

**RECEIVED**  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**AUG 04 2005**

**Commonwealth Edison Company,**  
**Petitioner**

**v.**

**Illinois Environmental Protection Agency,**  
**Respondent**

**PCB 04-215**

**Trade Secret Appeal**

**STATE OF ILLINOIS**  
**Pollution Control Board**

**NOTICE OF FILING**

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

Byron F. Taylor  
Chante D. Spann  
Sidley Austin Brown & Wood LLP  
Bank One Plaza  
10 S. Dearborn  
Chicago, Illinois 60603

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 Proposed Discovery Schedule, a copy of which is herewith served upon the assigned Hearing Officer, the attorneys for the Petitioner, Commonwealth Edison Company, and the attorneys for the Sierra Club.

Dated: Chicago, Illinois  
August 4, 2005

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

Paula Becker Wheeler, Assistant Attorney General

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Chicago, Illinois 60601

312-814-3772

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ILLINOIS POLLUTION CONTROL BOARD

August 4, 2005

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AUG 04 2005

STATE OF ILLINOIS  
Pollution Control Board

MIDWEST GENERATION EME, LLC

Petitioner,

v.

ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY,

Respondent.

PCB 04-215

(Trade Secret Appeal)

**PROPOSED DISCOVERY SCHEDULE**

Pursuant to the Hearing Officer Order of July 26, 2005, the parties submit the following Proposed Discovery Schedule:

1. Initial Document Requests and Initial Interrogatories shall be served within 60 days of entry of the Hearing Officer's Discovery Scheduling Order. Initial Document Requests and Initial Interrogatories shall be limited to 25 each, including subparts.
2. Responses to Initial Document Requests and Initial Interrogatories shall be served within 90 days of entry of the Hearing Officer's Discovery Scheduling Order.
3. Depositions shall be completed within 180 days of entry of the Hearing Officer's Discovery Scheduling Order.
4. Final Document Requests and Final Interrogatories shall be served within 210 days of entry of the Hearing Officer's Discovery Scheduling Order. Final Document Requests and Final Interrogatories shall be limited to 15, including subparts.
5. Responses to Final Documents Request and Final Interrogatories shall be served within 240 days of entry of the Hearing Officer's Discovery Scheduling Order.
6. In the event there is a discovery dispute, the Hearing Officer may adjust the schedule appropriately.

Respectfully submitted,

Commonwealth Edison Company

By: 

Byron Taylor

Chante D. Spann

Sidley Austin Brown & Wood

Bank One Plaza

10 S. Dearborn St.

Chicago, Illinois 60603

Attorneys for

Commonwealth Edison

Lisa Madigan, Attorney General of the State  
of Illinois

By: 

Ann Alexander, Assistant Attorney General  
and Environmental Counsel

Paula Becker Wheeler

Assistant Attorney General

188 West Randolph Street, Suite 2000

Chicago, IL 60601

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>Commonwealth Edison Company,</b>	)	
<b>Petitioner</b>	)	<b>PCB 04-215</b>
	)	<b>Trade Secret Appeal</b>
<b>v.</b>	)	
	)	
<b>Illinois Environmental Protection Agency,</b>	)	
<b>Respondent</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that I did on the 4<sup>th</sup> Day of August 2005 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 Proposed Discovery Schedule 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:

Byron F. Taylor  
Chante D. Spann  
Sidley Austin Brown & Wood LLP  
Bank One Plaza  
10 S. Dearborn  
Chicago, Illinois 60603

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

Dated: Chicago, Illinois  
August 4, 2005

LISA MADIGAN, Attorney General of the  
State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/  
Asbestos Litigation Division

BY: 

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Paula Becker Wheeler, Assistant Attorney General

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