

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 DEC 23 AM 9:46

IN THE MATTER OF:)
)
Fulton Fuel Company)
)
a Montana Corporaton)
)
)
Respondent.)
_____)

FILED
EPA REGION VIII
HEARING CLERK

Docket No. CWA-08-2009-0006

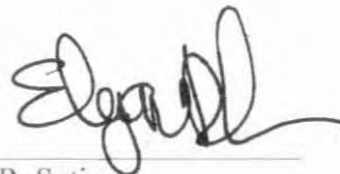
ORDER GRANTING MOTION FOR ADDITIONAL TIME TO SUPPLEMENT
THE RECORD AND RESPOND TO ORDER TO SHOW CAUSE

On December 21, 2009, Counsel for Respondent, Douglas C. Allen, contacted the Regional Hearing Clerk asking for additional time to supplement the record and respond to the Order to Show Cause. Mr. Allen was informed that if he filed a notice of appearance and a written motion by the close of business on December 21, 2009 his motion would be considered. Mr. Allen sent via email an unsigned notice and motion asking for additional time to and including December 30, 2009. The notice and motion were received in the Hearing Clerk's Office on December 21, 2009.

This court grants the motion for additional time based on Counsel for Respondent's belief that his client, Fulton Fuel Company, was represented by another attorney in this matter. Since Mr. Allen has filed a notice of appearance and is now representing Respondent in this matter it is appropriate to allow a short extension for Respondent to address the Motion for Default and the Orders to Show Cause that have been filed in this matter.

The Presiding Officer finds there is good cause for the extension of time up to and including December 30, 2009. Respondent's motion is **Granted**.

Ordered this ^{23rd} day of December, 2009.



Elyana R. Sutin
Regional Judicial Officer

CERTIFICATE OF SERVICE


The undersigned certifies that the original of the attached **ORDER GRANTING MOTION FOR ADDITIONAL TIME TO SUPPLEMENT THE RECORD AND RESPOND TO ORDER TO SHOW CAUSE** in the matter **FULTON FUEL COMPANY**; **DOCKET NO.: CWA-08-2009-0006** was filed with the Regional Hearing Clerk on December 23, 2009.

Further, the undersigned certifies that a true and correct copy of the documents were delivered Marc Weiner, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on December 23, 2009, to:

Attorney for Respondent:

Douglas C. Allan
Attorney at Law
P. O. Box 873
Shelby, MT 59474

December 23, 2009


Tina Artemis
Paralegal/Regional Hearing Clerk

