

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PETITION OF MIDWEST GENERATION, LLC,)	AS 07-03
WAUKEGAN GENERATING STATION)	(Adjusted Standard – Air)
FOR AN ADJUSTED STANDARD FROM)	
35 ILL.ADM.CODE 225.230.)	

NOTICE OF FILING

To:

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

Persons included on the
ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that we have today electronically filed with the Office of the Clerk of the Pollution Control Board **MOTION TO EXTEND THE TIME FOR THE AGENCY TO FILE ITS RECOMMENDATION**, copies of which are herewith electronically served upon you.



 Kathleen C. Bassi

Dated: January 30, 2007

Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
SCHIFF HARDIN, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-258-5500

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**MOTION TO EXTEND THE TIME FOR THE AGENCY
TO FILE ITS RECOMMENDATION**

NOW COMES Petitioner, MIDWEST GENERATION, LLC, WAUKEGAN GENERATING STATION, by and through its attorneys, SCHIFF HARDIN LLP, and, pursuant to 35 Ill.Adm.Code § 101.500, moves the Board to extend the time by which the Illinois Environmental Protection Agency (“the Agency”) must file its Recommendation in this matter. In support of its motion, Petitioner states as follows:

1. On January 10, 2007, Petitioner filed a Petition for Adjusted Standard from the requirements of 35 Ill.Adm.Code Part 225, Subpart B.
2. Petitioner filed Proof of Publication, as required by 35 Ill.Adm.Code § 104.408 in this matter on January 25, 2007. Notice of the Petition was published in *The Herald News*, a newspaper of general circulation in the vicinity of the Waukegan Generating Station, on January 19, 2007.
3. The Agency’s Recommendation in this matter is due to the Board within 45 days of the filing of Midwest Generation’s Petition, or February 26, 2007, pursuant to 35 Ill.Adm.Code § 104.416.
4. After consulting with the Agency regarding the Recommendation, Petitioner requests that the Board extend the date by which the Agency’s Recommendation is due to

April 30, 2007, in order to allow the parties time to ascertain the Board's actions in a matter related to the Petition.

5. The Agency has stated that it agrees with this extension of the time for it to file its Recommendation.

WHEREFORE, for the reasons set forth above, Petitioner Midwest Generation, LLC, Waukegan Generating Station, requests that the Board extend the date by which the Agency's recommendation in this matter is due to April 30, 2007.

Respectfully submitted,

MIDWEST GENERATION, LLC,
WAUKEGAN GENERATING STATION

by:



One of Its Attorneys

Dated: January 30, 2007

Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
SCHIFF HARDIN, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-258-5500
Fax: 312-258-5600

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 30th day of January, 2007, I have served electronically the attached, upon the following persons:

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

and electronically to the persons listed on the **ATTACHED SERVICE LIST**.



Kathleen C. Bassi

Sheldon A. Zabel
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Stephen J. Bonebrake
SCHIFF HARDIN, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-258-5500

SERVICE LIST

(AS 07-03)

<p>Rachel L. Doctors Assistant Counsel Air Regulatory Unit Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue, East P.O. Box 19276 Springfield, Illinois 62794-9276 rachel.doctors@illinois.gov</p> <p>Electronic service only; paper service verbally waived</p>	<p>Mr. Bradley P. Halloran Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 hallorab@ipcb.state.il.us</p> <p>Electronic service only; paper service verbally waived</p>
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