

ILLINOIS POLLUTION CONTROL BOARD
July 25, 2008

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND) R08-9
EFFLUENT LIMITATIONS FOR THE) (Rulemaking - Water)
CHICAGO AREA WATERWAY SYSTEM)
AND LOWER DES PLAINES RIVER)
PROPOSED AMENDMENTS TO 35 ILL.)
ADM. CODE 301, 302, 303, and 304)

HEARING OFFICER ORDER

On July 25, 2008, Midwest Generation, LLC filed a motion for extension of time to file prefiled testimony of two witnesses. Pursuant to Section 101.500(d) of the Board's rules parties have 14 days after service of the motion to respond to the motion. 35 Ill. Adm. Code 101.500(d). Section 101.500(d) further provides that unless undue delay or material prejudice would result, a hearing officer will not grant a motion before the expiration of the 14 day response time. *Id.* The prefiling deadline for testimony is currently August 4, 2008, before the expiration of the 14-day response time. Therefore, to allow for a ruling on the motion before the prefiling deadline, all responses to the motion must be filed by July 31, 2008. The mailbox rule does not apply and any electronic filings or approved fax filings must be received by the Clerk's office no later than 4:30 p.m. on July 31, 2008.

IT IS SO ORDERED.



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Hearing Officer
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