

ILLINOIS POLLUTION CONTROL BOARD  
December 16, 2008

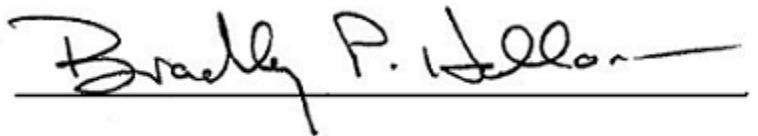
MIDWEST GENERATION EME, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 04-185
	)	(Trade Secret Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**HEARING OFFICER ORDER**

On December 15, 2008, all parties participated in a telephonic status conference with the hearing officer. The parties represented that they have held settlement discussions since the last status conference and continue to do so. The petitioner represented that it will file an additional six- month 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 March 12, 2009, 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.



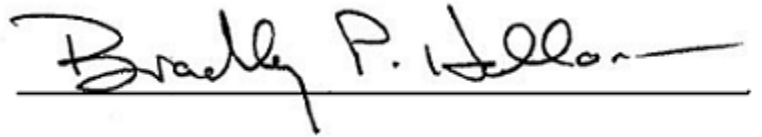
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 16, 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 December 16, 2008:

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

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-8917

PCB 2004-185  
Paula Becker Wheeler  
Office of the Attorney General  
69 West Washington Street, Suite 1800  
Chicago, IL 60602

PCB 2004-185  
Ann Alexander  
Office of the Attorney General  
69 West Washington Street, Suite 1800  
Chicago, IL 60602

PCB 2004-185  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PCB 2004-185  
N. LaDonna Driver  
Hodge Dwyer Zeman  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, IL 62705-5776

PCB 2004-185  
Katherine D. Hodge  
Hodge Dwyer Zeman  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, IL 62705-5776

PCB 2004-185  
Mary Ann Mullin  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

PCB 2004-185  
Andrew N. Sawula  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

PCB 2004-185  
Keith I. Harley  
Chicago Legal Clinic, Inc.  
205 West Monroe Street, 4th Floor  
Chicago, IL 60606