

ILLINOIS POLLUTION CONTROL BOARD
August 7, 1997

CGE FORD HEIGHTS, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	PCB 96-164
)	(Tax Certification)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

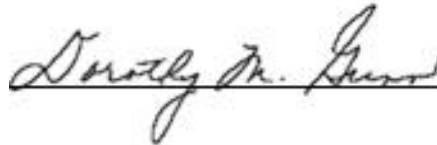
On July 16, 1997, CGE Ford Heights, L.L.C. (CGE) filed a motion to stay the proceedings in this matter and a Board-requested status report. The Illinois Environmental Protection Agency (Agency), by response dated July 28, 1997, concurs with CGE's motion to stay. The Board grants the requested stay.

Several stays have already been granted in this matter due to the parties assurances that the necessity of this litigation before the Board depends on the judicial outcome of CGE Ford Heights, L.L.C. v. Miller, No. 1-97-2384 (1997), which is currently on appeal in the First District Appellate Court. The motion asserts this matter will be withdrawn if the Illinois Appellate Court upholds the circuit court decision in the above-referenced matter. Based on such assertion, the Agency believes that pursuit of this case at this time will result in undue expenditures of Board and Agency resources. The Board agrees.

Accordingly, the Board hereby stays this matter until resolution of the pending appellate court case at which time the parties are directed to inform the Board of that determination.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of August 1997, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board