



CONFIDENTIAL FAX

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TO: Eurika Durr

FROM: Ann Alexander

DATE: November 1, 2007

Enclosed is the requested information from Ann Alexander

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 ENVIR. APPEALS BOARD

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NATURAL RESOURCES DEFENSE COUNCIL

November 1, 2007

Via facsimile (202-233-0121)
and Overnight Mail

Eurika Durr
 Clerk of the Board
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 U.S. Environmental Protection Agency
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 Washington, DC 20005

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 CIVIL APPEALS BOARD

Re: PSD Appeal No. 07-02

Dear Ms. Durr:

We are in receipt today of ConocoPhillips' October 31 response to our motion filed Monday for leave to file a reply brief in two phases.

I wish to clarify one issue raised in that response – the statement by ConocoPhillips that Petitioners have not yet seen IEPA's supplemental response (to be filed Friday), and therefore cannot know whether a reply is necessary. Petitioners stated in the motion for leave the reasons why a reply brief is necessary in response to the additional issues (i.e., not pertaining to the Responsiveness Summary) in *ConocoPhillips'* brief. Since IEPA will be addressing these same issues in its supplemental brief, it does not make sense from an efficiency standpoint to burden the Board with two separate reply motions and briefs on the same issues.

Very truly yours,

Ann Alexander

cc: Attached service list (facsimile only)

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