IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:13-cv-03457-JLK

WILDEARTH GUARDIANS,

Plaintiff,

v.

GINA MCCARTHY, in her official capacity as Administrator of the Environmental Protection
Agency,

Defendant.

JOINT STIPULATION FOR THIRTY-EIGHT-DAY EXTENSION OF DEADLINE

WHEREAS, Plaintiff WildEarth Guardians and Defendant Gina McCarthy, in her official capacity as Administrator of the United States Environmental Protection Agency ("EPA"), entered into a Consent Decree in this case;

WHEREAS, Paragraph 5 of the Consent Decree requires EPA to issue a final Title V permit decision for the Deseret Bonanza Power Plant on or before October 28, 2014, and provide notice to Guardians in accordance with 40 C.F.R. § 71.11(i); and

WHEREAS, Paragraph 6 of the Consent Decree provides that the October 28, 2014, deadline for EPA's issuance of the final permit decision in Paragraph 5 of the

Consent Decree may be extended for period of 60 days or less by written stipulation by the parties and filed with the Court.

NOW THEREFORE, the parties stipulate under Paragraph 6 of the Consent Decree that the deadline for EPA's issuance of the final permit decision under Paragraph 5 of the Consent Decree is hereby extended for 38 days, such that EPA must issue a final Title V permit decision for the Deseret Bonanza Power Plant on or before December 5, 2014.

Respectfully submitted,

SAM HIRSCH
Acting Assistant Attorney General

s/David A. Carson
DAVID A. CARSON
United States Department of Justice
Environment and Natural Resources
Division
South Terrace – Suite 370
999 18th Street
Denver, Colorado 80202
(303) 844-1349
david.a.carson@usdoj.gov

COUNSEL FOR DEFENDANT

s/Melissa A. Hailey
MELISSA A. HAILEY, CO Reg. 42836
Antonio Bates Bernard, P.C.
3200 Cherry Creek Drive S., Ste. 380
Denver, Colorado 80209
Tel: (303) 733-3500
Fax: (303) 733-3555
mhailey@abblaw.com

COUNSEL FOR PLAINTIFF

Date: October 22, 2014

CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2014, I filed the foregoing Joint Stipulation for Thirty-Eight-Day Extension of Deadline through the ECF system with the Clerk of the Court, who will send notification to counsel for Plaintiff at the following email address: mhailey@abblaw.com

s/David A. Carson
DAVID A. CARSON
United States Department of Justice
Environment and Natural Resources
Division
South Terrace – Suite 370
999 18th Street
Denver, Colorado 80202
(303) 844-1349
david.a.carson@usdoj.gov