

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

KENTUCKY POWER COMPANY d/b/a AEP,

Appellant,

v.

Appeal No.: 22-04-EQB

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

Appellee.

ORDER FOR CONTINUANCE AND NOTICE OF HEARING

Appeal No. 22-04-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on July 14, 2022. In accordance with West Virginia Code §22B-1-7(f), an evidentiary hearing concerning matters as more fully set forth in the Notice of Appeal filed in Appeal No. 22-04-EQB is scheduled for December 14-15, 2023.

At a prehearing conference on November 30, 2023, the parties represented that issuance of the permit modification in Appeal No. 21-06-EQB, which is currently being processed by the WVDEP, will inform the issues set forth in the above-styled appeal. Therefore, a continuance of the evidentiary hearing for ninety (90) days has been requested in order to allow sufficient time for said permit modification application to be processed and issued.

Based on the representations of the parties, the Board does hereby order that the evidentiary hearing in Appeal No. 21-06-EQB shall be continued until the **March 14-15, 2024**, Board meeting. Said hearing will begin at 8:30 a.m. at the Board’s offices located at 601 57th Street, Charleston, Kanawha County, West Virginia 25304. The stay currently in place shall be extended as set forth herein, and as agreed to by the parties.

A Prehearing Conference shall be held on **February 29, 2024**, 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

parties shall appear at the Board's offices. If appearing by telephone, the parties shall call 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the # key.

It is so **ORDERED** and **ENTERED** this 7th day of DECEMBER, 2023.

Environmental Quality Board

Kenna M. DeRaimo
for Dr. Edward Snyder, Chairman

Prepared by:

/s/ Jon Frame
Jonathan Frame
Office of Legal Services
WV Department of Environmental Protection
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CERTIFICATE OF SERVICE

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that I have this day, the 7th day of December, 2023, served a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF 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
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Jonathan C. Frame, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street, S.E.
Charleston, WV 25304
Counsel for WVDEP

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk