

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD  
CHARLESTON, WEST VIRGINIA**

**KENTUCKY POWER COMPANY  
dba AEP,**

**Appellant,**

**v.**

**Appeal No. 22-04-EQB**

**DIVISION OF WATER AND WASTE  
MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,**

**Appellee,**

**ORDER GRANTING JOINT MOTION TO CONTINUE AND  
NOTICE OF PREHEARING STATUS CONFERENCE AND EVIDENTIARY HEARING**

Appeal No. 22-04-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on April 12, 2022. An Evidentiary Hearing is scheduled for April 13-14, 2023.

The parties jointly filed a motion to continue the Prehearing Status Conference and Evidentiary Hearing to allow the parties to continue settlement negotiations. The stay currently in place shall be extended as agreed to by the parties.

Based on the representations of the parties, the Board does hereby order that the **Evidentiary Hearing** in Appeal No. 22-02-EQB shall be **continued until the June 15-16, 2023, Board meeting**. Said hearing will begin at **8:30 a.m.** at the Board’s offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304. Parties may appear in person or remotely. If appearing in person, the parties shall appear at the Board's offices. If appearing

remotely, the parties shall participate using the following Zoom link:  
<https://us02web.zoom.us/j/81416631202>.

Pursuant to CSR §46-4-5.2 of the *Procedural Rules Governing Appeals Before the Environmental Quality Board*, a **Prehearing Status Conference** will be held on **March 30, 2023**, at **10:00 a.m.** before the Board's Chairman and/or legal counsel. Parties may appear in person or by telephone. If appearing in person, the said prehearing will be conducted at the Board's offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304. If appearing by telephone, dial 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the pound (#) key.

It is so **ORDERED** and **ENTERED** this 4<sup>th</sup> day of April, 2023.

**Environmental Quality Board**

  
Dr. Edward Snyder, Chairman

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

**KENTUCKY POWER COMPANY DBA AEP,**

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**DIVISION OF WATER AND WASTE  
MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION,**

**Appellee.**

**CERTIFICATE OF SERVICE**

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that I have this day, the 4<sup>th</sup> day of April, 2023, served a true copy of the foregoing **ORDER GRANTING MOTION TO CONTINUE AND NOTICE OF PREHEARING STATUS CONFERENCE AND EVIDENTIARY HEARING** to the following:

Kathy G. Beckett, Esq.  
STEPTOE & JOHNSON, PLLC  
707 Virginia Street, East  
Charleston, WV 25326  
*Counsel for Kentucky Power Company dba AEP*

*Via Certified U.S. First Class Mail*  
7021 1970 0001 1851 8601

Jonathan C. Frame, Esq.  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LEGAL SERVICES  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
*Counsel for WVDEP*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk