BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Midy	west Generation EME, LLC, Petitioner) PCB 04-2 Trade Secr	
v. Illinois Environmental Protection Agency, Respondent) PECEIVE CLERK'S OFFICE) SEP 0 3 2004	
	NOTICE OF	FILING	STATE OF ILLINOIS Pollution Control Board
То:	Dorothy Gunn, Clerk Illinois Pollution Control Board 100 West Randolph Suite 11-500 Chicago, Illinois 60601	Sheldon A. Zabel Mary A. Mullin Andrew N. Sawula Schiff Hardin LLP 6600 Sears Tower Chicago, Illinois 6	
	Brad Halloran Hearing Officer	Keith Harley Annie Pike	

Chicago Legal Clinic, Inc. 205 West Monroe, 4th 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 on Consent for an Extension of Time, 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 September 3, 2004

LISA MADIGAN, Attorney General of the State of Illinois

Illinois Pollution Control Board

100 West Randolph

Chicago, Illinois 60601

Suite 11-500

MATTHEW DUNN, Chief, Environmental Enforcement/ Asbestos Litigation Division

BY:

Ann Alexander, Assistant Attorney General and Environmental Counsel

Paula Becker Wheeler, Assistant Attorney General 188 West Randolph Street, Suite 2000

Chicago, Illinois 60601

312-814-3772

312-814-2347 (fax)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Midwest Generation EME, LLC)
Petitioner) PCB 04-216
) Trade Secret Appeal
v.	RECE
Illinois Environmental Protection Agency,	CLERK'S OFFICE
Respondent	SEP 0 3 2004
	STATE OF ILLINOIS Pollution Control Board
MOTION ON CONSENT FOR A	N EXTENSION OF TIME Control Board

Respondent, Illinois Environmental Protection Agency, by Lisa Madigan,
Attorney General of the State of Illinois, moves the Hearing Officer, pursuant to Board
Procedural Rule 101.522, to grant a two-week extension of time to file its response to
Petitioner Midwest Generation's Motion for Partial Reconsideration of the Illinois
Pollution Control Board's Order of June 1, 2004. In support of this Motion, Respondent states as follows:

- 1. Pursuant to 35 Ill. Adm. Code 101.500, the Respondent Agency's response to Petitioner Midwest Generation's Motion for Partial Reconsideration of the Illinois Pollution Control Board's Order of June 1, 2004 in the captioned proceeding is currently due to be filed September 7, 2004.
- 2. Vacation schedules of personnel at the Respondent Agency who are involved with this matter preclude filing by the current deadline.
- 3. Counsel for Petitioner Midwest Generation has consented to this extension of time.
- 4. Accordingly, Respondent respectfully requests that it be granted until September 21, 2004 to file its response to Midwest Generation's motion.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Midwest Generation EME, LLC,)
Petitioner) PCB 04-216
) Trade Secret Appeal
v. Illinois Environmental Protection Agency, Respondent) RECEIVED CLERK'S OFFICE
	SEP 0.3 2004
CERTIFICATE O	STATE OF ILLIES

I hereby certify that I did on the 3rd Day of September, 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 Filing and Motion on Consent for an Extension of Time, 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 September 3, 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 Environmental Counsel

188 West Randolph Street, Suite 2000

Paula Becker Wheeler, Assistant Attorney General

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