

3. On February 26, 2010, the EAB granted the motion for an extension until March 31, 2010 for the Navajo Nation EPA to file its response.

4. The parties held their conference call on February 23, 2010, and PWCC subsequently provided the Navajo Nation EPA with a proposal concerning the Clean Air Act Title V permit at issue.

5. In order to provide time for the Navajo Nation EPA to respond to PWCC's proposal, which will involve coordination within the Navajo Nation EPA and also consultation with USEPA, and in light of the possibility of settlement of this appeal, Respondent Navajo Nation EPA and Petitioner PWCC join in requesting an additional 30-day extension of the due date for the Navajo Nation EPA's response, which would make the response due on April 30, 2010.

6. The USEPA has an interest in this appeal because the appeal concerns a federally delegated Clean Air Act Title V operating permit, issued pursuant to 40 C.F.R. Part 71. The USEPA concurs in this joint motion for an additional extension of time.

WHEREFORE, Respondent Navajo Nation EPA and Petitioner PWCC, with the concurrence of USEPA, respectfully request a 30-day extension until April 30, 2010 for the Navajo Nation EPA to file its response to the Petition for Review.

Respectfully submitted this 11th day of March 2010.

Jill Elise Grant
Jill Elise Grant
NORDHAUS LAW FIRM, LLP
1401 K Street, NW, Suite 801
Washington, DC 20005
202-530-1270 (tel)
202-530-1920 (fax)
jgrant@nordhauslaw.com

John R. Cline
John R. Cline
John R. Cline, PLLC
P.O. Box 15476
Richmond, VA 23227
804-746-4501 (direct & fax)
john@johnclinelaw.com

CERTIFICATE OF SERVICE

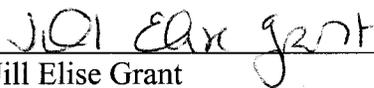
I HEREBY CERTIFY that a copy of this Joint Motion for Extension of Time to File Response was served via first class mail, postage prepaid, on this 11th day of March, 2010, upon:

John R. Cline
John R. Cline, PLLC
P.O. Box 15476
Richmond, VA 23227

Peter S. Glaser
Troutman Sanders LLP
401 9th Street, NW, Suite 1000
Washington DC 20004-2134

Nancy J. Marvel, Regional Counsel
Ivan Lieben, Asst. Regional Counsel
Office of Regional Counsel
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

Anthony Aguirre
Asst. Attorney General
Navajo Nation Department of Justice
P.O. Box 2010
Window Rock, AZ 86515



Jill Elise Grant