

ILLINOIS POLLUTION CONTROL BOARD

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)	
Commonwealth Edison Company and)	
Midwest Generation EME, LLC)	
Petitioners,)	PCB 04-215 and
)	PCB 04-216
v.)	(Consolidated
)	Trade Secret Appeals)
)	
Illinois Environmental Protection Agency,)	
Respondent.)	

NOTICE OF FILING

To:

Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601

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

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board **Commonwealth Edison Company and Midwest Generation EME, LLC's Waiver of Deadline for Board Action**, a copy of which is herewith served upon you.

/s/ Bina Joshi

Bina Joshi

Dated: December 15, 2009

Schiff Hardin LLP
Mary Ann Mullin
Bina Joshi
One Westminster Place
Lake Forest, IL 60045
(847) 295-4318, and
233 South Wacker, Suite 6600
Chicago, IL 60606
(312)258-5500
(312)258-5600 (fax)

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**COMMONWEALTH EDISON COMPANY AND MIDWEST GENERATION EME,
LLC'S
WAIVER OF DEADLINE FOR BOARD ACTION**

Pursuant to 35 Ill. Admin. Code §101.308(c)(2), Commonwealth Edison Company and Midwest Generation EME, LLC hereby waive the statutory decision deadline for Board action in the above-captioned matter from March 19, 2010 to September 20, 2010.

Dated: December 15, 2009

Respectfully submitted,

Commonwealth Edison Company

By: /s/ Margaret R. Sobota
Byron F. Taylor
Margaret R. Sobota
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
(312) 853-4717
(312) 853-7036 (fax)

Attorneys for Commonwealth Edison
Company

Midwest Generation EME, LLC

By: /s/ Bina Joshi
Mary Ann Mullin
Bina Joshi
Schiff Hardin LLP
One Westminster Place
Lake Forest, IL 60045
(847) 295-4318
and
233 South Wacker, Suite 6600
Chicago, IL 60606
(312)258-5500
(312)258-5600 (fax)

Attorneys for Midwest Generation EME, LLC

CERTIFICATE OF SERVICE

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

Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601

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Dated: December 15, 2009

/s/ Bina Joshi

Bina Joshi