STATE OF NEW MEXICO
Before the
ALBUQUERQUE BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

IN THE MATTER OF THE PETITION FOR A HEARING ON THE MERITS
REGARDING AMERICAN CEMENT CORPORATION
AIR QUALITY PERMIT No. 0902-M3

Greater Gardner Neighborhood Association, North Valley Coalition of Neighborhood Associations, Kyle Silfer, David Wood and Marcia Finical, as individuals, *Petitioners/Appellants* v. City of Albuquerque Environmental Health Department Air Quality Division, *Respondent/Appellee,* *and* GCC, Inc. (Grupo Cementos de Chihuahua), d/b/a American Cement Corporation, *Intervener*	AQCB Petition No. 2009-7 February 3, 2010

MOTION TO SUSPEND HEARING AND WAIVER OF DEADLINES DURING SETTLEMENT NEGOTIATIONS

By this motion, Intervener GCC, d/b/a American Cement Corporation, and Petitioners/Appellants, jointly and without opposition from City of Albuquerque, request the Hearing Officer and the Albuquerque Bernalillo County Air Quality Control Board, pursuant to NMAC § 20.11.81.14(C) and 20.11.81.20(C), to postpone the hearing scheduled for February 22 and 23, 2010, including the motion practice schedule, during the course of negotiations to settle this matter. As a result of this requested postponement, Intervener and Petitioners request an immediate telephone status conference. Further, the movants request that the hearing be rescheduled for March 16th and 17th, 2010. The negotiating parties will report to the Hearing Officer on the progress of their negotiations by February 25.

Respectfully submitted:

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Jonathon M. Block
New Mexico Environmental Law Center
Counsel for Petitioners/Appellants

CERTIFICATION OF SERVICE

I, Timothy R. VanNess, hereby certify that on this 3rd day of February, 2010, I caused the foregoing Motion to Suspend Hearing Schedule During Settlement Negotiations to be served upon the below listed persons by mailing it to them U.S. First Class postage prepaid and email:

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By service upon the Hearing Clerk

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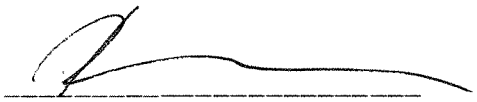
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