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WATER QUALITY CONTROL COMMISSION

STATE OF NEW MEXICO
BEFORE THE WATER QUALITY CONTROL COMMISSION

In the Matter of:	)	
PROPOSED AMENDMENT TO 20.60.2 NMAC (Dairy Rule)	)	**No. WQCC 12-09(R)**

UNOPPOSED MOTION TO CONTINUE HEARING

The Commission previously continued the hearing on DIGCE's Petition to Amend 20.6.6 NMAC (Dairy Rule) from December 11, 2012 until January 8, 2013. On December 7, 2012, the "Coalition" filed a Motion and Memorandum of Law for Reconsideration and Dismissal of the Petition. DIGCE filed a written response to that motion on December 21, 2012, and the Coalition filed a reply on December 31, 2012. DIGCE and the Coalition have agreed and respectfully request that the Commission hear oral argument and consider the Coalition's Motion at its January 8, 2013 meeting, but request that the Commission postpone the evidentiary portion of the hearing, *i.e.,* taking testimony, cross-examination and questioning of the witnesses, and taking public comment, until the Commission's next available meeting date. This will avoid the need to make out of town witnesses available until after the Commission has ruled on the Motion.

Based on the foregoing, DIGCE moves to continue the hearing on this matter, except for argument and consideration of the Coalition's Motion, from January 8, 2013, until the Commission's next available meeting date. Counsel for DIGCE has consulted with counsel for the Coalition, who does not oppose this motion. To the extent applicable, and for purposes of

this motion, DIGCE waives any deadline for a determination on holding a hearing under NMSA 1978, § 74-6-6.B.

DATED this 2nd day of January, 2013.

Respectfully submitted,

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Certificate of Service:

I hereby certify that a true copy
of the following pleading was served
via U.S. mail to the following parties
this Wednesday, January 02, 2013:

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