

ILLINOIS POLLUTION CONTROL BOARD  
September 24, 2009

**RECEIVED**  
CLERK'S OFFICE

**SEP 24 2009**

**STATE OF ILLINOIS**  
**Pollution Control Board**

COMMONWEALTH EDISON COMPANY, )  
)  
Petitioner, )  
)  
v. ) PCB 04-215  
) (Trade Secret Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
)  
Respondent. )

---

MIDWEST GENERATION EME, LLC, )  
)  
Petitioner, )  
)  
v. ) PCB 04-216  
) (Trade Secret Appeal)  
ILLINOIS ENVIRONEMNTAL ) (Consolidated)  
PROTECTION AGENCY, )  
)  
)  
Respondent. )

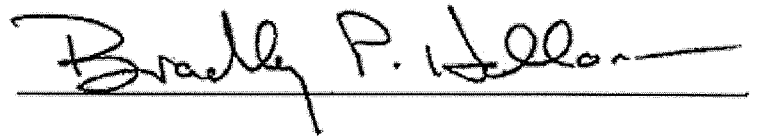
**HEARING OFFICER ORDER**

On September 23, 2009, all parties participated in a telephonic status conference with the hearing officer. The parties represented that they continue to draft a stipulation of facts. Petitioner Midwest Generation also represented that it continues to address matters proceeding in federal court.

The parties or their legal representatives are directed to participate in a telephonic status conference on December 10, 2009, at 11:30 a.m. The status conference must be initiated by the petitioners, 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.

ORIGINAL

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

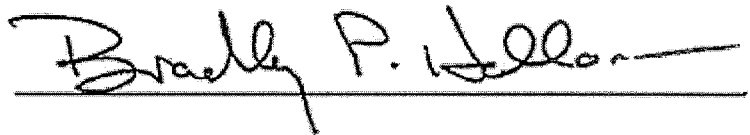
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on September 24, 2009, 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 September 24, 2009:

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  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
312.814.8917

PCB 2004-215  
Paula Becker Wheeler  
Office of the Attorney General  
69 West Washington Street, Suite 1800  
Chicago, IL 60602

PCB 2004-215  
Ann Alexander  
Office of the Attorney General  
69 West Washington Street, Suite  
1800  
Chicago, IL 60602

PCB 2004-215  
Illinois Environmental Protection  
Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PCB 2004-215  
N. LaDonna Driver  
Hodge Dwyer & Driver  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, IL 62705-5776

PCB 2004-215  
Katherine D. Hodge  
Hodge Dwyer & Driver  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, IL 62705-5776

PCB 2004-215  
Byron F. Taylor  
Sidley Austin LLP  
One South Dearborn  
Suite 900  
Chicago, IL 60603

PCB 2004-215  
Margaret Sobota  
Sidley Austin LLP  
One South Dearborn  
Suite 900  
Chicago, IL 60603

PCB 2004-215  
Keith I. Harley  
Chicago Legal Clinic, Inc.  
205 West Monroe Street, 4th Floor  
Chicago, IL 60606