

ILLINOIS POLLUTION CONTROL BOARD

January 7, 2010

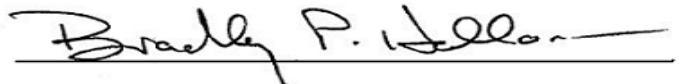
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|-----------------------------------|---|-----------------------------|
| MIDWEST GENERATION, LLC, |) | |
| POWERTON GENERATING STATION, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 06-59 |
| |) | (CAAPP Permit Appeal – Air) |
| ILLINOIS ENVIRONMENTAL PROTECTION |) | |
| AGENCY, |) | |
| |) | |
| Respondent. |) | |

HEARING OFFICER ORDER

On December 17, 2009, all parties participated in a telephonic status conference with the hearing officer. Attorneys for the Illinois Attorney General’s Office (AGO) have now filed their appearances on behalf of the respondent, Illinois Environmental Protection Agency (Agency) and the attorneys for the Agency have withdrawn. The parties stated that they anticipate scheduling a meeting to discuss how to proceed. The petitioner stated that they may revisit the issue of the AGO’s representation at the next status conference. The petitioner represented that it will file an additional 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 18, 2010, 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.



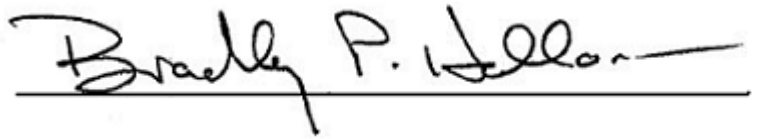
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on January 7, 2010, 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 January 7, 2010:

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 solid horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
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PCB 2006-059

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