

ILLINOIS POLLUTION CONTROL BOARD  
April 18, 1974

ENVIRONMENTAL PROTECTION AGENCY )  
COMPLAINANT )

v. )

CITIZENS UTILITIES COMPANY OF ILLINOIS, )  
an Illinois corporation, )  
RESPONDENT )

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CITIZENS UTILITIES COMPANY OF ILLINOIS, )  
an Illinois corporation, )  
RESPONDENT - CROSS-COMPLAINANT )

v. )

VILLAGE OF BOLINGBROOK, ILLINOIS, )  
an Illinois Municipal Corporation )  
INTERVENING PETITIONER - )  
CROSS-RESPONDENT )

PCB 73-316

ORDER OF THE BOARD (by Mr. Marder)

Motion of the Village of Bolingbrook, Intervening Petitioner - Cross-Respondent, to dismiss cross-complaint is hereby granted.

The Board finds that the filing of the cross-complaint was not timely. There have already been two hearings on the original action against Cross-Complainant. Subject Cross-Complaint raises issues which may be valid as a separate complaint. In the event that such an independent complaint were to be filed, the Board would initiate proceedings pursuant to the Procedural Rules.

IT IS THE ORDER of the Pollution Control Board that Cross-Complaint filed by the Citizens Utilities Company is dismissed without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Order was adopted by the Board on the 18th day of April, 1974, by a vote of 5 to 0.

