

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROCHELLE WASTE DISPOSAL, L.L.C.,)

Petitioner,)

PCB 07-113

THE CITY OF ROCHELLE, an ILLINOIS)
MUNICIPAL CORPORATION and THE)
ROCHELLE CITY COUNCIL,)

Respondents.)

**CITY'S RESPONSE TO
MOTION FOR LEAVE TO
FILE MOTION FOR PARTIAL
SUMMARY JUDGMENT**

THE CITY OF ROCHELLE, the applicant for siting in the above-captioned matter, pursuant to 35 Ill. Adm. Code 107.504 and 101.308(c)(2), hereby files its response to the motion for leave to file motion for partial summary judgment filed by petition Rochelle Waste Disposal, as follows:

1. The City has no objection to the motion for leave to file motion for partial summary judgment, nor to the proposed deadlines for responses to the proposed motion. The City is prepared to file its provisional response to the motion for partial summary judgment on December 10, 2007, in anticipation that the Board will, if it grants the motion for leave to file, take the motion for partial summary judgment with the case.

/s/ Alan H. Cooper
ALAN H. COOPER
Attorney for the City of Rochelle

ALAN H. COOPER
Attorney at Law
233 East Route 38, Suite 202
P.O. Box 194
Rochelle, IL 61068
(815)562-2677

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NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Illinois Pollution Control Board CITY'S RESPONSE TO MOTION FOR LEAVE TO FILE MOTION FOR PARTIAL SUMMARY JUDGMENT, on behalf of the City of Rochelle, as applicant, a copy of which is herewith served upon you.

/s/ Alan H. Cooper
ALAN H. COOPER

Date: November 29, 2007

ALAN H. COOPER
Attorney at Law
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P.O. Box 194
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(815)562-2677

STATE OF ILLINOIS)
)
COUNTY OF OGLE)

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing CITY'S RESPONSE TO MOTION FOR LEAVE TO FILE MOTION FOR PARTIAL SUMMARY JUDGMENT and notice of filing was served upon :

Mr. Bruce McKinney
City Clerk
420 N. 6th Street
Rochelle, IL 61068

Mr. Donald J. Moran
Pedersen & Houpt
161 N. Clark Street
Suite 3100
Chicago, IL 60601

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

Mr. Charles F. Helsten
Hinshaw & Culbertson
100 Park Avenue
Rockford, IL 61101

David L. Wentworth II
Emily R. Vivian
Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
124 SW Adams, Suite 360
Peoria, IL 61620

by electronic mail on the 29th day of November, 2007.

/s/ Alan H. Cooper
ALAN H. COOPER

ALAN H. COOPER
Attorney at Law
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