



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of

Puerto Rico Aqueduct and Sewer Authority, Respondent. Docket No. CAA-02-2012-1213 Dated: April 17, 2013

Order on Respondent's Motion for Extension of Time to File Prehearing Exchange

The Prehearing Order issued in this proceeding set due dates for the parties to file prehearing exchanges, which were then extended by Order dated March 15, granting Complainant until April 19, 2013 to file a prehearing exchange and until May 17, 2013 for Respondent to file a prehearing exchange. On April 11, 2013, Respondent submitted a Motion seeking an extension of time until June 4, 2013 for Complainant to file its prehearing exchange. Grounds stated in the Motion are that Respondent's attorney only recently received certain information from his client, that he has scheduled meetings with Respondent's management and personnel, which the parties sincerely believe will assist in settling this matter.

The Rules of Practice, 40 C.F.R. Part 22, provide that an extension of time for filing any document may be granted "upon timely motion . . . , for good cause shown, and after consideration of prejudice to other parties." 40 C.F.R. § 22.7(b). Agency policy encourages parties to resolve cases amicably through settlement where consistent with applicable statutory and regulatory provisions and objectives, thus avoiding expenditure of resources required for litigation. 40 C.F.R. § 22.18(b). Therefore, and because the parties are actively pursuing a settlement of this case, good cause is shown to grant an extension of time. A 45-day extension is rather lengthy, however, and no unusual circumstances have been described with specific time frames for completing a settlement; the parties are merely exploring settlement. Thus a four-week extension of time is deemed sufficient and is hereby granted.

Accordingly, if parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Complainant shall file its Prehearing Exchange on or before May 17, 2013, Respondent shall file its Prehearing Exchange on or before June 14, 2013, and Complainant shall file its Rebuttal Prehearing Exchange on or before June 28, 2013.

SO ORDERED.

[Signature] M. Lisa Buschmann Administrative Law Judge

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CERTIFICATE OF SERVICE

I certify that the foregoing **Order on Respondent's Motion for Extension of Time to File Prehearing Exchange**, dated April 17, 2013, was sent this day in the following manner to the addressees listed below.



Knolyn R. Jones
Staff Assistant

Dated: April 17, 2013

Original and One Copy by Hand Delivery to:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Copy By Electronic and Regular Mail to:

Jocelyn Scott, Esquire
Office of Regional Counsel
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866
Email: scott.jocelyn@epa.gov

Patricio Martinez-Lorenzo, Esquire
Martinez-Lorenzo Law Offices
Union Plaza Building - Suite 1200
416 Ponce de Leon Avenue
Hato Rey, PR 00918-3424
Email: pmartlor@pmlawpr.com