BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEORIA DISPOSAL COMPANY,)
Petitioner,))) PCB 06-184
V.) PCB 00-104
	(Pollution Control Facility Siting Appeal)
PEORIA COUNTY BOARD,	,
Respondent.)

NOTICE OF FILING

TO: See attached service list

PLEASE TAKE NOTICE THAT on the $\underline{9}^{th}$ day of February, 2007, George Mueller, one of the attorneys for Petitioner, Peoria Disposal Company, filed his Motion for Leave to File an Opening Brief in Excess of 50 Pages, via electronic filing as authorized by the Clerk of the Illinois Pollution Control Board.

Respectfully submitted, PEORIA DISPOSAL COMPANY

BY: /s / George Mueller
One of its attorneys

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEORIA DISPOSAL COMPANY,)
Petitioner,))) PCB 06-184
V.)
	(Pollution Control Facility Siting Appeal)
PEORIA COUNTY BOARD,)
)
Respondent.)

MOTION FOR LEAVE TO FILE AN OPENING BRIEF IN EXCESS OF 50 PAGES

NOW COMES Petitioner, Peoria Disposal Company, by George Mueller, one of its attorneys and moves for leave to file an Opening Brief in excess of 50 pages and, in support thereof, states that:

- 35 IAC 101.302(k) limits Briefs filed with the Board to 50 pages, unless the
 Board or its Hearing Officer grants leave to exceed this limit.
- That the Opening Brief of Peoria Disposal Company is due on February
 16, 2007.
- 3. The record herein consists of nearly 14,000 pages filed by Peoria County as well as the testimony of several dozen witnesses on the issue of whether the proceedings were fundamentally fair. This is a large record.
- 4. There are multiple issues before the Board, including whether the proceedings were fundamentally fair, and whether the decision on three of the siting criteria was against the manifest weight of the evidence.

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Electronic Filing, Received, Clerk's Office, February 9, 2007

5. Petitioner, Peoria Disposal Company, cannot adequately brief all of the issues with a 50 page limitation.

6. Peoria County has no objection to this motion.

7. Peoria Disposal Company estimates that its Opening Brief will be approximately 115 pages.

WHEREFORE, Petitioner, Peoria Disposal Company, prays for leave to exceed the 50 page limit for its Opening Brief.

Respectfully submitted, PEORIA DISPOSAL COMPANY

BY: /s/ George Mueller
One of its attorneys

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STATE OF ILLINOIS) COUNTY OF LASALLE)		
AFFIDAVIT OF SERVICE		
The undersigned, a non-attorney, being first duly sworn upon oath, states that a copy of the Motion for Leave to File an Opening Brief in Excess of 50 Pages was served upon the following persons by the methods indicated below on the 9th day of February, 2007, before 5:00 p.m., with all fees thereon fully prepaid and addressed as follows:		
Service List		
Mr. David A. Brown Black, Black & Brown Attorneys at Law 101 South Main Street P. O. Box 381 Morton, IL 61550 (309) 266-9680 - Telephone (309) 266-8301 - Facsimile dbrown@blackblackbrown.com E-mail and regular first-class U.S. Mail	Ms. Carol Webb, Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P. O. Box 19274 Springfield, IL 62794-9274 (217) 524-8509 - Telephone webbc@ipcb.state.il.us E-mail and regular first-class U.S. Mail	
Mr. Kevin Lyons State's Attorney Office of the Peoria County State's Atty. 324 Main Street, Room #111 Peoria, IL 61602 regular first-class U.S. Mail	Mr. Brian Meginnes ELIAS, MEGINNES RIFFLE & SEGHETTI, P.C. Attorneys at Law 416 Main Street, Suite #1400 Peoria, IL 61602-1611 BMeginnes@emrslaw.com E-mail	
BY:	/ s / Lynn Cutler Legal Assistant	
Subscribed and sworn to before me, a Notary Public, in the County and State as aforesaid, this 9th day of February, 2007. BY: /s/ George Mueller Notary Public		
My commission expires:	Notary Public	

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August 23, 2009

GEORGE MUELLER 609 Etna Road Ottawa, Illinois 61350 (815) 431-1500 – Telephone (815) 431-1501 - Facsimile