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

Terri A. Lorenzon, Director
Environmental Quality Council

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

Docket No. 07-2601

**RESPONDENT WYOMING DEPARTMENT OF ENVIRONMENTAL
QUALITY'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO PETITIONER'S REQUEST FOR IMMEDIATE STAY**

Respondent Wyoming Department of Environmental Quality, Air Quality Division ("DEQ/AQD") by and through the Office of Attorney General, pursuant to Chapter 2, § 3 of the DEQ Rules of Practice and Procedure Applicable to Hearings in Contested Cases, moves the Environmental Quality Council ("EQC") for an unopposed extension of time up to and including November 21, 2007, in which to file its Response to Petitioner Two Elk Generation Partners' ("TEGP") Request for Immediate Stay. In support of its Unopposed Motion for an Extension of Time, Respondent DEQ/AQD states as follows:

1. On or about October 22, 2007, Petitioner TEGP filed a Petition for Review and Request for Immediate Stay ("Petition").
2. Respondent DEQ/AQD's Response to TEGP's Request for Immediate Stay is due on November 13, 2007.
3. Counsel for Respondent DEQ/AQD has conferred with counsel for TEGP and TEGP does not oppose DEQ's request for an extension up to and including November 21, 2007, in which to file its Response brief.
4. TEGP has provided additional documents for DEQ/AQD's review, the latest

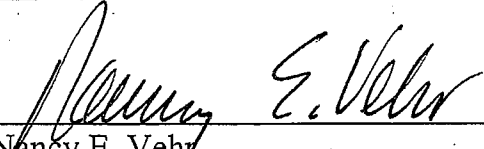
documents having been submitted on November 8, 2007. It is DEQ/AQD's understanding that TEGP will be providing additional documents. DEQ/AQD and TEGP are engaged in settlement discussions.

5. Good cause exists to justify Respondent DEQ/AQD's request for an extension of time because without it Respondent's time to review documents and participate in subsequent negotiations falls within the same time period in which Respondent will be preparing a Response. The short extension requested will not impact any other case deadlines.

6. Granting this Motion will not prejudice or unduly burden either party.

WHEREFORE, Respondent DEQ/AQD hereby respectfully moves the Council for an extension of time up to and including November 21, 2007 in which to file a Response brief to Petitioner TEGP's Request for an Immediate Stay.

RESPECTFULLY SUBMITTED this 13th day of November, 2007.



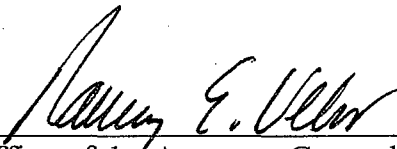
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CERTIFICATE OF SERVICE

I certify that on this **13th** day of **November, 2007**, a true and correct copy of RESPONDENT WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO PETITIONER'S REQUEST FOR IMMEDIATE STAY was served via U.S. Mail, postage prepaid, addressed as follows:

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