

**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 FOR CONTINUANCE AND NOTICE OF 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), an evidentiary hearing concerning matters as more fully set forth in the Notice of Appeal filed in Appeal No. 22-02-EQB is scheduled for August 10, 2023.

At a prehearing conference on July 27, 2023, the parties represented that issuance of a permit modification in Appeal No. 21-06-EQB, which is currently being processed by the WVDEP, will inform the issues set forth in the above-styled appeal. 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.

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 **October 12-13, 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. The stay currently in place shall be extended as set forth herein, and as agreed to by the parties.

A Prehearing Conference shall be held on **September 28, 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 parties shall appear at the Board's offices. If appearing by telephone, the parties shall call 1-800-309-2350. After the welcome message, dial the conference ID 78252 followed by the # key.

It is so **ORDERED** and **ENTERED** this 28<sup>th</sup> day of JULY, 2023.

**Environmental Quality Board**

  
Dr. Edward Snyder, Chairman

Prepared by:

/s/ Jon Frame  
Jonathan Frame  
Office of Legal Services  
WV Department of Environmental Protection  
601 57<sup>th</sup> Street, S.E.  
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***Counsel to the WVDEP***

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**CERTIFICATE OF SERVICE**

I hereby certify that I, Kenna M. DeRaimo, Clerk for the Environmental Quality Board, have this day, the 28<sup>th</sup> day of July, 2023, served a true copy of the foregoing **ORDER FOR CONTINUANCE AND NOTICE OF HEARING** to the following:

Kathy G. Beckett, 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 9011*

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