

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE
RESPONDENT'S BRIEF AND AMICUS BRIEF

NOW COMES, Respondent, the Peoria County Board, by and through its attorneys, and for this Motion for Extension of Time to File Respondent's Brief and Amicus Brief, state as follows:

1. On or about January 9, 2007, Hearing Officer Webb entered a Hearing Report which included a briefing schedule requiring Respondent to file its post hearing brief on or before March 23, 2007.

2. Since the date of the Hearing Officer's Hearing Report, the parties have been engaged in settlement discussions which, if brought to fruition, would result in a global settlement of the issues raised in this appeal and would resolve this matter.

3. Respondent reasonably believes that, if given additional time, the parties may be able to reach an agreement on the settlement of the appeal.

4. Requiring Respondent and Amicus to comply with the present briefing schedule would result in the expenditure of attorney time and attendant costs for the County and the Amicus which might otherwise not be necessary if a full settlement is reached.

5. While counsel for Amicus has not joined in on this Motion, counsel has been made aware of this Motion, has stated he has no objection to the Motion, and has asked counsel for Respondent that the deadline for the Amicus brief also be extended if the deadline for filing Respondent's brief is extended.

6. Similarly, while counsel for Petitioner, Peoria Disposal Company, has not joined in this Motion, counsel has been made aware of this Motion, and has stated he has no objection to the Motion. Counsel for Petitioner has represented that Petitioner will extend the decision deadline to June 7, 2007, if this Motion is granted (see attached letter).

7. In order to avoid Respondent and the Amicus needlessly incurring such expenses, Respondent believes it is reasonable and appropriate to extend the brief deadline for Respondent and Amicus for two (2) weeks, and would respectfully request the Board grant such extension.

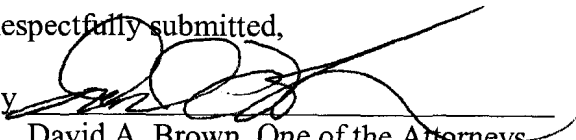
8. Granting a two (2) weeks extension will not prejudice any party or the Board, would be reasonable under the circumstances, and would serve the ends of fairness and justice.

WHEREFORE, the Respondent, the Peoria County Board, respectfully requests the Board grant an extension of fourteen (14) days (i.e., to April 6, 2007) for Respondent and Amicus to file their respective post-hearing briefs, and for Petitioner's reply brief to be due on April 20, 2007.

DATED: March 16, 2007.

Respectfully submitted,

By


David A. Brown, One of the Attorneys
for Peoria County

AFFIDAVIT OF SERVICE

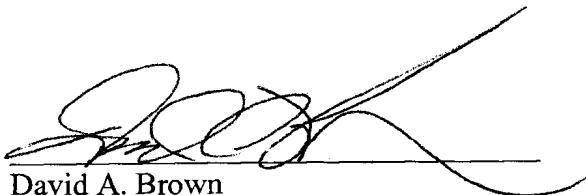
The undersigned, being duly sworn upon oath, states that a copy of the attached Motion for Extension of Time was served upon the following persons by enclosing such documents in separate envelopes, addressed as follows, and depositing said envelopes in the U.S. Postal Service mail box at Morton, Illinois on the 16th day of March, 2007, before 5:00 p.m., with all fees thereon fully prepaid and addressed as follows:

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

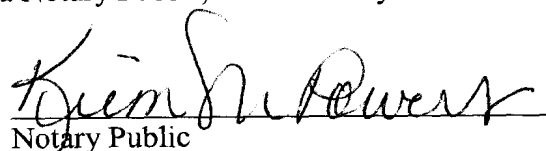
Brian J. Meginnes, Esq.
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602
Counsel for Petitioner

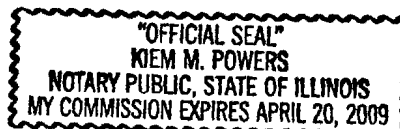
David L. Wentworth, Esq.
Hasselberg, Williams, Grebe, Snodgrass & Birdsall
124 S.W. Adams St., Suite 360
Peoria, IL 61602
Counsel for Amicus curie

Dated: March 16, 2007.


David A. Brown

Subscribed and sworn to before me, a Notary Public, in the County and State as aforesaid, this 16th day of March, 2007.


Notary Public



ELIAS, MEGINNES, RIFFLE & SEGHELLI, P.C.

ATTORNEYS AT LAW

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File No.: 05611-105

March 16, 2007

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274

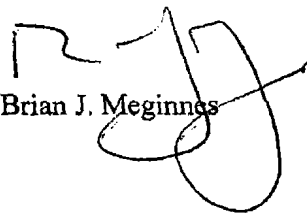
Re: Peoria Disposal Company v. Peoria County Board,
PCB Case No. 06-184.

Dear Ms. Gunn:

This letter will serve as written confirmation that Petitioner Peoria Disposal Company hereby extends the Statutory Decision Deadline in the above-referenced matter to and including June 7, 2007, conditioned on granting of Respondent's Motion for Extension of Time to File Respondent's Brief and Amicus Brief filed this day, and extension of the deadline for filing of Petitioner's Reply Brief to April 20, 2007, as is requested in the aforementioned Motion.

Thank you for your attention to this matter.

Very truly yours,


Brian J. Meginnis

JN:jmr
907-0268