

ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-8
)	(Enforcement – Air)
BRIDGEPORT GRAIN, INC.,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board Respondent Bridgeport Grain, Inc.'s **AGREED MOTION FOR EXTENSION OF TIME**, a copy of which is herewith served upon you.

Respectfully submitted,

BRIDGEPORT GRAIN, INC.,
Respondent.

By: /s/ Thomas G. Safley
One of Its Attorneys

Dated: February 10, 2006

Katherine D. Hodge
Thomas G. Safley
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

THIS FILING SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, Thomas G. Safley, the undersigned, certify that I have served the attached

AGREED MOTION FOR EXTENSION OF TIME upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on February 10, 2006, and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Phillip McQuillan, Esq.
Senior Assistant Attorney General
Office of the Attorney General
500 South Second Street
Springfield, Illinois 62706

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois, on February 10, 2006.

/s/ Thomas G. Safley
Thomas G. Safley

ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-8
)	(Enforcement – Air)
BRIDGEPORT GRAIN, INC.,)	
)	
Respondent.)	

AGREED MOTION FOR EXTENSION OF TIME

NOW COMES Respondent, BRIDGEPORT GRAIN, INC. (“Bridgeport”), by its attorneys, HODGE DWYER ZEMAN, and, pursuant to 35 Ill. Admin. Code § 101.522, moves the Hearing Officer or Illinois Pollution Control Board (“Board”) to enter an Order granting Respondent an extension of time for forty-five (45) days, to and including April 2, 2006, in which to answer or otherwise respond to Complainant’s Complaint. In support of this Motion, Respondent states as follows:

1. “The [Illinois Pollution Control] Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Admin. Code § 101.522.

2. On July 19, 2005, the People of the State of Illinois (“the State”) filed a Complaint against Bridgeport in this matter.

3. The law firm of HODGE DWYER ZEMAN was retained by Bridgeport to represent it in this matter, and filed its Entry of Appearance on September 29, 2005.

4. Bridgeport never received official notice of the Complainant's Complaint. On October 19, 2005, Counsel for Respondent signed a Waiver of Service of Complainant's Complaint. At the same time, Counsel for Complainant agreed to a deadline of December 18, 2005, i.e. sixty (60) days from the date of the Waiver of Service, for Respondent to file its Answer.

5. Bridgeport requested an additional 60 days from December 18, 2006, until February 16, 2006, and was granted the extension.

6. Bridgeport is now requesting an extension of time for forty-five (45) days, or until April 2, 2006, to answer Complainant's Complaint so that the parties may continue to discuss possible settlement of the issues involved in this matter.

7. Counsel for Complainant has indicated that Complainant no objection to this Motion.

WHEREFORE, Respondent, BRIDGEPORT GRAIN, INC., respectfully moves the Hearing Officer or the Board to enter an Order granting its request for an extension of

time for forty-five (45) days, to and including April 2, 2006, in which to file its Answer or other response to Complainant's Complaint.

Respectfully submitted,

BRIDGEPORT GRAIN, INC.,
Respondent,

Dated: February 10, 2006

By: /s/ Thomas G. Safley
One of Its Attorneys

Katherine D. Hodge
Thomas G. Safley
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

BPGI:001/Fil/Motion for Extension02