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FACSIMILE TRANSMITT

DATE: January 29, 2010 TIME: 11:50
TO: The Honorable Elayna R. Sutin
ATTENTION: Tina Artemis
FAX NUMBER: 303-312-6859

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Total number of pages, including this cover page: 3

Comments:

Dear Judge Sutin:
Attached please find a Status Report
on behalf of Fulton Fuel Company.
Respectfully,
Doug Allen
for Fulton Fuel Company

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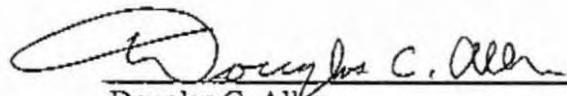
**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF:	* Docket No. CWA-07-2009-0006
	*
Fulton Fuel Company	*
127 Main Street	* STATUS REPORT
P.O. Box 603	*
Shelby, MT 59474	*
	*
Respondent.	*

In response to the request of the Regional Judicial Officer for a Status Report, Fulton Fuel Company reports that at this time the parties have not been able to reach a settlement; however the parties have exchanged settlement offers and have not terminated negotiations.

The undersigned requests that any Order to be entered setting a deadline for a motion or further response allow at least thirty days so that the settlement negotiations are not unduly restricted.

Respectfully submitted this 29th day of January, 2010.


Douglas C. Allen
Attorney for Fulton Fuel Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Status Report was delivered in the following manner:

BY FACSIMILE AND MAIL TO:

The Honorable Elyana R. Sutin
Regional Judicial Officer
U.S. EPA Region 8 (8RC)
1595 Wynkoop Street
Denver, CO 80202-1129
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