FILED

JUN 0 8 2007

Terri A. Lorenzon, Director Environmental Quality Council

ENVIRONMENTAL QUALITY COUNCIL, DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF WYOMING

IN THE MATTER OF THE APPEAL OF THE PITTSBURG & MIDWAY COAL MINING CO.'S WELCH PERMIT NO. 497-T4.	
	Docket No. 07-4600
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MOTION OF THE PITTSBURG & MIDWAY COAL MINING CO. FOR EXTENSION OF TIME TO FILE AND SERVE REPLY MEMORANDUM

COMES NOW The Pittsburg & Midway Coal Mining Co. ("P & M"), by and through its undersigned attorneys, Poulson, Odell & Peterson, LLC and Brown, Drew & Massey, LLP, and files, pursuant to Wyo. DEQ Rules & Regs. Ch. II, § 14(a) & W.R.C.P. 6(b), its Motion for Extension of Time to File and Serve Reply Memorandum. In support of this motion P & M states as follows:

- 1. P & M desires a 7 day extension, through and including June 15, 2007, to reply to Appellant's Response to Motion to Dismiss by the Pittsburg & Midway Coal Mining Co. served on or around May 21, 2007.
- 2. This case has not been scheduled for hearing and no prejudice will result to any party from this short extension.
- 3. Counsel for P & M has spoken with counsel for Appellant, and Appellant's counsel has consented to this extension.
- 4. Such an extension will allow P & M to appropriately reply to Appellant's Response.

WHEREFORE, P & M respectfully prays for an order granting it a 7 day extension, through and including June 15, 2007, to reply to Appellant's Response.

CERTIFICATE OF SERVICE

I hereby certify that on the **G**th day of June, 2007, a true and correct copy of the foregoing MOTION OF THE PITTSBURG & MIDWAY COAL MINING CO. FOR EXTENSION OF TIME TO FILE AND SERVE REPLY MEMORANDUM was served upon the persons identified below by depositing a true and correct copy thereof in the United States mail, postage prepaid and properly addressed to:

Chairman - Wyoming Environmental Quality Council 122 West 25th Street Herschler Building - Room 1714 Cheyenne, WY 82002

Director - Wyoming Department of Environmental Quality 122 West 25th Street Herschler Building - Room 1714 Cheyenne, WY 82002

John Burbridge Assistant Wyoming Attorney General Wyoming Attorney General's Office 123 Capitol Building Cheyenne, WY 82002

Dan Riggs LONABAUGH AND RIGGS, LLP P. O. Box 5059 Sheridan, WY 82801

The Pittsburg & Midway Coal Mining Co. 116 Inverness Drive East, Suite 207 Englewood, CO 80112

Ву: _____