

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
)	
)	
AMENDMENTS TO 35 ILL. ADM.)	R2023-018
CODE PARTS 201, 202, AND 212)	(Rulemaking – Air)
)	
)	

NOTICE OF FILING

To: Attached Service List

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **DYNEGY’S NOTICE CONCERNING RESPONSES TO QUESTIONS RECEIVED AT HEARING** and a **CERTIFICATE OF SERVICE**, which are attached and copies of which are herewith served upon you.

Dated: February 24, 2023

Respectfully submitted,

Dynegy Midwest Generation, LLC, Electric Energy, Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC, Kincaid Generation, LLC

/s/ Sarah L. Lode
One of its Attorneys

Joshua R. More
Sarah L. Lode
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5500
Joshua.More@afslaw.com
Sarah.Lode@afslaw.com

Andrew N. Sawula
ARENTFOX SCHIFF LLP
One Westminster Place, Suite 200
Lake Forest, Illinois 60045
(847) 295-4336
Andrew.Sawula@afslaw.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)
)
)
)
 AMENDMENTS TO 35 ILL. ADM.) R2023-018
 CODE PARTS 201, 202, AND 212) (Rulemaking – Air)
)
)

**DYNEGY’S NOTICE CONCERNING RESPONSES
TO QUESTIONS RECEIVED AT HEARING**

Dynegy Midwest Generation, LLC, Electric Energy Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC; and Kincaid Generation, LLC (collectively, “Dynegy”) by their attorneys, ArentFox Schiff LLP, hereby file this notice concerning the timing of its responses to certain questions asked of Dynegy at the public hearing held by the Illinois Pollution Control Board (the “Board”) on February 16, 2023.

Dynegy was not prepared to answer two questions (questions 26 and 29 of the Hearing Officer’s February 14, 2023 Order) at the February 16th hearing and offered to provide responses by today, February 24, 2023. Since then, Dynegy has been working diligently to prepare its responses to those outstanding questions. However, reviewing the necessary data has taken longer than expected, and Dynegy has not been able to complete its review and responses by today, as originally anticipated. Dynegy will undertake its best efforts to submit those responses as soon as possible and anticipates doing so by the close of business on March 1, 2023. Dynegy appreciates the Board’s patience and understanding.

Dated: February 24, 2023

Respectfully submitted,

Dynegy Midwest Generation, LLC, Electric

Energy, Inc., Illinois Power Generating Company,
Illinois Power Resources Generating, LLC,
Kincaid Generation, LLC

/s/ Joshua R. More
One of its Attorneys

Joshua R. More
Sarah L. Lode
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5500
Joshua.More@afslaw.com
Sarah.Lode@afslaw.com

Andrew N. Sawula
ARENTFOX SCHIFF LLP
One Westminster Place, Suite 200
Lake Forest, Illinois 60045
(847) 295-4336
Andrew.Sawula@afslaw.com

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 24th day of February, 2023:

I have electronically served true and correct copies of Dynegy's Notice Concerning Responses to Questions Received at Hearing by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon each person listed in the attached service list.

My e-mail address is Sarah.Lode@afslaw.com.

The number of pages in the e-mail transmission is 5.

The e-mail transmission took place before 5:00 p.m.

/s/ Sarah L. Lode

Sarah L. Lode

Dated: February 24, 2023

Joshua R. More
Sarah L. Lode
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5500
Joshua.More@afslaw.com
Sarah.Lode@afslaw.com

Andrew N. Sawula
ARENTFOX SCHIFF LLP
One Westminster Place, Suite 200
Lake Forest, Illinois 60045
(847) 295-4336
Andrew.Sawula@afslaw.com

SERVICE LIST

<p>Illinois Pollution Control Board Don Brown don.brown@illinois.gov 100 W. Randolph St. Suite 11-500 Chicago, IL 60601</p>	<p>Illinois Environmental Protection Agency Charles E. Matoesian charles.matoesian@illinois.gov Dana Vetterhoffer dana.vetterhoffer@illinois.gov 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794</p>
<p>Office of the Attorney General Molly Kordas molly.kordas@ilag.gov Ann Marie A. Hanohano annmarie.hanohano@ilag.gov 69 West Washington Street, Suite 1800 Chicago, IL 60602</p> <p>Jason James Jason.James@ilag.gov 201 West Point Drive, Suite 7 Belleville, IL 62226</p>	<p>Illinois Department of Natural Resources Renee Snow - General Counsel renee.snow@illinois.gov One Natural Resources Way Springfield, IL 62702</p>
<p>IERG Kelly Thompson kthompson@ierg.org 215 E. Adams St. Springfield, IL 62701</p>	<p>HeplerBroom LLC Melissa S. Brown Melissa.brown@heplerbroom.com 4340 Acer Grove Drive Springfield, IL 62711</p>
<p>Faith E. Bugel fbugel@gmail.com 1004 Mohawk Rd. Wilmette, IL 60091</p>	<p>Environmental Law and Policy Center Cantrell Jones CJones@elpc.org 35 E. Wacker Drive, Suite 1600 Chicago, IL 60601</p>
<p>Greater Chicago Legal Clinic, Inc. Keith I. Harley kharley@kentlaw.edu 211 West Wacker Drive, Suite 750 Chicago, IL 60606</p>	<p>McDermott, Will & Emery Mark A. Bilut mbilut@mwe.com 227 West Monroe Street Chicago, IL 60606-5096</p>