## BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC

In re Deseret Generation and Transmission	)	
Co-operative Bonanza Power Plant	)	CAA Appeal No. 24-01
	)	
	)	
Permit # V-UO-000004-2019.00	)	
	)	

## UNOPPOSED MOTION FOR 14-DAY EXTENSION OF TIME TO SUBMIT REPLY BRIEF

Pursuant to 40 C.F.R. § 124.19(g), Appellant, the Ute Indian Tribe of the Uintah and Ouray Reservation (the "Tribe"), respectfully requests that the Environmental Appeals Board ("EAB") grant a 14-day extension of time to file its Reply Briefs in the above-captioned appeal.

Appellant filed its appeal in this matter and the Region received service thereof on January 3, 2024. The EAB granted an initial 45-day extension for Environmental Protection Agency Region 8 (the "Region") to file its Response Brief. The EAB subsequently granted an additional 4-day extension. Both the Region and the permit applicant Deseret Generation and Transmission Cooperative ("Deseret") filed their respective Response Briefs on March 22, 2024. Pursuant to 40 C.F.R. § 124(c)(2), the current Reply Brief deadline falls fifteen (15) days after the Response Briefs were filed. Since April 6 (15 days after March 22) falls on a Saturday, the applicable deadline would be Monday, April 8, 2024. The Tribe is seeking an extension to Monday, April 22, 2024.

In accordance with 40 C.F.R. § 124.19(f)(2), the Tribe contacted both the Region and Deseret prior to filing the present motion, both of whom represented that they do not oppose the extension of time requested herein.

The Tribe is requesting an additional fourteen (14) days on the basis that the Tribe will be

replying to two separate and distinct legal briefs responding to what the Region accurately

characterized as a wide range of issues to be addressed in the present appeal. Undersigned counsel

also needs to ensure there is adequate time to confer and obtain input from Tribal leadership. The

Tribe does not anticipate requesting any additional extension of time in connection with the Reply

Briefs.

For the reasons stated above, the Tribe respectfully requests that the EAB grant a 14-day

extension of time to April 22, 2024 for the Tribe to file its Reply Brief.

Respectfully submitted this 4th day of April 2024.

/s/ *Michael W. Holditch* 

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## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Unopposed Motion for Extension of Time was filed electronically with the Environmental Appeals Board's E-filing system, and was served on the following persons, this day of 4th day of April 2024, by U.S. mail.

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