

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

**APPALACHIAN POWER COMPANY  
dba AEP,**

**Appellant,**

v.

**Appeal No. 22-02-EQB**

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

**Appellee,**

**ORDER GRANTING JOINT MOTION TO CONTINUE AND  
NOTICE OF PREHEARING STATUS CONFERENCE AND EVIDENTIARY HEARING**

Appeal No. 22-02-EQB was filed with the West Virginia Environmental Quality Board (“Board”) on April 12, 2022. In accordance with West Virginia Code §22B-1-7(f), a Prehearing Status Conference is scheduled for December 28, 2022 and the Evidentiary Hearing is scheduled for January 12-13, 2023.

The parties jointly filed a motion to continue the Prehearing Status Conference and Evidentiary Hearing to allow the parties to continue settlement negotiations. The parties also agreed to an extension of the stay currently in place until such time that this matter is resolved through settlement before the rescheduled hearing date or the Board issues an order on the merits, should an evidentiary hearing be deemed necessary. The stay currently in place shall be extended as agreed to by the parties.

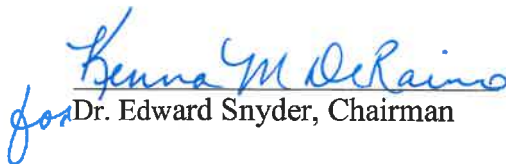
Based on the representations of the parties, the Board does hereby order that the **Evidentiary Hearing** in Appeal No. 22-02-EQB shall be **continued until the April 13-14, 2023, Board meeting**. Said hearing will begin at **8:30 a.m.** at the Board’s offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304. Parties may appear in person or remotely. If appearing in person, the parties shall appear at the Board's offices. If appearing remotely, the parties shall participate using the following Zoom link:

<https://us02web.zoom.us/j/86370975786>.

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 **March 30, 2023**, 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 said prehearing will be conducted at the Board's offices located at 601 57<sup>th</sup> Street, Charleston, Kanawha County, West Virginia 25304. If appearing by telephone, dial 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the pound (#) key.

It is so **ORDERED** and **ENTERED** this 10<sup>th</sup> day of January, 2023.

**Environmental Quality Board**

  
for Dr. Edward Snyder, Chairman

**WEST VIRGINIA ENVIRONMENTAL QUALITY BOARD**

**APPALACHIAN POWER COMPANY,  
DBA AEP,**

**Appellant,**

v.

**Appeal No. 22-02-EQB**

**DIVISION OF WATER AND WASTE  
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 10<sup>th</sup> day of January, 2023, served a true copy of the foregoing **ORDER GRANTING**

**MOTION TO CONTINUE AND NOTICE OF PREHEARING STATUS CONFERENCE AND EVIDENTIARY**

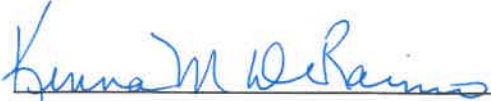
**HEARING** to the following:

Kathy G. Beckett, Esq.  
Allyn Turner, Esq.  
STEPTOE & JOHNSON, PLLC  
Post Office Box 1588  
Charleston, WV 25326  
*Counsel for Appellant  
Appalachian Power Company dba AEP*

*Via Certified U.S. First Class Mail*  
7021 1970 0001 1851 9806

Jon C. Frame, Esq.  
WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LEGAL SERVICES  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304  
*Counsel for Appellee  
West Virginia Department of Environmental Protection*

*Via Interdepartmental Mail*

  
Kenna M. DeRaimo, Clerk