

State of Vermont
WATER RESOURCES BOARD

RE: Champlain Marble Company
61 Main Street
Proctor, VT 05765

Docket No. CUD-97-06
(Appeal of DEC File CUD #95-466)
Fisk Quarry Wetlands, Isle La Motte

ORDER
Request for Extension

On January 13, 1998, Stephanie J. Kaplan, Esq., representing South Shore Associates ("SSA"), and on behalf of Linda Fitch and Mary Jane Tiedgen, filed with the Water Resources Board ("Board") a request for extension of time in which to file prefiled testimony, exhibits, objections and stipulations in the above-captioned matter. The reason for this request is that due to last week's devastating ice storm, much of the power on Isle La Motte has been knocked out thereby impeding contact with witnesses and also travel to the island to complete work needed to prepare testimony. The first deadline to be affected by this request is the Friday, January 16, deadline for prefiled testimony and exhibits from all parties other than Champlain Marble Company ("Appellant").

I have reviewed the request made by SSA, Linda Fitch, and Mary Jane Teidgen, and conclude that an extension of one week for each filing deadline is warranted, that such an extension will not result in prejudice to other parties, nor will it delay the hearing in this matter.

Therefore, the following revisions are hereby ordered with respect to the schedule set forth in the Prehearing Conference Order of September 17, 1997, and subsequently amended by Memorandum dated November 17, 1997. In all other respects, the Prehearing Conference Order of September 17, 1997, remains in full force and effect.

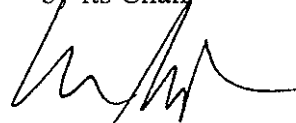
1. On or before **4:30 p.m., Friday, January 23, 1998**, all parties other than the Appellant shall file final lists of direct witnesses and direct exhibits. They shall prefile the direct testimony for all witnesses they intend to call as direct witnesses. For each expert witness, they shall file a resume or other statement of qualification.
2. On or before **4:30 p.m., Friday, February 6, 1998**, the Appellant shall file a final list of rebuttal witnesses and rebuttal exhibits. It shall prefile the rebuttal testimony for all witnesses it intends to call as rebuttal witnesses. For each expert witness who has not previously been called as a direct witness, it shall file a resume or other statement of qualification.
3. On or before **4:30 p.m., Friday, February 20, 1998**, all other parties shall file final lists of rebuttal witnesses and rebuttal exhibits. They shall prefile the rebuttal testimony for all witnesses they intend to call as rebuttal witnesses. For each expert witness who has not previously been called as a rebuttal witness, they shall file a resume or other

statement of qualification.

4. On or before **4:30 p.m.**, Wednesday, March **4, 1998**, all parties shall file any evidentiary objections and/or stipulations as to the admission of prefiled testimony and exhibits. Any such filing shall indicate whether the sponsoring party requests oral argument before the Board's Chair.
5. A second prehearing conference will be held at **10:00 a.m.**, Thursday, March **12, 1998**, at the Water Resources Board's Office in Montpelier, Vermont. At that time, the Board's Chair will hear any oral argument with respect to any party's evidentiary objections and establish a final agenda for prehearing. Any party wishing to participate in this prehearing conference by teleconference must contact the Board's Secretary, Karen Dupont, at 828-2870, no later than **3:00 p.m.**, Monday, March 9, 1998.

Dated at Montpelier, Vermont, this 14th day of January, 1998.

Vermont Water Resources Board
by its Chair



William Boyd Davies