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Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2009

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

Re: Joint Request for Remand regarding the application by Aspen Power, L.L.C., for State Air Quality Permit No. 81706 and Prevention of Significant Deterioration (PSD) Air Quality Permit No. PSD-TX-1089; TCEQ Docket No. 2008-1145-AIR; SOAH Docket No. 582-09-0636

The above-named matter is scheduled to be considered by the Texas Commission on Environmental Quality at its October 21, 2009, public meeting. The Applicant (Aspen Power, L.L.C.) and the Protestants (Aaron and Willie Hartsfield, Sylvester McClain, Theodore Mathis, Betty Mathis, Annie Mae Shelton, Dr. Dallas Pierre, Oletha Durham, and Donald Anderson) filed a joint request on October 20, 2009 to remand this matter to the Executive Director for further processing as an uncontested matter, because the Applicant and Protestants have settled and resolved all pending issues involving this matter. The Executive Director and Office of Public Interest Counsel are unopposed to the Joint Motion to Remand. Therefore, pursuant to 30 TAC §§10.4 and 50.137, and the Commission's February 2, 2009 Resolution (2009-0059-RES), this matter is hereby remanded to the Executive Director.

If you have any questions about this matter, please contact Elaine Lucas, Assistant General Counsel, at 512-239-6215.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Les Trobman".

Les Trobman
General Counsel

Mailing List

Mailing List
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TCEQ Docket No. 2008-1145-AIR-E
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