## CERTIFICATE OF SERVICE

I hereby certify that the Order Granting An Extension Of Time To File An Answer To The Complaint by Regional Judicial Officer Helen Ferrara in the matter of Western New York Energy, LLC, Docket No. CWA-02-2010-3816, was served on the parties as indicated below:

First Class Mail -

Adam J. Schultz, Esq. Gilberti Stinziano Heintz & Smith, P.C. 555 East Genesee Street Syracuse, New York 13202-2159

Inter Office Mail -

Tim Murphy, Esq. Office of Regional Counsel USEPA - Region II 290 Broadway, 16<sup>th</sup> Floor New York, New York 10007-1866

Karen Maples Regional Hearing Clerk USEPA - Region II

Dated: November 10, 2010

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION II

IN THE MATTER OF : Western New York Energy, LLC, : Respondent :

Docket No. CWA-02-2010-3816

## ORDER GRANTING EXTENSION OF TIME TO FILE ANSWER TO THE COMPLAINT

In response to the Respondent's November 1, 2010 letter requesting an extension of time to file an answer to EPA's Complaint, which request was made for good cause shown and with Complainant's concurrence, an extension through January 31, 2011 is hereby granted.

## **Effective Date**

The effective date of this Order shall be the date it is signed by the Regional Judicial Officer, shown below.

Date: November 10, 2010

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Helen S. Ferrara Regional Judicial Officer U.S. Environmental Protection Agency, Region 2 290 Broadway New York, N.Y. 10007-1866