## Electronic Filing - Received, Clerk's Office, January 5, 2009

#### **BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation EME, LLC,	)	
	)	
Petitioner,	)	
	)	PCB No. 04-216
<b>v</b> .	)	(Trade Secret Appeal)
	)	
Illinois Environmental Protection Agency,	)	
	)	
Respondent.	)	

# MIDWEST GENERATION EME, LLC'S WAIVER OF DEADLINE FOR BOARD ACTION

Pursuant to 35 III. Admin. Code §101.308(c)(2), Midwest Generation EME, LLC hereby waives the statutory decision deadline for Board action in the above-captioned matter from March 19, 2009 to September 18, 2009.

Respectfully submitted,

Midwest Generation EME, LLC

ful By: Mary A. Mullin

Schiff Hardin LLP One Westminster Place Lake Forest, IL 60045 (847) 295-4318

Attorneys for Midwest Generation EME, LLC

Dated: January 5, 2009

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#### ILLINOIS POLLUTION CONTROL BOARD

	)	
MIDWEST GENERATION EME, LLC	ý	
Petitioner,	)	PCB 04-216
	)	(Trade Secret Appeal)
<b>v.</b>	)	
	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
Respondent.	)	

#### **NOTICE OF FILING**

To: Illinois Pollution Control Board, Attn: Clerk 100 West Randolph Suite 11-500 Chicago, Illinois 60601

> Brad P. Halloran Hearing Officer Illinois Pollution Control Board 100 W. Randolph Street Suite 11-500 Chicago, IL 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board Midwest Generation EME, LLC's Waiver of Deadline for Board Action, copies of which are herewith served upon you.

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Mary A. Mullin Schiff Hardin LLP One Westminster Place Lake Forest, IL 60045 (847) 295-4318

Dated: January 5, 2009

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### **CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served the attached **Midwest Generation EME**, LLC's **Waiver of Deadline for Board Action**, by U.S. Mail, upon the following person:

Lisa Madigan Matthew Dunn Paula Becker Wheeler Office of the Attorney General 188 West Randolph Street, Suite 2000 Chicago, Illinois 60601

Dated: Lake Forest, Illinois January 5, 2009 Bradley P. Halloran, Hearing Officer Illinois Pollution Control Board 100 West Randolph, Suite 11-500 Chicago, IL 60601

Respectfully submitted,

MIDWEST GENERATION EME, LLC

4 an By: Marv A. M

SCHIFF HARDIN LLP One Westminster Place Lake Forest, Illinois 60045 (847) 295-4318

One of the Attorneys for Midwest Generation EME, LLC

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