

ILLINOIS POLLUTION CONTROL BOARD
March 7, 2006

MIDWEST GENERATION EME, LLC,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 04-216
ILLINOIS ENVIRONMENTAL)	(Trade Secret Appeal)
PROTECTION AGENCY,)	
)	
Respondent.)	

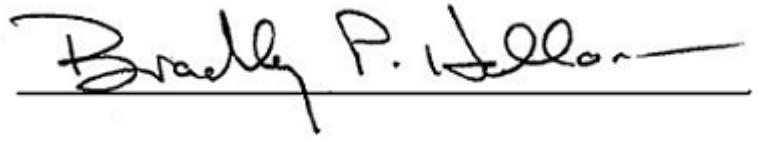
HEARING OFFICER ORDER

On February 23, 2006, all parties participated in a telephonic status conference with the hearing officer. The parties represented that discovery is proceeding, and that they are awaiting the decision of the Board regarding petitioner's motion to stay. The parties also represented that they will submit a proposed revised discovery schedule.

On February 24, 2006, the parties submitted a proposed revised discovery schedule. The revised discovery schedule is accepted to the extent as follows. Depositions must be completed on or before March 30, 2006. Final document requests and final interrogatories must be served on or before April 29, 2006. Final document requests and final interrogatories must be limited to 15 each, including subparts. Responses to final document requests and final interrogatories must be served on or before May 30, 2006.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on March 23, 2006, at 11:45 a.m. The status conference must be initiated by the petitioner, 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.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

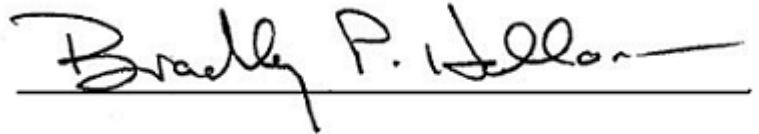
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on March 7, 2006, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on March 7, 2006:

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath it.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
(312) 814-8917

PCB 2004-216
Ann Alexander
Office of the Attorney General
188 West Randolph, 20th Floor
Chicago, IL 60601

PCB 2004-216
IEPA
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PCB 2004-216
Katherine D. Hodge
Illinois Environmental Regulatory Group
3150 Roland Avenue
Springfield, IL 62703

PCB 2004-216
N. LaDonna Driver
Illinois Environmental Regulatory Group
3150 Roland Avenue
Springfield, IL 62703

PCB 2004-216
Sheldon A. Zabel
Schiff Hardin & Waite
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6473

PCB 2004-216
Mary Ann Mullin
Schiff Hardin & Waite
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6473

PCB 2004-216
Andrew N. Sawula
Schiff Hardin & Waite
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6473

PCB 2004-216
Keith I. Harley
Chicago Legal Clinic
205 West Monroe Street, 4th Floor
Chicago, IL 60606