



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION REGARDING THE APPOINTMENT
OF OUTSIDE COUNSEL ON BEHALF OF THE WETZEL COUNTY
SOLID WASTE AUTHORITY**

The Wetzel County Solid Waste Authority (hereinafter the “Authority”) has requested legal representation to assist with several pending matters before the West Virginia Public Service Commission.

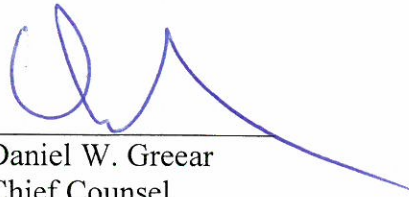
More specifically, the Authority is in need of additional representation to assist with the following matters relating to the disposal of drilling waste at the Wetzel County Landfill:

- PSC Case No. 13-0832-SWF-CN; and,
- PSC Case No. 14-0057-SWF-C.

In accordance with the Attorney General’s Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that it is both cost-effective and in the interest of the public to appoint outside counsel to assist the Authority and its existing counsel with the legal matters set forth herein, based on the following factors:

- The matters at issue require specific expertise in environmental and regulatory law that is not sufficiently possessed by the Office of the Attorney General.
- The legal services requested would require a significant time commitment from the Office of the Attorney General to familiarize itself with environmental and regulatory law generally.
- The geographic area in which most of the legal services are to be performed is Kanawha County.
- It is not feasible or cost-effective for the Office of the Attorney General to provide the requested legal services at this time.

Accordingly, the Attorney General authorizes the appointment of outside counsel for the legal matter in question pursuant to commencement of the request for proposal process laid out in subsection (D) of Policy #WVAGO-004.



Daniel W. Greear
Chief Counsel

Date Signed: September 8, 2014