

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

WEST VIRGINIA WATER RESOURCES, INC.,

Appellant,

v.

Appeal No. 24-01-EQB

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

Appellee.

NOTICE OF PREHEARING STATUS CONFERENCE

Appeal No. 24-01-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on February 16, 2024. An evidentiary hearing concerning matters as more fully set forth in the Notice of Appeal filed in Appeal No. 24-01-EQB is scheduled for **May 9, 2024**.

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 April 25, 2024, at 10:00 a.m.** before the Board’s Chairman and/or legal counsel. **The Prehearing Status Conference (PHSC) will be held via Zoom only.** The Parties can join by using the following link: <https://us02web.zoom.us/j/83078014823>.

The proceedings will be recorded and transcribed at a later date, if necessary. The following will be discussed at the prehearing:

- (1) Presentation and consideration of preliminary legal issues;
- (2) Stipulations to facts that are not contested by the parties;

- (3) Stipulations to the admission of evidence to avoid unnecessary proof;
- (4) Identification and reduction of number of witnesses; and
- (5) Consideration of any other matters that will aid in the expeditious conduct of the hearing.

It is further ordered that each counselor representative attending the prehearing conference is required to have a thorough knowledge of the case, be prepared to discuss it, and to make stipulations or admissions where appropriate and to argue any pending motions. Each counselor representative must have full authority from the party represented and any law firm with which associated to take such action as may be necessary to comply with this order.

It is further ordered that at the conclusion of the conference, either orally for the record or by separate writing, an order will be entered which recites any action taken and agreements reached by the parties. The order will take the place of all that has gone before and will control the subsequent course of the hearing unless modified to prevent manifest injustice.

ORDERED and **ENTERED** this 27th day of February, 2024.

Environmental Quality Board

for Kenna M DeRaines
Dr. Edward Snyder, Chairperson

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CERTIFICATE OF SERVICE

I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that on this day, the 27th of February, 2024, have served a true copy of the foregoing **NOTICE OF PREHEARING STATUS CONFERENCE** upon the following:

Christopher B. Power, Esq.
Robert M. Stonestreet, Esq.
BABST CALLAND CLEMENTS AND ZOMNIR, PC
Truist Square
300 Summers Street, Suite 1000
Charleston, WV 25301
*Counsel for Appellants
West Virginia Water Resources, Inc.*

Via Certified U.S. First Class Mail

9489 0090 0027 6573 8299 83

Charles S. Driver, Esq.
Jonathan C. Frame, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street, S.E.
Charleston, WV 25304
*Counsel for Appellee
West Virginia Department of Environmental Protection*

Via Interdepartmental Mail


Kenna M. DeRaimo, Clerk