ILLINOIS POLLUTION CONTROL BOARD July 28, 2005

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-215
)	(Enforcement – Public Water Supply)
FIRST ROCKFORD GROUP, INC.,)	
VILLAGE OF CHERRY VALLEY,)	
HERITAGE ENGINEERING, LTD., and)	
SCHLICHTING & SONS EXCAVATING,)	
INC		

Respondents.

HEARING OFFICER ORDER

On July 28, 2005, all parties participated in a telephonic status conference with the hearing officer. It was represented that all respondents appear to have reached a settlement or anticipate a settlement. Settlement discussions continue, including the circulation of stipulations and proposal for settlement (stipulation) for review.

Respondents First Rockford Group, Inc., (Rockford), Village of Cherry Valley (Village) and Schlichting & Sons Excavating (Schlichting), made oral motions for extensions of time to file their respective answers. The complainant had no objection. Respondents Rockford, Village and Schlichting motions are granted and their respective answers are now due to be filed on or before October 28, 2005.

John Malburg, who stated that he was representing respondent Heritage Engineering, Ltd., (Heritage) was directed to file his appearance on or before August 5, 2005. If Malburg is not an attorney, Malburg is directed to review Section 101.400(a) (2) of the Board's procedural rules where it mandates that when appearing before the Board, any person other than individuals must appear through an attorney-at-law licensed and registered to practice law.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on October 6, 2005, at 9:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

Bradly P. Helon

Bradley P. Halloran Hearing Officer Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 W. Randolph Street Chicago, Illinois 60601 312.814.8917