

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. AQCP 2014-2

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AFFIDAVIT

I, Andrew Daffern, Air Quality Control Board Hearing Clerk certify that on September 26, 2014, seventy (70) *Notices of Motion Hearing* were mailed, and sixteen *Notices of Motion Hearing* were emailed to the parties and interested participants regarding the motion hearing in the above-captioned matter.

Respectfully submitted,



Andrew Daffern, Hearing Clerk
Air Quality Program
Environmental Health Department
P.O. Box 1293
One Civic Plaza NW, Room 3023
Albuquerque, New Mexico 87103

CERTIFICATE OF SERVICE

I hereby certify that I have e-mailed a true and correct copy of the foregoing AFFIDAVIT on this 26th day of September, 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@domicilaw.com
lhollingsworth@domicilaw.com
REasterwood@domicilaw.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

PUBLIC NOTICE – MOTION HEARING

**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 (PETITION NO. AQCB 2014-2)**

The Air Quality Control Board (Air Board) will conduct a motion hearing on October 8, 2014, as part of a regularly scheduled Air Board meeting that will begin at 5:30 p.m. in the Vincent E. Griego Chambers, Albuquerque-Bernalillo County Government Center, One Civic Plaza NW Albuquerque, NM 87102. The Air Board will hear the City of Albuquerque's Motion for Summary Judgment; Smith's Food & Drug Centers, Inc.'s Motion for Summary Judgment; and Smith's Food & Drug Centers, Inc.'s Motion to Dismiss Petitioner Pat Toledo for Lack of Standing.

Parties and representatives are as follows – Petitioners: Pete Domenici, Jr. on behalf of Margaret M. Freed, Mary Ann Roberts, and Pat Toledo; Respondents: for City of Albuquerque, Carol Parker, Assistant City Attorney and Danny Nevarez, Air Quality Program, Deputy Director, Environmental Health Department; Permittees: Frank Salazar, Timothy Adler, Sutin Law Firm on behalf of Smith's Food and Drug Centers, Inc.

NOTICE TO PERSONS WITH DISABILITIES: If you have a disability and require special assistance to participate in this process, please call 311 (Voice) and special assistance will be made available to you to receive any public meeting documents, including agendas and minutes. TTY users may request special assistance by calling 1-800-659-8331.