

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL OF THE  
STATE OF WYOMING

FILED

SEP 12 2007

IN THE MATTER OF THE APPEAL OF THE )  
PITTSBURG & MIDWAY COAL MINING )  
CO.'S WELCH PERMIT NO. 497-T4 )

Terri A. Lorenzon, Director  
Environmental Quality Council  
Docket No. 07-460

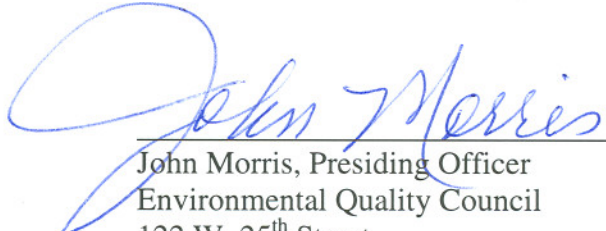
ORDER SETTING MOTION HEARING

**THE ABOVE-ENTITLED MATTER** has come before the Wyoming Environmental Quality Council (Council) upon the Pittsburg & Midway Coal Mining Co.'s Motion to Dismiss filed on April 23, 2007. John C. Willson, by his attorneys, Lonabaugh and Riggs, LLP filed a Request for Hearing on July 3, 2007. The Council having reviewed the record and being fully advised in the premises,

**IT IS HEREBY ORDERED** that a hearing will be held on the Motion to Dismiss on September 26, 2007. All Parties shall have ten minutes each to present legal argument.

The motion hearing will begin at 4:30 P.M. at the Casper Community College, 125 College Drive, Campus Ballroom, Casper, WY.

**DATED** this 5<sup>th</sup> day of September, 2007

  
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John Morris, Presiding Officer  
Environmental Quality Council

122 W. 25<sup>th</sup> Street  
Herschler Bldg., Rm. 1714  
Cheyenne, WY 82002  
Tel: (307) 777-7170  
Fax: (307) 777-6134

## CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 12<sup>th</sup> day of September, 2007, I served a copy of the foregoing **ORDER SETTING MOTION HEARING** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Dan B. Riggs  
P.O. Drawer 5059  
Sheridan, WY 82801

Scott M. Campbell  
Poulson, Odell and Peterson, LLC  
1775 Sherman St., Suite 1400  
Denver, CO 80203

Thomas F. Reese  
Brown, Drew & Massey, LLP  
159 N. Wolcott, Suite 200  
Casper, WY 82601

also to the following persons via interoffice mail:

John Burbridge  
Office of Attorney General  
123 State Capitol  
Cheyenne, WY 82002

Rick Chancellor  
Administrator  
Land Quality Division, DEQ  
122 West 25<sup>th</sup> Street, 3-W  
Herschler Building  
Cheyenne, WY 82002

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



Kim McGee, Executive Assistant  
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