

WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD
CHARLESTON, WEST VIRGINIA

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MAR 9 2022

APPALACHIAN POWER COMPANY
dba AEP,

Environmental Quality
Board

Appellant,

v.

Appeal No. 21-06-EQB

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

Appellee,

JOINT MOTION TO CONTINUE

Now come the Parties, Appalachian Power Company dba AEP (“AEP”), and the Director, Division of Water and Waste Management, West Virginia Department of Environmental Protection (“WVDEP”), by counsel, and hereby move this Board for entry of an Order continuing the hearing on this appeal, which is scheduled for March 10, 2022, at 8:30 a.m., for a period of thirty (30) days. In support of this motion, the parties state as follows:

1. The parties have been and are currently engaged in settlement discussions.
2. The parties are in the process of exchanging proposed settlement documents and believe that additional time will allow the parties to determine whether a resolution of the issues in the instant appeal may be reached without need for an evidentiary hearing.
3. The parties agree, based on current information and facts, that a thirty (30) day continuance will allow sufficient time to prepare for hearing in the event that a settlement of the appeal issues cannot be reached, as the parties do not anticipate requesting any further continuances of this matter.


4. The parties agree that entry of an Order by this Board granting the requested 30-day stay shall extend the stay currently in place until such time that either the parties enter into an agreement resolving this appeal before the rescheduled hearing date or this Board issues an order on the merits, should an evidentiary hearing ultimately be deemed necessary.
5. This request is made in good faith and not for purposes of delay.

WHEREFORE, for the reasons set forth above, AEP and WVDEP request that the West Virginia Environmental Quality Board grant its motion to continue this matter, continuing the stay currently in place as requested by the parties as set forth herein, and enter an Order granting the parties' joint motion and continuing the hearing currently set in this matter for a period of thirty (30) days.

Respectfully submitted,

Appalachian Power Company

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