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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 29, 2024, before 5:00 PM, she caused to be served by electronic mail, a true and correct copy of the following instruments entitled Notice of Filing and Motion for Extension of Time to File the Record to:

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This email transmission contains 5 pages.

/s/ Mallory Meade
Mallory Meade
Assistant Attorney General
Environmental Bureau
mallory.meade@ilag.gov

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Mallory Meade
Assistant Attorney General
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**DYNEGY MIDWEST
GENERATION, LLC,**

Petitioner,

v.

**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,**

Respondent.

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PCB 2024-053

(Petition for Review – Alternative
Source Demonstration)

**MOTION FOR EXTENSION OF TIME
TO FILE THE RECORD**

NOW COMES Respondent, the Illinois Environmental Protection Agency, by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, and hereby moves for an extension of time to file the administrative record in this matter pursuant to Sections 101.522 and 105.116 of the Board’s Procedural Rules, 35 Ill. Adm. Code 101.522 and 105.116. In support thereof, Respondent states as follows:

1. On February 2, 2024, Dynegy Midwest Generation, LLC (“Petitioner”) filed a Petition for Review of Illinois Environmental Protection Agency’s Non-Concurrence with Alternative Source Demonstration Under 35 Ill. Adm. Code Part 845 and Motion for Stay, challenging Respondent’s non-concurrence with Petitioner’s Alternative Source Determination, which Respondent issued to Petitioner on December 28, 2023.
2. On April 18, 2024, Petitioner’s Motion for Partial Stay was granted.
3. Pursuant to Section 105.116(a) of the Board’s regulations, 35 Ill. Adm. Code 105.116(a), and prior Board order, Illinois EPA must file the administrative record by May 8, 2024.

4. Illinois EPA personnel involved in preparing the record have been working diligently, but certain personnel changes have impacted the compiling of the record. Therefore, additional time is needed to compile and file the administrative record.

5. Respondent respectfully requests additional time until July 9, 2024, to file the record.

6. Counsel for Petitioner does not object to Respondent's request.

7. Respondent's request for additional time is for good cause and will not prejudice Petitioner or unduly delay this matter.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including July 9, 2024, to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Mallory Meade
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Dated: April 29, 2024