

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:

**FOOTPRINT POWER SALEM
HARBOR DEVELOPMENT, LP**

Appeal No. PSD 14-02
Massachusetts DEP Application No. NE-12-022
Massachusetts DEP Transmittal No. X254064

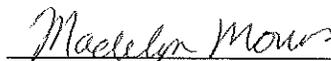
**MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO PETITION FOR REVIEW**

The Massachusetts Department of Environmental Protection (“MassDEP”) requests that the Environmental Appeals Board (“EAB”) grant a one day extension of time to file its Response to the Petition for Review in the above-captioned matter. MassDEP seeks this additional time due to a technical malfunction which occurred while MassDEP was electronically filing its response on Monday, April 7, 2014. On Monday, April 7, 2014, MassDEP counsel spoke with a representative of the EAB regarding the technical malfunction in filing. The EAB representative informed MassDEP counsel that a motion for an extension of time to file could be filed concurrently with MassDEP’s Response on April 8, 2014.

MassDEP’s counsel believes that a one day extension will not prejudice the Petitioners or the Applicant. MassDEP has consulted with counsel for the Petitioners and the Applicant regarding its request for an extension of time; both counsel have assented to MassDEP’s request for an extension of time.

For the reason set forth above, MassDEP respectfully requests that its Motion for Extension of Time to file its Response to the Petition for Review be granted and that the EAB extend the deadline for the MassDEP's response from April 7, 2014 to April 8, 2014.

Respectively submitted,



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Date: April 8, 2014

Counsel for MassDEP