

ILLINOIS POLLUTION CONTROL BOARD

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AUG 27 2003

ROCHELLE WASTE DISPOSAL, L.L.C.,)
)
Petitioner,)
)
vs.)
)
CITY COUNCIL OF THE CITY OF)
ROCHELLE, ILLINOIS,)
)
Respondent.)

STATE OF ILLINOIS
PCB 03-218 *Pollution Control Board*
(Pollution Control Facility
Siting Appeal)

NOTICE OF FILING

To: (See attached Service List.)

PLEASE TAKE NOTICE that on this 27th day of August 2003, there was filed with the Illinois Pollution Control Board, **Respondent's Motion for Extension of Time and for Leave to File Reduced Number of Copies**, attached and herewith served upon you.

CITY COUNCIL OF THE CITY OF
ROCHELLE, ILLINOIS

By: Charles F. Helsten
One of Its Attorneys

Charles F. Helsten
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P.O. Box 1389
Rockford, IL 61105-1389
815/490-4900

CERTIFICATE OF SERVICE

I, the undersigned non-attorney, state that I served a copy of Respondent's Motion for Extension of Time and for Leave to File Reduced Number of Copies to counsel of record in the above-captioned matter by mailing a copy to counsel of record via U.S. Mail at One IBM Plaza, Chicago, IL 60611 on or before 5:00 p.m. on August 27, 2003.

Jeanette M. Podlin
Jeanette M. Podlin

[X] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.

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ROCHELLE WASTE DISPOSAL, L.L.C.,)
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**MOTION FOR EXTENSION OF TIME AND
 FOR LEAVE TO FILE REDUCED NUMBER OF COPIES**

Respondent CITY COUNCIL OF THE CITY OF ROCHELLE, ILLINOIS ("City"), by its attorneys Hinshaw & Culbertson, hereby moves for an extension of time in which to file its record, and for leave to file a reduced number of copies of its record.

1. On June 5, 2003, the Board issued its order accepting this appeal, and directing the City to file its record of the proceedings.
2. To date, because of a miscommunication, the City has not filed its record.
3. The City is in the process of preparing its record. No hearing date is yet set in this matter, and petitioner has waived the decision deadline to January 19, 2004. Discovery is proceeding, and is scheduled to close on September 30, 2003.
4. Because discovery is still underway, and will continue for more than a month, no party has been prejudiced by the City's inadvertent delay in filing the record. Likewise, no party will be prejudiced by an extension of time, to and including September 17, 2003, to file the City's record.
5. Additionally, the City seeks leave to file only the original and three copies of the record. Section 107.304(c) of the Board's procedural rules requires the City to

file the original and nine copies of all documents (except the transcript) in the record.

6. The City is aware that the Board has proposed, in rulemaking R03-10, amending its procedural rules to delete the requirement in Section 107.304(c) that the siting authority file the original and nine copies of the record. The City is also aware that the composition of the Board has been reduced from seven members to five members, and that the Board recently consolidated its offices.

7. Therefore, the City seeks leave to file the original and three copies of the record.

WHEREFORE, the City seeks an extension of time, to and including September 17, 2003, to file its record; for leave to file the original and three copies of the record; and for such other relief as the Board deems appropriate.

Respectfully submitted,

CITY COUNCIL OF THE CITY OF
ROCHELLE, ILLINOIS

By: Charles F. Helsten
One of its attorneys *CH*

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