

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
H. S. Buddy Garcia, *Commissioner*  
Glenn Shankle, *Executive Director*



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2007 MAY -2 AM 10: 57

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY CHIEF CLERKS OFFICE

*Protecting Texas by Reducing and Preventing Pollution*

May 1, 2007

To: Persons on the attached mailing list (by mail and facsimile as indicated)

Re: Sierra Club and Public Citizen Motion to Overturn (Motion) concerning the Executive Director's March 20, 2007 approval of American Electric Power Company's (AEP) request to alter certain permit terms and maximum allowable emission rates for its Prevention of Significant Deterioration (PSD) Permit 4381 and PSD-TX-3.

The above-described Motion was received in the Commission's Office of Chief Clerk on April 16, 2007. A copy of the Motion, PSD Permit 4381 and PSD-TX-3 and information regarding the permit may be obtained from the Office of Chief Clerk, TCEQ, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087.

Title 30 of the Texas Administrative Code (TAC) Chapter 50 authorizes an extension of time for taking action on the Motion up to 90 days after the date written notice of the Executive Director's action is mailed to an applicant. In this case, notice of the authorization was mailed on March 20, 2007. Accordingly, this letter shall serve as the order extending the time for the Commission to act on this Motion until **Wednesday, June 13, 2007**.

The Office of General Counsel, having reviewed the Motion and related filings, has decided to set this matter for the Texas Commission on Environmental Quality's public meeting of **Wednesday, June 13, 2007**, beginning at **9:30 A.M.**, pursuant to the Commission's Resolution issued on August 14, 2006 in Docket No. 2006-0973-RES. The meeting will take place in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas.

The Commission will take oral argument on this matter. The Movants, Sierra Club and Public Citizen, should be prepared to present the item to the Commission and will have five minutes of oral argument time. The Applicant, Executive Director and the Office of Public Interest Council will each have five minutes of oral argument time.

The Executive Director, AEP, the Office of Public Interest Council, and the Movants are hereby notified that they are encouraged to file briefs or supplemental briefs with regard to the issues raised in the Motion. An original and eleven (11) copies of the briefs must be filed with the Chief Clerk's Office no later than **5:00 P. M.** on **Wednesday, May 16, 2007**. An original and eleven (11) copies of any replies to such briefs shall also be filed with in the Chief Clerk's Office and shall be due no later than **5:00 P. M.** on **Wednesday, May 30, 2007**.

If you have any questions about this matter, please contact Anne Rowland, Assistant General Counsel, at 512/239-6376.

Respectfully,

A handwritten signature in black ink that reads "Derek Seal".

Derek Seal  
General Counsel

Mailing List

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