

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|---------------------------------|---|-----------------------|
| PRAIRIE RIVERS NETWORK, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 2019-093 |
| |) | (Enforcement - Water) |
| |) | |
| DYNEGY MIDWEST GENERATION, LLC, |) | |
| |) | |
| Respondent. |) | |
| |) | |

NOTICE OF ELECTRONIC FILING

To: Attached Service List

PLEASE TAKE NOTICE that on September 27, 2021, I electronically filed with the Clerk of the Illinois Pollution Control Board (“Board”) the attached JOINT MOTION FOR ADJOURNMENT, copies of which are served on you along with this notice.

Dated: September 27, 2021

Respectfully Submitted,

/s/ Thomas Cmar
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Counsel for Complainant Prairie Rivers Network

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| PRAIRIE RIVERS NETWORK, |) | |
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| Complainant, |) | |
| |) | |
| v. |) | PCB 19-93 |
| |) | (Enforcement - Water) |
| DYNEGY MIDWEST GENERATION, LLC, |) | |
| |) | |
| Respondent. |) | |

JOINT MOTION FOR ADJOURNMENT

Complainant Prairie Rivers Network (“PRN”) and Respondent Dynegy Midwest Generation, LLC (“Dynegy”) (collectively, the “Parties”), by and through their attorneys, jointly move for an additional six-week adjournment of upcoming deadlines. In support of this Motion, the Parties state:

1. On May 27, 2021, Hearing Officer Webb ordered the Parties to submit a proposed discovery schedule by August 13, 2021. Hearing Officer Webb further ordered the Parties to participate in a telephonic status conference on August 17, 2021.
2. On June 6, 2021, Hearing Officer Webb ordered PRN to respond to Dynegy’s affirmative defenses by August 13, 2021.
3. On August 12, 2021, the Parties requested a six-week adjournment of deadlines in the case, to allow for them to meet and confer further prior to further proceedings in this matter. Hearing Officer Webb ordered the adjournment of all case deadlines on August 16, 2021, with new deadlines to be set at the next status conference, and scheduled a status conference for September 28, 2021 at 10:00 a.m.

4. Over the last several weeks, PRN has reviewed certain information provided to it by Dynegy. In addition, PRN has filed a petition for leave to intervene in litigation in the Circuit Court of the Fifth Judicial Circuit in Vermilion County, Illinois (*People of the State of Illinois v. Dynegy Midwest Generation, LLC*, Case No. 2021CH000024). Dynegy is in the process of responding to PRN's petition, which has been noticed for hearing before the court on October 18, 2021.
5. The parties have met and conferred and agree that additional time for meeting and conferring concerning the issues in this case would be beneficial prior to further proceedings in this matter.
6. The Parties request an additional six-week adjournment of the deadlines previously set by the May 27, 2021 Order and the June 6, 2021 Order.

WHEREFORE, the Parties respectfully request an Order as follows:

1. The Parties shall participate in a telephonic status conference with the hearing officer on a date acceptable to the Hearing Officer on or after November 10, 2021, during which conference dates will be set for the parties to submit a joint discovery schedule and for petitioners to reply to affirmative defenses.

Dated this 27th day of September, 2021.

/s/ Thomas Cmar

Thomas Cmar

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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of September, 2021, I electronically served the foregoing Joint Motion for Adjournment upon the parties of record at the email addresses indicated in the service list below.

I further certify that my email address is tcmr@envirolaw.com; the number of pages in the email transmission is 6; and the email transmission took place today before 5 p.m. CT.

Respectfully Submitted,

/s/ Thomas Cmar

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