

April 28, 2009

VIA UPS OVERNIGHT

Ms. Eurika Durr
U.S. Environmental Protection Agency
Clerk of the Board
Environmental Appeals Board
Colorado Building
1341 "G" Street, N.W., Suite 600
Washington, D.C. 20005

RECEIVED
MAY 1 2009
10:51 AM
ENVIRONMENTAL APPEALS BOARD

Re: *In re: Desert Rock Energy Company, LLC, PSD Permit No. AZP 04-01,
PSD Appeal Nos. 08-03, 08-04, 08-05 & 08-06*

Dear Ms. Durr:

Diné Power Authority, LLC ("DPA") is in receipt of Mr. Holmstead's April 28, 2009, letter on behalf of Desert Rock Energy Company, LLC ("Desert Rock"), in which Desert Rock notifies the Board that it intends to respond to the EPA Region 9's Motion for Voluntary Remand. This letter is to notify you that DPA intends to follow the same course as Desert Rock.

Thank you. If you have any questions, please feel free to contact me at (503) 226-8639.

Sincerely,



M. "Sam" Sandmire

cc: Service List
Diné Power Authority

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document on the following via U.S. First Class Mail, this 28th day of April 2009:

Jeffrey R. Holmstead
Richard Alonso
Bracewell & Giuliani LLP
2000 K Street, N.W.
Washington, D.C. 20006
Attorneys for Desert Rock Energy
Company, LLC
Jeff.Holmstead@bgllp.com
Richard.Alonso@bgllp.com

Nicholas Persampieri
Earthjustice
1400 Glenarm Place, Suite 300
Denver, CO 80202
npersampieri@earthjustice.org

Justin Lesky
Law Office of Justin Lesky
8210 Mirada Place NE, Suite 600
Albuquerque, NM 87109
jlesky@leskylawoffice.com

Brian Doster
Kristi Smith
Elliot Zenick
U.S. Environmental Protection Agency
Office of General Counsel
Air and Radiation Law Office
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
doster.brian@epa.gov
smith.kristi@epa.gov
zenick.elliott@epa.gov

Kevin Lynch
Environmental Defense Fund
Climate and Air Program
2334 N. Broadway
Boulder, CO 80304
klynch@edf.org

Louis Denetsosie
D. Harrison Tsosie
Navajo Nation Department of Justice
P.O. Box 2010
Old Club Building
Window Rock, AZ 86515
louisdenetsosie@yahoo.com
harrisontsosie@navajo.org

John Barth
P.O. Box 409
Hygiene, CO 80533
barthlaw@aol.com

Amy R. Atwood, Senior Attorney
Public Lands Program
Center for Biological Diversity
P.O. Box 11374
Portland, OR 97211-0347
atwood@biologicaldiversity.org

Stephanie Kodish
National Parks Conservation Association
706 Walnut St., Suite 200
Knoxville, TN 37902
skodish@npca.org

Seth T. Cohen
Assistant Attorney General
Office of the Attorney General of
New Mexico
Water, Environment and Utilities
Division
P.O. Drawer 1508
Santa Fe, NM 87504-1508
scohen@nmag.gov

CERTIFICATE OF SERVICE

Ann Brewster Weeks
Clean Air Task Force
18 Tremont Street, Suite 530
Boston, MA 02108
aweeks@catf.us

Deborah Jordan
Director, Air Division (ATTN: AIR-3)
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901
jordan.deborah@epa.gov

Patrice Simms
Natural Resources Defense Council
1200 New York Avenue NW, Suite 400
Washington, D.C. 20005
psimms@nrdc.org

Leslie Barnhart
Eric Ames
Special Assistant Attorneys General
New Mexico Environment Dept.
P.O. Box 26110
Santa Fe, NM 87502-6110
leslie.barnhart@state.nm.us
eric.ames@state.nm.us

Leslie Glustrom
4492 Burr Place
Boulder, CO 80303
lglustrom@gmail.com

Ann Lyons
Office of the Regional Counsel
EPA Region 9
75 Hawthorne Street
San Francisco, CA 941050-3901
lyons.ann@epa.gov

Kristen Welker-Hood
Director of Env and Health Programs
Physicians for Social Responsibility
1875 Connecticut Ave N.W., Suite 1012
Washington D.C. 20009



Michael J. Sandmire
Ater Wynne LLP
Suite 900
1331 NW Lovejoy St.
Portland, OR 97209-3280
(503) 226-1191
Attorneys for Diné Power Authority, LLC

CERTIFICATE OF SERVICE