

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

APPALACHIAN POWER COMPANY, dba AEP,

Appellant,

v.

**Appeal Nos.: 25-10-EQB
25-11-EQB
25-12-EQB**

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

Appellee.

**ORDER FOR CONTINUANCE AND SCHEDULING OF
PREHEARING STATUS CONFERENCE AND EVIDENTIARY HEARING**

Appeal Nos. 25-10-EQB, 25-11-EQB, and 25-12-EQB were filed with the West Virginia Environmental Quality Board (“Board”) on November 24, 2025. 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 Nos. 25-10- EQB, 25-11-EQB, and 25-12-EQB was scheduled for February 26, 2026. A prehearing conference was held on January 29, 2026.

At said prehearing conference, it was represented to the Board that the parties have been engaged in settlement discussion planning among counsel and have been unable to set a meeting among clients, to date, but believe that a meeting will be completed in the very near future that may potentially result in a resolution of these matters without need for an evidentiary hearing. Therefore, a continuance of the evidentiary hearing is prudent to allow the parties additional time to attempt to resolve this matter. Based on the representations of the parties, the Board does hereby order that the evidentiary hearing in Appeal Nos. 25-10-EQB, 25-11-EQB and 25-12-EQB shall be continued.

Additionally, in lieu that the Certified Records were to be filed by December 10, 2026, and, as of today, have not being filed, the Board hereby orders the parties to be available for a **Prehearing Status Conference** to begin at **10:00 a.m. on Thursday, February 26, 2026**. Said hearing will be held via ***Zoom only***. The Parties may attend via Zoom by using the following link: <https://us02web.zoom.us/j/81480077450>.

Counsel should be prepared to discuss the reason the certified records were not filed timely on December 10, 2025, and discuss WVDEP's plans for submitting the certified records as soon as possible. In addition, counsel for the West Virginia Department of Environmental Protection ("WVDEP") are ordered to have employees of the Division of Water and Waste Management available to respond to questions of the Board as to why the certified records have not yet been filed with the Board, as well as to discuss a remedy for this oversight on the part of WVDEP and solutions to keep this from happening in the future.

Lastly, the Board does hereby order that the evidentiary hearing in Appeal Nos. 25-10-EQB, 25-11-EQB and 25-12-EQB shall be continued until the **March 12 – 13, 2026, Board meeting beginning at 8:30 a.m.** The Parties may attend in person at the Board's offices located at 601 57th Street, Southeast, Charleston (Kanawha City), West Virginia, or via Zoom by using the following link: <https://us02web.zoom.us/j/84116892123>.

It is so **ORDERED** and **ENTERED** this 19th day of February, 2026.

Environmental Quality Board


Dr. Edward Snyder, Chairman

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

**APPALACHIAN POWER COMPANY
d/b/a AEP,**

Appellant,

**Appeal Nos.: 25-10-EQB
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v.

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

Appellee.

CERTIFICATE OF SERVICE

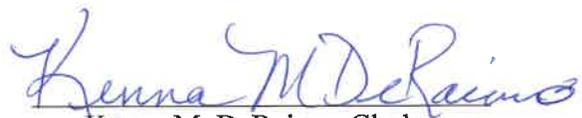
I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, hereby certify that on this day, the 19th day of February, 2026, a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF PREHEARING STATUS CONFERENCE AND EVIDENTIARY HEARING** has been served upon the following:

Kathy G. Beckett, Esq.
Steptoe & Johnson PLLC
707 Virginia Street, East
Charleston, West Virginia 25301

***Via Certified U.S. First-Class U.S. Mail
9489 0090 0027 6726 0228 72
and Electronic Mail***

Jonathan Frame, Esq.
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF LEGAL SERVICES
601 57th Street, S.E.
Charleston, WV 25304

***Via Interdepartmental Mail
and Electronic Mail***


Kenna M. DeRaimo, Clerk