BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION, LLC –)
JOLIET GENERATING STATION,)
Petitioner,)
V.)) PCB 08-024
) (Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent)
Respondent.)

NOTICE OF FILING

To:

John T. Therriault, Assistant Clerk Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601 Sally Carter
Robb Layman
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

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

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board **WAIVER OF DECISION DEADLINE**, a copy of which is herewith served upon you.

Dated: October 19, 2009

Electronic Filing - Received, Clerk's Office, October 19, 2009

SCHIFF HARDIN LLP Attorneys for Midwest Generation, LLC Kathleen C. Bassi Stephen J. Bonebrake 6600 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 Phone: 312-258-5567

Fax: 312-258-5600 kbassi@schiffhardin.com

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WAIVER OF DECISION DEADLINE

NOW COMES Petitioner, MIDWEST GENERATION, LLC – JOLIET GENERATING STATION, by and through its attorneys, SCHIFF HARDIN LLP, and waives the Board's statutory decision deadline in this matter until May 20, 2010.

Respectfully submitted,

MIDWEST GENERATION, LLC – JOLIET GENERATING STATION

by:

One of Its Attorneys

Dated: October 19, 2009

SCHIFF HARDIN, LLP Kathleen C. Bassi Stephen J. Bonebrake 6600 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 Phone: 312-258-5500

Fax: 312-258-2600 kbassi@schiffhardin.com

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 19th day of October, 2009, I have served electronically the attached **WAIVER OF DECISION DEADLINE**, upon the following persons:

John T. Therriault, Assistant Clerk Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601

and their having waived paper service, electronically upon the following persons:

Sally Carter
Robb Layman
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
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