

**STATE OF NEW MEXICO
ALBUQUERQUE/BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**

**IN THE MATTER OF THE PETITION FOR
A HEARING ON THE MERITS REGARDING
AIR QUALITY PERMIT NO. 3135 ISSUED TO
SMITH'S FOOD AND DRUG CENTERS, INC.**

Margaret M. Freed, Mary Ann Roberts, and Pat Toledo, Petitioners

No. AQCB 2014-2

AMENDMENTS TO PREHEARING ORDER

The Hearing Officer, Counsel for Petitioners, City staff and Counsel, and Counsel for Permittee participated in a teleconference on August 13, 2014 to reconsider the date of the hearing and other deadlines in this matter. Teleconference participants were in agreement with the re-scheduled deadlines set out below, and it is so ordered.

1. The hearing in this matter will begin 9 a.m. November 5, 2014 and continue through the day and potentially the evening on November 6, 2014 in the Holiday Park Community Center in Albuquerque, New Mexico.
2. Public comment of a non-technical nature: Public comment will be accepted starting at 5 p.m. November 5 regardless of the progress in the technical case.
3. If the City or Permittee intend to present technical evidence or testimony, the NOI must be filed by October 24, 2014.
4. In the event dispositive motions are timely filed, the Board will hear them on October 8, 2014, as part of the Board meeting beginning at 5:30 p.m.
5. In all other respects the provisions of the Scheduling Order entered August 8, 2014 remain applicable.

Original signed by _____

Felicia L. Orth, Hearing Officer

RECEIVED
ENVIRONMENTAL HEALTH
14 AUG 26 PM 3:16

CERTIFICATE OF SERVICE

I hereby certify that I have e-mailed a true and correct copy of the foregoing AMENDMENTS TO PREHEARING ORDER on this 26th day of August, 2014, to the following:

E-mailed

Felicia Orth
Attorney and Hearing Officer for Air Quality Control Board
orthf@yahoo.com

E-mailed

Carol M. Parker, Assistant City Attorney
cparker@cabq.gov
Attorney for City of Albuquerque,
Air Quality Program

E-mailed

Pete V. Domenici, Jr., Esq.
Lorraine Hollingsworth, Esq.
Reed Easterwood
Domenici Law Firm, P.C.
pdomenici@domenicilaw.com
lhollingsworth@domenicilaw.com
REasterwood@domenicilaw.com
Attorneys for Petitioners

E-mailed

Frank Salazar, Esq.
Tim Adler, Esq.
Sutin, Thayer & Browne, APC
TJA@sutinfirm.com
FCS@sutinfirm.com
Attorneys for Applicant

Respectfully submitted,



Andrew Daffern, AQCB Hearing Clerk