ELEC	CTRONIC FILING, RECEIVED, CLERK'S	OFFICE, J	UNE 7, 2006	
IN TH	THE MATTER OF:)	DOC 25	
CONT	PPOSED NEW 35 ILL. ADM. CODE 225 NTROL OF EMISSIONS FROM RGE COMBUSTION SOURCES(MERCURY))))	R06-25 (Rulemaking – Air)	
	NOTIO	<u>CE</u>		
TO:	Dorothy Gunn Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph St., Suite 11-500 Chicago, IL 60601-3218			
SEE ATTACHED SERVICE LIST				
	PLEASE TAKE NOTICE that I have today	filed with th	ne Office of the Clerk of the	
Illinoi	ois Pollution Control Board the <u>ILLINOIS EN</u>	VIRONMEN	TAL PROTECTION	
<u>AGEN</u>	ENCY'S MOTION FOR LEAVE TO FILE REI	PLIES TO T	HE RESPONSES OF DYNEGY	
AND	D MIDWEST GENERATIONS, AMEREN EN	IERGY GEN	IERATING COMPANY, AND	
KINC	CAID GENERATION LLC TO THE AGENC	Y'S MOTIO	N TO AMEND RULEMAKING	
<u>PROP</u>	POSAL and REPLIES TO THE RESPONSE OF	OF DYNEG	Y AND MIDWEST	
<u>GENE</u>	NERATIONS, AMEREN ENERGY GENERA	TING COMI	PANY, AND KINCAID	
GENE	NERATION LLC TO THE AGENCY'S MOTIO	ON TO AMI	END RULEMAKING	
PROP	POSAL, a copy of which is herewith served up	pon you.		
			ENVIRONMENTAL ION AGENCY	
		Assistar	occaforte nt Counsel n of Legal Counsel	
DATE	FED: June 7 2006			

1021 North Grand Avenue East P. O. Box 19276 Springfield, IL 62794-9276 217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R06-25
PROPOSED NEW 35 ILL. ADM. CODE 225)	(Rulemaking – Air)
CONTROL OF EMISSIONS FROM)	
LARGE COMBUSTION SOURCES (MERCUR	(Y)	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S MOTION FOR LEAVE TO FILE A REPLY TO THE RESPONSE TO IEPA MOTION TO AMEND PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby requests that the Illinois Pollution Control Board

(Board) grant the Illinois EPA leave to file a Reply to the Response to IEPA Motion to

Amend Proposal (Response) filed by Ameren Energy Generating Company,

AmerenEnergy Resources Generating Company, and Electric Energy, Inc. (Respondents)

on the basis that the Reply should be considered by the Board to prevent a material

prejudice in the consideration of, and ruling upon, the Illinois EPA's Motion to Amend

Rulemaking Proposal (Motion). In support of its Reply, the Illinois EPA states as

follows:

1. In their Response, the Respondents requested that should the Board allow the amended proposal, that the Board also extend the date for submitting pre-filed testimony before the August 12 hearing to no earlier than July 28. This request, if unresponded to, creates a material prejudice against the Illinois EPA given the November 17, 2006 deadline for submission of a State plan to the United States Environmental Protection Agency under the Clean Air Mercury Rule.

2. The Illinois EPA notes that Respondents do not object to the Motion, thus

it should be granted. However, Respondents ask for a modification to the Hearing

Officer's schedule for pre-filing testimony, and the Illinois EPA must be allowed an

opportunity to respond to such request.

3. The Illinois EPA's Reply, which is filed contemporaneously with this

motion for leave to file, is as short and concise as possible so as to not create any further

burden upon the Board than is necessary.

4. The Illinois EPA is filing this motion for leave to file and the Reply as

expeditiously as possible. The Illinois EPA received service of the Response on June 6,

2006. This motion and the Reply have been prepared and filed quickly so as not to delay

the Board's consideration of the pleadings in this case.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully

requests that the Board grant the Illinois EPA leave to file a Reply to the Response.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:

Charles E. Matoesian

Assistant Counsel

Division of Legal Counsel

Gina Roccaforte **Assistant Counsel**

Division of Legal Counsel

DATED: June 7, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R06-25
PROPOSED NEW 35 ILL. ADM. CODE 225)	(Rulemaking – Air)
CONTROL OF EMISSIONS FROM)	
LARGE COMBUSTION SOURCES (MERCUR	Y))	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S REPLY TO THE RESPONSE TO IEPA MOTION TO AMEND PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby replies to the Response to IEPA Motion to Amend

Proposal (Response) filed by Ameren Energy Generating Company, AmerenEnergy

Resources Generating Company, and Electric Energy, Inc. (Respondents). In support of its Reply, the Illinois EPA states as follows:

- 1. On May 4, 2006, the Hearing Officer issued an order that set forth prefiled testimony deadlines and ordered that persons wishing to testify at the second hearing scheduled for August 12, 2006, prefile their testimony by July 17, 2006. *See*, Hearing Officer Order, May 4, 2006.
- 2. On May 23, 2006, the Illinois EPA filed a Motion to Amend Rulemaking Proposal (Motion), Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and Amended Testimony of James E. Staudt, Ph.D.
- 3. On May 24, 2006, a pre-hearing phone conference was held to attempt to identify and limit issues of disagreement among the participants to promote efficient use of hearing time. *See*, Hearing Officer Order, May 24, 2006. One point of discussion included the necessity of the Amended Testimony of James E. Staudt, Ph.D., to support the Illinois EPA's Motion. The Motion is, at the earliest, scheduled for consideration by the Board at the June 15 Board meeting.

- 4. The Hearing Officer granted the Illinois EPA's Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and allowed the filing of the Amended Testimony of James E. Staudt, Ph.D.
- 5. On June 6, 2006, the Respondents filed their Response and did not object to the Illinois EPA's Motion. Rather, the Respondents requested that should the Board allow the amended proposal, that the Board also extend the date for submitting pre-filed testimony before the August 12 hearing to no earlier than July 28.
- 6. On June 6, 2006, Dynegy Midwest Generation Inc. and Midwest Generation, LLC (Dynegy) also filed a Response to the Illinois EPA's Motion. The relief sought by Dynegy is similar in nature to that sought by the Respondents.
- 7. On June 6, 2006, Kincaid Generation, LLC (Kincaid), also filed a Response to the Illinois EPA's Motion. The relief sought by Kincaid is similar in nature to that sought by the Respondents.
- 8. At the time of the May 24 pre-hearing phone conference, the Board and the Hearing Officer were both aware of the Illinois EPA's Motion, and the Hearing Officer acknowledged that the earliest that the Board could rule on the motion would be at the June 15 Board meeting.
- 9. The Illinois EPA notes that Respondents do not object to the Motion, thus it should be granted.
- 10. As to the Respondents' separate request to alter the Hearing Officer's schedule for pre-filing testimony, the concerns of Respondents can be met by allowing additional time for submission of pre-filed testimony. Specifically, the Illinois EPA proposes that the July 17 pre-filing of testimony deadline be moved to July 24, and the Illinois EPA's pre-filed questions to Respondents remain due on July 31. Allowing

Respondents this additional time for the submission of pre-filed testimony allows the Respondents the same period of time between receipt of pre-filed questions and the second hearing as provided for in the May 24, 2006 Hearing Officer order. This additional time also allows the Board to maintain the current hearing schedule as set forth by the Hearing Officer in her order dated May 4, 2006.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that should the Board grant the Illinois EPA's Motion to Amend Rulemaking Proposal and extend the date for the submission of pre-filed testimony before the August 12 hearing to no later than July 24, 2006, with no further modification of the Hearing Officer's May 24, 2006 order.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: ____

Charles E. Matoesian Assistant Counsel Division of Legal Counsel

Gina Roccaforte Assistant Counsel Division of Legal Counsel

DATED: June 7, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R06-25
PROPOSED NEW 35 ILL. ADM. CODE 225)	(Rulemaking – Air)
CONTROL OF EMISSIONS FROM)	
LARGE COMBUSTION SOURCES (MERCUR	Y))	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S MOTION FOR LEAVE TO FILE A REPLY TO THE RESPONSE OF KINCAID GENERATION LLC TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby requests that the Illinois Pollution Control Board

(Board) grant the Illinois EPA leave to file a Reply to the Response of Kincaid

Generation (Kincaid) to the Agency's Motion to Amend Rulemaking Proposal

(Response) on the basis that the Reply should be considered by the Board to prevent a material prejudice in the consideration of, and ruling upon, the Illinois EPA's Motion to Amend Rulemaking Proposal. In support of its Reply, the Illinois EPA states as follows:

1. In its Response, Kincaid requests the Board to direct the Hearing Officer to ensure that the prefiling date for rebuttal testimony not occur until 30 days or later after the conclusion of the cross-examination of all proponent's witnesses, that the prefiling date for questions related to the rebuttal testimony not occur until 14 days after the prefiling date for rebuttal testimony, and that the second hearing not begin until 30 days or later after the prefiling date for rebuttal testimony. These requests, if unresponded to, create a material prejudice against the Illinois EPA given the November 17, 2006 deadline for submission of a State plan to the United States Environmental Protection Agency under the Clean Air Mercury Rule.

2. The Illinois EPA notes that Kincaid does not object to the Motion to

Amend Rulemaking Proposal, thus it should be granted. However, Kincaid also asks for

a modification to the Hearing Officer's schedule for pre-filing testimony, questions, and

hearings, and the Illinois EPA must be allowed an opportunity to respond to that separate

request.

3. The Illinois EPA's Reply, which is filed contemporaneously with this

motion for leave to file, is as short and concise as possible so as to not create any further

burden upon the Board than is necessary.

4. The Illinois EPA is filing this motion for leave to file and the Reply as

expeditiously as possible. The Illinois EPA received service of the Response on June 6,

2006. This motion and the Reply have been prepared and filed quickly so as not to delay

the Board's consideration of the pleadings in this case.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully

requests that the Board grant the Illinois EPA leave to file a Reply to the Response.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By:

Charles E. Matoesian

Assistant Counsel

Division of Legal Counsel

Gina Roccaforte Assistant Counsel

Division of Legal Counsel

DATED: June 7, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R06-25
PROPOSED NEW 35 ILL. ADM. CODE 225)	(Rulemaking – Air)
CONTROL OF EMISSIONS FROM)	
LARGE COMBUSTION SOURCES (MERCUR	Y))	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S REPLY TO THE RESPONSE OF KINCAID GENERATION, L.L.C. TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby replies to the Response of Kincaid Generation, L.L.C.

(Kincaid) to the Agency's Motion to Amend Rulemaking Proposal. In support of its

Reply, the Illinois EPA states as follows:

- 1. On May 4, 2006, the Hearing Officer issued an order that set forth prefiled testimony deadlines and ordered that persons wishing to testify at the second hearing scheduled for August 12, 2006, prefile their testimony by July 17, 2006. *See*, Hearing Officer Order, May 4, 2006.
- 2. On May 23, 2006, the Illinois EPA filed a Motion to Amend Rulemaking Proposal (Motion), Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and Amended Testimony of James E. Staudt, Ph.D.
- 3. On May 24, 2006, a pre-hearing phone conference was held to attempt to identify and limit issues of disagreement among the participants to promote efficient use of hearing time. *See*, Hearing Officer Order, May 24, 2006. One point of discussion included the necessity of the Amended Testimony of James E. Staudt, Ph.D., to support the Illinois EPA's Motion. The Motion is, at the earliest, scheduled for consideration by the Board at the June 15 Board meeting.

- 4. The Hearing Officer granted the Illinois EPA's Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and allowed the filing of the Amended Testimony of James E. Staudt, Ph.D.
- 5. On June 6, 2006, Kincaid filed its Response to the Illinois EPA's Motion. While the Respondents did not object to the Motion, they requested the Board to direct the Hearing Officer to ensure that the prefiling date for rebuttal testimony not occur until 30 days or later after the conclusion of the cross-examination of all proponent's witnesses, that the prefiling date for questions related to the rebuttal testimony not occur until 14 days after the prefiling date for rebuttal testimony, and that the second hearing not begin until 30 days or later after the prefiling date for rebuttal testimony.
- 6. On June 6, 2006, Ameren Energy Generating Company, AmerenEnergy Resources Generating Company, and Electric Energy, Inc., (Ameren, collectively) also filed a Response to IEPA Motion to Amend Proposal. Ameren also did not object to the Illinois EPA's Motion. Rather, Ameren requested that should the Board allow the amended proposal, that the Board also extend the date for submitting pre-filed testimony before the August 12 hearing to no earlier than July 28.
- 7. On June 6, 2006, Dynegy and Midwestern Generations also filed a Response to the Illinois EPA's Motion. The relief sought in that response is similar in nature to that sought by Kincaid.
- 8. At the time of the May 24 pre-hearing phone conference, the Board and the Hearing Officer were both aware of the Illinois EPA's Motion to Amend Rulemaking Proposal, and the Hearing Officer acknowledged that the earliest that the Board could rule on the motion would be at the June 15 Board meeting.

- 9. The Illinois EPA notes that Kincaid does not object to the Motion, thus it should be granted.
- 10. As to Kincaid's separate request to alter the Hearing Officer's schedule for pre-filing testimony, questions, and hearings, the concerns of Kincaid can be met by allowing additional time for submission of pre-filed testimony. Specifically, the Illinois EPA proposes that the July 17 pre-filing of testimony deadline be moved to July 24, and the Illinois EPA's pre-filed questions to Respondents remain due on July 31. Allowing Respondents this additional time for the submission of pre-filed testimony allows the Respondents the same period of time between receipt of pre-filed questions and the second hearing as provided for in the May 24, 2006 Hearing Officer order. This additional time also allows the Board to maintain the current hearing schedule as set forth by the Hearing Officer in her order dated May 4, 2006.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that should the Board grant the Illinois EPA's Motion to Amend Rulemaking Proposal and extend the date for the submission of pre-filed testimony before the August 12 hearing to no later than July 24, 2006, with no further modification of the Hearing Officer's May 24, 2006 order.

Respe	ectfully submitted,
	NOIS ENVIRONMENTAL TECTION AGENCY
By:	Charles E. Matoesian Assistant Counsel Division of Legal Counsel
	Gina Roccaforte Assistant Counsel

Division of Legal Counsel

DATED: June 7, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
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LARGE COMBUSTION SOURCES (MERCUR	(Y)	

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S MOTION FOR LEAVE TO FILE A REPLY TO THE RESPONSE OF DYNEGY AND MIDWEST GENERATIONS TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby requests that the Illinois Pollution Control Board

(Board) grant the Illinois EPA leave to file a Reply to the Response of Dynegy and

Midwest Generations (Respondents) to the Agency's Motion to Amend Rulemaking

Proposal (Response) on the basis that the Reply should be considered by the Board to

prevent a material prejudice in the consideration of, and ruling upon, the Illinois EPA's

Motion to Amend Rulemaking Proposal. In support of its Reply, the Illinois EPA states
as follows:

1. In their Response, the Respondents request the Board to direct the Hearing Officer to redesignate the August hearing to be for the conclusion of the Proponent's case and direct the Hearing Officer to set a date at least 30 days after the end of the August hearing for the opponents to submit their prepared testimony and schedule other hearings or deadlines as the Hearing Officer determines to be appropriate. These requests, if unresponded to, create a material prejudice against the Illinois EPA given the November 17, 2006 deadline for submission of a State plan to the United States Environmental Protection Agency under the Clean Air Mercury Rule.

2. The Illinois EPA notes that Respondents do not object to the Motion to

Amend Rulemaking Proposal, thus it should be granted. However, Respondents also ask

for a modification to the Hearing Officer's schedule for pre-filing testimony, questions,

and hearings, and the Illinois EPA must be allowed an opportunity to respond to that

separate request.

3. The Illinois EPA's Reply, which is filed contemporaneously with this

motion for leave to file, is as short and concise as possible so as to not create any further

burden upon the Board than is necessary.

4. The Illinois EPA is filing this motion for leave to file and the Reply as

expeditiously as possible. The Illinois EPA received service of the Response on June 6,

2006. This motion and the Reply have been prepared and filed quickly so as not to delay

the Board's consideration of the pleadings in this case.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully

requests that the Board grant the Illinois EPA leave to file a Reply to the Response.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY

By:

Charles E. Matoesian **Assistant Counsel**

Division of Legal Counsel

Gina Roccaforte **Assistant Counsel**

Division of Legal Counsel

DATED: June 7, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	R06-25
PROPOSED NEW 35 ILL. ADM. CODE 225)	(Rulemaking – Air)
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S REPLY TO THE RESPONSE OF DYNEGY AND MIDWEST GENERATIONS TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL

NOW COMES the Proponent, the ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY (Illinois EPA or Agency), by its attorneys, and pursuant to 35

Ill. Adm. Code 101.500(e), hereby replies to the Response of Dynegy and Midwest

Generations (Respondents) to the Agency's Motion to Amend Rulemaking Proposal. In

support of its Reply, the Illinois EPA states as follows:

- 1. On May 4, 2006, the Hearing Officer issued an order that set forth prefiled testimony deadlines and ordered that persons wishing to testify at the second hearing scheduled for August 12, 2006, prefile their testimony by July 17, 2006. *See*, Hearing Officer Order, May 4, 2006.
- 2. On May 23, 2006, the Illinois EPA filed a Motion to Amend Rulemaking Proposal (Motion), Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and Amended Testimony of James E. Staudt, Ph.D.
- 3. On May 24, 2006, a pre-hearing phone conference was held to attempt to identify and limit issues of disagreement among the participants to promote efficient use of hearing time. *See*, Hearing Officer Order, May 24, 2006. One point of discussion included the necessity of the Amended Testimony of James E. Staudt, Ph.D., to support the Illinois EPA's Motion. The Motion is, at the earliest, scheduled for consideration by the Board at the June 15 Board meeting.

- 4. The Hearing Officer granted the Illinois EPA's Motion for Leave to File Instanter Amended Testimony of James E. Staudt, Ph.D., and allowed the filing of the Amended Testimony of James E. Staudt, Ph.D.
- 5. On June 6, 2006, Respondents filed their Response to the Illinois EPA's Motion. While the Respondents did not object to the Motion, they requested the Board to direct the Hearing Officer to redesignate the August hearing to be for the conclusion of the Proponent's case and direct the Hearing Officer to set a date at least 30 days after the end of the August hearing for the opponents to submit their prepared testimony and schedule other hearings or deadlines as the Hearing Officer determines to be appropriate.
- 6. On June 6, 2006, Ameren Energy Generating Company, AmerenEnergy Resources Generating Company, and Electric Energy, Inc., (Ameren, collectively) also filed a Response to IEPA Motion to Amend Proposal. Ameren also did not object to the Illinois EPA's Motion. Rather, Ameren requested that should the Board allow the amended proposal, that the Board also extend the date for submitting pre-filed testimony before the August 12 hearing to no earlier than July 28.
- 7. On June 6, 2006, Kincaid Generation, LLC (Kincaid), also filed a Response to the Illinois EPA's Motion. The relief sought by Kincaid is similar in nature to that sought by the Respondents.
- 8. At the time of the May 24 pre-hearing phone conference, the Board and the Hearing Officer were both aware of the Illinois EPA's Motion to Amend Rulemaking Proposal, and the Hearing Officer acknowledged that the earliest that the Board could rule on the motion would be at the June 15 Board meeting.
- 9. The Illinois EPA notes that Respondents do not object to the Motion, thus it should be granted.

10. As to the Respondents' separate request to alter the Hearing Officer's schedule for pre-filing testimony, questions, and hearings, the concerns of Respondents can be met by allowing additional time for submission of pre-filed testimony.

Specifically, the Illinois EPA proposes that the July 17 pre-filing of testimony deadline be moved to July 24, and the Illinois EPA's pre-filed questions to Respondents remain due on July 31. Allowing Respondents this additional time for the submission of pre-filed testimony allows the Respondents the same period of time between receipt of pre-filed questions and the second hearing as provided for in the May 24, 2006 Hearing Officer order. This additional time also allows the Board to maintain the current hearing schedule as set forth by the Hearing Officer in her order dated May 4, 2006.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully requests that should the Board grant the Illinois EPA's Motion to Amend Rulemaking Proposal and extend the date for the submission of pre-filed testimony before the August 12 hearing to no later than July 24, 2006, with no further modification of the Hearing Officer's May 24, 2006 order.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Charles E. Matoesian

Assistant Counsel
Division of Legal Counsel

Gina Roccaforte
Assistant Counsel
Division of Legal Counsel

DATED: June 7, 2006

SERVICE LIST 06-25

Marie Tipsord Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 West Randolph St., Suite 11-500

Chicago, IL 60601-3218

Bill S. Forcade Katherine M. Rahill Jenner & Block LLP One IBM Plaza Chicago, IL 60611

S. David Farris
Environmental, Health and Safety
Manager
Office of Public Utilities
City of Springfield
201 East Lake Shore Drive
Springfield, IL 62757

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

Katherine D. Hodge N. LaDonna Driver Hodge Dwyer Zeman 3150 Roland Avenue Post Office Box 5776 Springfield, IL 62705-5776

Bruce Nilles Attorney Sierra Club 122 W. Washington Ave., Suite 830 Madison, WI 53703 James T. Harrington David L. Rieser McGuire Woods LLP 77 West Wacker, Suite 4100 Chicago, IL 60601

William A. Murray Special Assistant Corporation Counsel Office of Public Utilities 800 East Monroe Springfield, IL 62757

Faith E. Bugel Howard A. Lerner Meleah Geertsma Environmental Law and Policy Center 35 East Wacker Drive Suite 1300 Chicago, IL 60601

Christopher W. Newcomb Karaganis, White & Magel, Ltd. 414 North Orleans Street Suite 810 Chicago, IL 60610

Kathleen C. Bassi Sheldon A. Zabel Stephen J. Bonebrake Joshua R. More Glenna L. Gilbert Schiff Hardin LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606

James W. Ingram Senior Corporate Counsel Dynegy Midwest Generation, Inc. 1000 Louisiana, Suite 5800 Houston, TX 77002

STATE OF ILLINOIS)	
)	SS
COUNTY OF SANGAMON)	
)	

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served electronically the attached ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S MOTION FOR LEAVE TO FILE REPLIES TO THE RESPONSES OF DYNEGY AND MIDWEST GENERATIONS, AMEREN ENERGY GENERATING COMPANY, AND KINCAID GENERATION LLC TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL and REPLIES TO THE RESPONSE OF DYNEGY AND MIDWEST GENERATIONS, AMEREN ENERGY GENERATING COMPANY, AND KINCAID GENERATION LLC TO THE AGENCY'S MOTION TO AMEND RULEMAKING PROPOSAL upon the following person:

Dorothy Gunn Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph St., Suite 11-500 Chicago, IL 60601-3218

and mailing it by first-class mail from Springfield, Illinois, with sufficient postage affixed to the following persons:

SEE ATTACHED SERVICE LIST

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Gina Roccaforte Assistant Counsel Division of Legal Counsel

Dated: June 7, 2006 1021 North Grand Avenue East Springfield, Illinois 62794-9276 (217) 782-5544