

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

**APPALACHIAN POWER COMPANY  
dba AEP,**

**Appellant,**

v.

**Appeal No. 21-06-EQB**

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

**Appellee,**

**ORDER FOR CONTINUANCE AND NOTICE OF HEARING**

Appeal No. 21-06-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on June 23, 2021. 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. 21-06-EQB is scheduled for May 8-9, 2024.

At a prehearing conference on April 25, 2024, it was represented that a settlement-in-principle has been reached and that the terms of said settlement are being effectuated through issuance of a permit modification, which is currently being processed by the WVDEP. Therefore, a continuance of the evidentiary hearing has been requested in order to allow sufficient time for said permit modification application to be processed and issued. The parties also agree to an extension of the stay currently in place until such time that this matter is resolved through issuance of the final permit modification.

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 **July 11-12, 2024, Board meeting**. Said hearing will begin at **8:30 a.m.** The Parties may attend via Zoom by using the following link: <https://us02web.zoom.us/j/84964935668>. The stay currently in place shall be extended as set forth herein, and as agreed to by the parties.

A **Prehearing Status Conference** shall be held on **June 27, 2024, at 10:00 a.m.** before the Board and/or legal counsel. Said Prehearing Status Conference will be held ***via Zoom only***. The Parties may attend via Zoom by using the following link: <https://us02web.zoom.us/j/86499579106>.

It is so **ORDERED** and **ENTERED** this 26<sup>th</sup> day of April, 2024.

**Environmental Quality Board**

  
Dr. Edward Snyder, Chairman

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

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MANAGEMENT, WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,**

**Appellee.**

**CERTIFICATE OF SERVICE**

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board,  
have this day, the 26<sup>th</sup> day of April, 2024, 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 25301  
*Counsel for Appellant  
Appalachian Power Company dba AEP*

*Via Certified First-Class U.S. Mail*

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Jonathan C. Frame, Esquire  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LEGAL SERVICES  
601 57<sup>th</sup> Street, S.E.  
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*Counsel for Appellee  
West Virginia Department of Environmental Protection*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk