

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8  
DOCKET NO. TSCA-08-2007-0013**

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EPA REGION VIII  
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IN THE MATTER OF:	)	
	)	
NIOBRARA ELECTRIC ASSOCIATION, INC.	)	RESPONDENT'S MOTION TO CONTINUE
3951 U.S. Hwy. 20	)	ALTERNATIVE DISPUTE RESOLUTION
Lusk, WY 82225	)	(A.D.R.) PROCESS
	)	
	)	
Respondent.	)	

COMES NOW, John H. Skavdahl, attorney for Respondent, Niobrara Electric Association, Inc. with the consent of and at the request of Jessie Goldfarb, attorney for the Complainant, U.S. Environmental Protection Agency - Regent 8 and moves this Court for an Order Extending the Alternative Dispute Resolution period for an additional sixty (60) days from January 14, 2008 to April 16, 2008.

As reasons for said continuance, the Court is advised that counsel for the Respondent, John H. Skavdahl, due to the illness of Co-Counsel has been required to take over the trial of a matter which will require his attention for the next ten days. The Court is further advised that counsel for the Respondent and Complainant have conferred regarding the issues and are conducting additional research, specifically research regarding the statute of limitations that might be applicable to the violations which are claimed to have occurred by Complainant. Attorneys for the Respondent and Complainant have agreed upon a date for an additional alternative resolution dispute conference with the presiding judge which date will be beyond the present alternative resolution dispute period set to expire on January 14, 2008.

Respectfully Submitted,

Niobrara Electric Association, Inc.,  
Respondent

BY: 

John H. Skavdahl  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Motion was served as follows:

The original and one copy was sent via United States mail, postage prepaid, to:

Regional Hearing Clerk (8RC)  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

A copy was sent via United States mail, postage prepaid, to:

Jessie Goldfarb (8ENF-L)  
Senior Enforcement Attorney  
U.S. EPA - Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

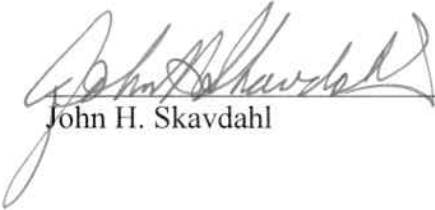
A copy was sent via United States mail, postage prepaid, to:

Martin Hestmark, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance and Environmental Justice  
U.S. EPA - Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

A copy was sent via United States mail, postage prepaid, to:

David J. Janik  
Supervisory Enforcement Attorney  
Office of Enforcement, Compliance and Environmental Justice  
U.S. EPA - Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

Dated this 9<sup>th</sup> day of January, 2008.



John H. Skavdahl