

JUN 23 2004

STATE OF ILLINOIS
Pollution Control Board

V.

PCB 04-215
Trade Secret Appeal

LISA MADIGAN, Attorney General of the
State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/
Asbestos Litigation Division

BY: 

Ann Alexander, Assistant Attorney General and
Environmental Counsel

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CLERK'S OFFICE

JUN 23 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Commonwealth Edison Company,
Petitioner

PCB 04-215

Trade Secret Appeal

STATE OF ILLINOIS
Pollution Control Board

v.

Illinois Environmental Protection Agency,
Respondent

NOTICE OF APPEARANCE

The undersigned attorneys hereby file their appearance on behalf of Respondent

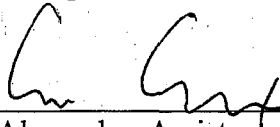
Illinois Environmental Protection Agency.

Dated: Chicago, Illinois
June 23, 2004

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PCB 04-215 STATE OF ILLINOIS
Trade Secret Appeal Pollution Control Board

V.

**Illinois Environmental Protection Agency,
Respondent**

Respondent Illinois Environmental Protection Agency, by its attorneys, supports

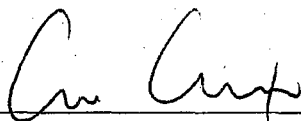
the motion of Sierra Club, filed June 21, 2004, to intervene in the captioned matter, on condition that Sierra Club be ordered to abide by the limitations on its participation specified herein. Those limitations are that Sierra Club shall (1) not be allowed to control any decision deadline; (2) be barred from serving discovery, interrogatories, and requests to admit; (3) be barred from conducting any depositions; (4) be bound by all Board and hearing officer orders issued to date; (5) not be allowed to raise any issues that were raised and decided, or might have been raised, earlier in this proceeding; and (6) not be provided, in connection with this proceeding, with the subject documents for which trade secret protection is claimed, until and unless those claims are finally resolved against petitioner Midwest Generation EME, LLC.

Dated: Chicago, Illinois
June 23, 2004

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State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/
Asbestos Litigation Division

BY:



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Environmental Counsel

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Commonwealth Edison Company,
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v.

Illinois Environmental Protection Agency,
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)
) **PCB 04-215**
) **Trade Secret Appeal**
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CERTIFICATE OF SERVICE

I hereby certify that I did on the 22nd Day of June 2004 send by First Class Mail, with postage thereon fully paid and deposited into the possession of the United States Postal Service, one (1) original and nine (9) copies of the following instruments entitled Notice of Appearance, Notice of Filing, and Response by Respondent Illinois Environmental Protection Agency to Sierra Club's Motion for Intervention to

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph
Suite 11-500
Chicago, Illinois 60601

and a true and correct copy of the same foregoing instruments, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Sheldon A. Zabel
Mary A. Mullin
Andrew N. Sawula
Schiff Hardin LLP
6600 Sears Tower
Chicago, Illinois 60606

Keith Harley
Annie Pike
Chicago Legal Clinic, Inc.
205 West Monroe, 4th Floor
Chicago, Illinois 60606

Dated: Chicago, Illinois
June 23, 2004

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State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/
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