



Janet McQuaid, Senior Counsel
El Paso Energy Service Company
713.420.4518 office
713.445.8804 facsimile
janet.mcquaid@elpaso.com

2009 JUN -2 PM 1:38

EPA REGION VII
HEARING OFFICE

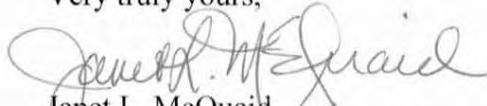
Hearing Clerk
U.S. EPA, Region 8 (Mail Code 8RC)
1595 Wynkoop Street
Denver, CO 80202

Re: Docket No. SDWA-08-2009-0045; Motion for Extension of Time to Answer

Dear Sir or Madam:

Enclosed please find the original and two copies of the Respondent's Motion for Extension of Time to Answer in the above-referenced matter. Please file stamp the extra copy and return it to me in the self-addressed, stamped envelope provided.

Very truly yours,



Janet L. McQuaid

Cc (w/attachment via UPS Overnight):
Mr. James H. Eppers
U.S. EPA, Region 8 (Mail Code 8ENF-L)
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street
Denver, CO 80202

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 JUN -2 AM 10:22

Docket No.: SDWA-08-2009-0045

RECEIVED
EPA REGION VIII
HEADING DESK

In the Matter of:

El Paso Production Oil and Gas
Company,

Respondent

Proceedings under Section 1423(c)
Of the Safe Drinking Water Act
42 U.S.C. 300h-2(c)

§
§
§
§
§
§
§
§
§

**MOTION FOR EXTENSION
OF TIME TO ANSWER**

El Paso E&P Company, L.P. ("El Paso"), formerly known as El Paso Production Oil and Gas Company USA, L.P., with the concurrence of James H. Eppers, counsel for the U.S. Environmental Protection Agency ("EPA"), hereby requests that an extension be granted so that El Paso will have until at least July 1, 2009, to file an answer in this matter. This motion is made pursuant to the Section 22.16 of the Consolidated Rules of Practice, 40 C.F.R. §22.16. EPA requests that this motion be granted for the reasons set forth below.

1. EPA and El Paso are engaged in productive settlement discussions;
2. El Paso and EPA believe that El Paso's time and resources will be better spent working toward potential settlement rather than working on an answer;
3. El Paso and EPA wish to avoid the need for El Paso to expend the time and resources to formally file an answer by the current deadline, which is on or about June 8, 2009.

Therefore, counsel for El Paso, with the concurrence of counsel for EPA, requests an extension of time for El Paso to file an answer until at least July 1, 2009.

RESPECTFULLY SUBMITTED this 1st day of June 2009.

EL PASO E&P COMPANY, L.P.

By: 

Janet L. McQuaid, Senior Counsel
El Paso Energy Service Company
P.O. Box 2511, Houston, TX 77252
1001 Louisiana St., Ste. 1940A, Houston, TX 77002
Telephone 713.420.4518
Facsimile 713.445.8804

ATTORNEY FOR EL PASO E&P COMPANY, L.P.

AFFIDAVIT OF SERVICE

I certify pursuant to 40 C.F.R. § 22.5(a)(3) that a true and correct copy of this Motion for Extension of Time to Answer was served on counsel for EPA at the address shown below in accordance with 40 C.F.R. § 22.5(b)(2) by placing said document in UPS Overnight on June 1, 2009.

A handwritten signature in cursive script, appearing to read "James H. Eppers", is written over a horizontal line.

SERVICE LIST:

Mr. James H. Eppers
U.S. EPA, Region 8 (Mail Code 8ENF-L)
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street
Denver, CO 80202