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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
 901 NORTH 5th STREET
 KANSAS CITY, KANSAS 66101

ENVIRONMENTAL PROTECTION
 AGENCY REGION VII
 REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

In the Matter of)
)
 O'Reilly Automotive, Inc.) EPA Docket No. CAA-07-2006-0255
 Emporia, Kansas 66801)
)

**THIRD MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT
 AND NOTICE OF OPPORTUNITY FOR HEARING**

COMES NOW RESPONDENT, O'Reilly Automotive, Inc [hereinafter "O'Reilly"] and requests additional time to respond to the complaint filed by the EPA and for serving notice of opportunity for hearing. In support of this motion and request, the Respondent states as follows:

1. This request follows the unopposed joint motion for extension filed on or about October 12, 2006.
2. This request also follows the unopposed Motion for Extension of Time to Respond to Complaint and Notice of Opportunity for Hearing filed on or about November 22, 2006, from which an Order was entered on November 27, 2006.
3. This request also follows the unopposed Second Motion for Extension of Time To Respond to Complaint and Notice of Opportunity for Hearing filed on or about December 8, 2006, from which an Order was entered on December 12, 2006.
4. O'Reilly and EPA have filed Status Reports as required by the Presiding Officer in this matter.
5. Counsel for the EPA has advised that we have an agreement to resolve the above-referenced matter, but document preparation and final approvals relating to the agency will take longer than the current extension granted. To that end, counsel for the EPA has requested that O'Reilly seek another two-week extension until January 25, 2007.

Wherefore, Respondent O'Reilly respectfully moves the Presiding Officer for an order of an additional extension of time up to and including January 25, 2007, and for other and further relief as is just in the premises.

O'Reilly Automotive, Inc.

By: 

Jeffrey L. Groves
General Counsel
O'Reilly Automotive, Inc.
233 S. Patterson
Springfield, MO 65801

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing was service by fax and posted in the United States mail on this 10th day of January 2007 to:

Ms. Kathy Robinson
Regional Hearing Clerk
Environmental Protection Agency, Region VII
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Kansas City, Kansas 66101
Facsimile: 913-551-9567

Ms. Julie Murray
Assistant Regional Counsel
Environmental Protection Agency, Region VII
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FAX COVER

Date: 01/10/2007 Number of Pages (Including cover): 3

ATTENTION: Kathy Robinson

Company: EPA, Region VII

Fax #: (913) 551-9567 Phone#: _____

FROM: Jeff Groves/Lisa Taylor

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Message: RE: EPA Docket No. CAA-07-2006-0255

O'Reilly Automotive, Inc.'s Third Motion for Extension as requested by
Counsel for EPA

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