ILLINOIS POLLUTION CONTROL BOARD February 13, 2008

KINCAID GENERATION, LLC.,)	
Petitioner,)	
)	
v.)	
)	PCB 06-62
ILLINOIS ENVIRONMENTAL)	(CAAPP Permit Appeal – Air)
PROTECTON AGENCY,)	
)	
Respondent.)	

HEARING OFFICER ORDER

On February 7, 2008, all parties participated in a telephonic status conference with the hearing officer. The parties represented that settlement discussions continue and that related issues pending in various courts may affect these proceedings. The petitioner represented that it will file an additional waiver of the statutory decision deadline.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on May 1, 2008, at 1:30 p.m. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

Bradley P. Halloran

Hearing Officer

Illinois Pollution Control Board

James R. Thompson Center, Suite 11-500

Bradley P. 12000-

100 W. Randolph Street

Chicago, Illinois 60601

312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on February 13, 2008, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on February 13, 2008:

John T. Therriault Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph St., Ste. 11-500 Chicago, Illinois 60601

> Bradley P. Halloran Hearing Officer Illinois Pollution Control Board

100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601

(312) 814-8917

PCB 2006-062 Robb H. Layman IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

PCB 2006-062 IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

PCB 2006-062 Sally A. Carter IEPA 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 PCB 2006-062 Sheldon A. Zabel Schiff Hardin, LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6473

PCB 2006-062 Stephen J. Bonebrake Schiff Hardin, LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6473 PCB 2006-062 Kathleen C. Bassi Schiff Hardin, LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6473

PCB 2006-062 Kavita M. Patel Schiff Hardin, LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6473 PCB 2006-062 Joshua R. More Schiff Hardin, LLP 6600 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6473