming Rules of Civil Procedure. The Environmental Quality Council (Council) having reviewed the record and being fully advised in the premises,

IT IS HEREBY ORDERED that the Council will hold a hearing on the Motion for Stay at the Council's meeting on November 28, 2007. The motion will be heard in the current order of the Council's November 28, 2007, meeting agenda. Each Party shall have ten minutes to present legal argument. Any Party that fails to appear at the hearing may be dismissed.

The Council's meeting will start at 9:00 a.m. at the Western Wyoming Community College, 2500 College Drive, Lecture Rm. #1302, Rock Springs, Wyoming.

DATED this 6th day of November, 2007.



Kirby L. Hedrick, Presiding Officer
Environmental Quality Council
122 W. 25th Street, Rm. 1714
Cheyenne, WY 82002
Tel: (307) 777-7170
Fax: (307) 777-6134

CERTIFICATE OF SERVICE

I, Joe Girardin, certify that at Cheyenne, Wyoming, on the 6th day of November, 2007 I served a copy of the foregoing ORDER SETTING HEARING ON THE MOTION TO STAY by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Rebecca W. Watson
Hogan & Hartson LLP
1200 Seventeenth Street, Suite 1500
Denver, CO 80202

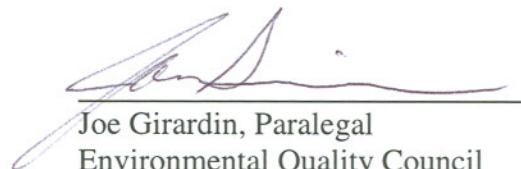
Dennis Arfmann
Hogan & Hartson LLP
1470 Walnut Street, Suite 200
Boulder, CO 80302

also to the following persons via interoffice mail:

Nancy Vehr
Office of Attorney General
123 State Capitol
Cheyenne, WY 82002

John Corra
Director
Department of Environmental Quality
122 W. 25th St., Herschler Bldg.
Cheyenne, WY 82002

David Finley
AQD Administrator
Department of Environmental Quality
122 W. 25th St, Herschler Bldg.
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Joe Girardin, Paralegal

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