

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>IPH, LLC and ILLINOIS POWER</b>	)	
<b>RESOURCES GENERATING, LLC</b>	)	
<b>(E.D. EDWARDS POWER PLANT),</b>	)	
	)	
<b>Petitioners,</b>	)	
	)	
<b>v.</b>	)	<b>PCB 15-202</b>
	)	<b>(NPDES Permit Appeal)</b>
	)	
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY,</b>	)	
	)	
<b>Respondent.</b>	)	

**MOTION FOR EXTENSION OF TIME TO ANSWER THE PETITION FOR REVIEW OF IEPA NPDES PERMIT DECISION**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Section 101.522 of the Pollution Control Board Rules, 35 Ill. Adm. Code 101.522, hereby moves for an extension of time of sixty (60) days to answer the Petition for Review of IEPA NPDES Permit Decision filed by Petitioners, IPH, LLC AND ILLINOIS POWER RESOURCES GENERATING, LLC (E.D. EDWARDS POWER PLANT), and in support states as follows:

1. Petitioners filed their Petition for Review of IEPA NPDES Permit Decision (“Petition”) and Motion for Partial Stay on May 29, 2015.
2. Respondent has no object to the Motion for Partial Stay.
3. Respondent’s answer to the Petition—that answer being the record—is due June 29, 2015.
4. Negotiations between the parties to resolve this matter are ongoing and have resulted in a draft modification of the permit. That modification is under consideration by the parties. Because the referral for this matter was received by the Office of the Attorney General

the week of June 1, 2015, and because all efforts thus far have been directed toward resolution of the matter, Respondent requires additional time to file its answer.

5. Counsel for the Petitioner has no objection to the requested extension and has indicated Respondent could so state in the instant motion.

WHEREFORE, Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by LISA MADIGAN, Attorney General of the State of Illinois, respectfully requests an extension of time of sixty (60) days to August 31, 2015 to file its answer to the Petition, and for such other relief as the Board may deem appropriate.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By LISA MADIGAN, Attorney General  
of the State of Illinois

By: s/Scott M. Marsik  
Scott M. Marsik  
Jane E. McBride  
Assistant Attorneys General  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62701  
(217) 782-9301

Dated: June 22, 2015

**CERTIFICATE OF SERVICE**

Scott Marsik, Assistant Attorney General, hereby certifies that he has served a copy of the foregoing Motion for Extension of Time to Answer the Petition for Review of IEPA NPDES PERMIT DECISION upon:

Joshua R. More  
Raghav Murali  
Schiff Hardin LLP  
233 South Wacker Drive  
Suite 6600  
Chicago, IL 60602

by depositing a copy of same in a correctly addressed, prepaid envelope and depositing same in the United States Mail in Springfield, Illinois, on June 22, 2015.

s/Scott Marsik  
Scott Marsik  
Assistant Attorney General

Scott Marsik  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
217/782-9031

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RESOURCES GENERATING, LLC	)	
(E.D. EDWARDS POWER PLANT),	)	
	)	
Petitioners,	)	
	)	
-vs-	)	PCB No. 15-202
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**ENTRY OF APPEARANCE**

Lisa Madigan, Attorney General of the State of Illinois, by Scott Marsik, Assistant Attorney General, State of Illinois, hereby enters his appearance on behalf of Respondent in the above cause.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Scott Marsik  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706  
(217) 782-9031

By: s/Scott Marsik  
Scott Marsik  
Assistant Attorney General

Of Counsel.

**CERTIFICATE OF SERVICE**

Scott Marsik, Assistant Attorney General, hereby certifies that he has served a copy of the foregoing Entry of Appearance upon:

Joshua R. More  
Raghav Murali  
Schiff Hardin LLP  
233 South Wacker Drive  
Suite 6600  
Chicago, IL 60602

by depositing a copy of same in a correctly addressed, prepaid envelope and depositing same in the United States Mail in Springfield, Illinois, on June 22, 2015.

s/Scott Marsik  
Scott Marsik  
Assistant Attorney General

Scott Marsik  
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500 South Second Street  
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	)	
Petitioners,	)	
	)	
-vs-	)	PCB No. 15-202
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**ENTRY OF APPEARANCE**

Lisa Madigan, Attorney General of the State of Illinois, by Jane McBride, Assistant Attorney General, State of Illinois, hereby enters her appearance on behalf of Respondent in the above cause.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY,

Jane McBride  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706  
(217) 782-9031

By: s/Jane McBride  
Jane McBride  
Assistant Attorney General

Of Counsel.

**CERTIFICATE OF SERVICE**

Jane McBride, Assistant Attorney General, hereby certifies that she has served a copy of the foregoing Entry of Appearance upon:

Joshua R. More  
Raghav Murali  
Schiff Hardin LLP  
233 South Wacker Drive  
Suite 6600  
Chicago, IL 60602

by depositing a copy of same in a correctly addressed, prepaid envelope and depositing same in the United States Mail in Springfield, Illinois, on June 22, 2015.

s/Jane McBride  
JANE McBRIDE  
Assistant Attorney General

JANE McBRIDE  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
217/782-9031