

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JUL 02 2004

Midwest Generation EME, LLC,  
Petitioner

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PCB 04-216

Trade Secret Appeal

STATE OF ILLINOIS  
Pollution Control Board

v.

Illinois Environmental Protection Agency,  
Respondent

NOTICE OF FILING

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

Sheldon A. Zabel  
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Andrew N. Sawula  
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6600 Sears Tower  
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Brad Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph  
Suite 11-500  
Chicago, Illinois 60601

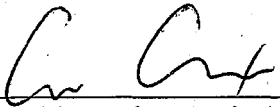
Keith Harley  
Annie Pike  
Chicago Legal Clinic, Inc.  
205 West Monroe, 4<sup>th</sup> Floor  
Chicago, Illinois 60606

Please take notice that today we have filed with the Office of the Clerk of the Pollution Control Board an original (1) and nine (9) copies of a Motion for an Extension of Time to File the Record, a copy of which is herewith served upon the assigned Hearing Officer, the attorneys for the Petitioner, Midwest Generation EME, LLC, and the attorneys for the Sierra Club.

Dated: Chicago, Illinois  
July 2, 2004

LISA MADIGAN, Attorney General of the  
State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/  
Asbestos Litigation Division

BY:   
\_\_\_\_\_

Ann Alexander, Assistant Attorney General and  
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Paula Becker Wheeler, Assistant Attorney General

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STATE OF ILLINOIS  
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MOTION FOR AN EXTENSION OF TIME TO FILE RECORD

Respondent, Illinois Environmental Protection Agency, by Lisa Madigan, Attorney General of the State of Illinois, moves the Hearing Officer, pursuant to Board Procedural Rules 101.502 and 101.522, to grant a one-week extension of time to file the record in this matter. In support of this Motion, Respondent states as follows:

1. Pursuant to 35 Ill. Adm. Code 105.116 and the Board's Order dated June 17, 2004, the record in the captioned proceeding is currently due to be filed July 6, 2004.
2. Unavoidable administrative delays in the effort by the Respondent Agency to compile the documents necessary for the record preclude filing of the complete record by the current due date.
3. All parties to this matter have been notified regarding, and have consented to, this motion for a one-week extension of time, on the condition that both the July 19 due date for responses to the Board's June 17 Order and the currently scheduled July 22 status conference call be also moved back one week.
4. Accordingly, Respondent respectfully requests that it be granted until July 13, 2004 to file the record in this proceeding; that responses to the Board's order be due July 26; and that the status conference call be rescheduled for July 29, or as soon thereafter as the parties and the Hearing Officer are available.

Dated: Chicago, Illinois  
July 2, 2004

LISA MADIGAN, Attorney General of the  
State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/  
Asbestos Litigation Division

BY: 

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