

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
OF THE STATE OF WYOMING

IN THE MATTER OF: )  
BASIN ELECTRIC POWER COOPERATIVE )  
DRY FORK STATION, ) Docket No. 07-2801  
AIR PERMIT CT - 4631 )

**(proposed)ORDER ON RESPONDENT DEPARTMENT OF ENVIRONMENTAL  
QUALITY'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

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The Council, having considered Respondent Department of Environmental Quality's Motion for Partial Summary Judgment and responses thereto, and having reviewed the file and being otherwise fully advised in the premises, hereby:

ORDERS that Respondent DEQ's Motion with respect to Claims II (Supercritical and Ultrasupercritical issues); Claim III (IGCC); Claim VII (PM2.5) and Claim VIII (SILs) is granted; and

The hearing on the remaining issues in this matter remains set for November 17, 2008.

DONE this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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F. David Searle, Presiding Officer  
Environmental Quality Council

cc: Nancy Vehr  
James S. Angell  
Robin Cooley  
Andrea Zaccardi  
Reed Zars  
Patrick R. Day, P.C.  
Mark R. Ruppert