

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**


<b>JON CHUALOVSKY,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB NO. 10-13</b>
	)	<b>(Enforcement-Noise)</b>
<b>COMMONWEALTH EDISON, FRANK</b>	)	
<b>CLARK AND TIM JOHNSON,</b>	)	
	)	
<b>Respondents.</b>	)	

**NOTICE OF ELECTRONIC FILING**

TO: Jon Chualovsky  
9251 Latrobe  
Skokie, Illinois 60077

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

PLEASE TAKE NOTICE that on July 29, 2010, I electronically filed with the Clerk of the Pollution Control Board, the Respondents' Agreed Motion for an Extension of Time to Answer or Otherwise Respond, a copy of which is attached hereto and herewith served upon you.



Bill S. Forcade  
Attorney for Respondents  
Jenner & Block LLP  
353 N. Clark Street  
Chicago, IL 60654-3456  
312/923-2964

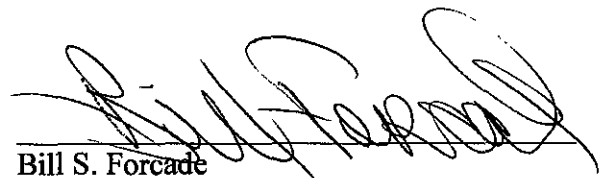
Dated: July 29, 2010

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<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB NO. 10-13</b>
	)	<b>(Enforcement-Noise)</b>
<b>COMMONWEALTH EDISON, FRANK</b>	)	
<b>CLARK AND TIM JOHNSON,</b>	)	
	)	
<b>Respondents.</b>	)	

**PROOF OF SERVICE**

**NOW COME** the Respondents, Commonwealth Edison, Frank Clark and Tim Johnson, by and through their attorney, and pursuant to the Board's procedural rules, provides proof of service of the attached Agreed Motion for Extension of Time to Answer or Otherwise Respond and Notice of Electronic Filing upon Jon Chualovsky, 9251 Latrobe, Skokie, Illinois 60077 and Bradley P. Halloran, Hearing Officer, Illinois Pollution Control Board, James R. Thompson Center, Suite 11-500, 100 W. Randolph Street, Chicago, Illinois 60601, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 North Clark Street, Chicago, Illinois 60654-3456, at or before 5:00 p.m., on July 29, 2010.

  
Bill S. Forcade

Bill S. Forcade  
Jenner & Block LLP  
Attorney for Respondents  
353 N. Clark Street  
Chicago, IL 60654-3456  
312/923-2964

Dated: July 29, 2010

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<b>CLARK AND TIM JOHNSON,</b>	)	
	)	
<b>Respondents.</b>	)	

**AGREED MOTION FOR AN EXTENSION OF  
TIME TO ANSWER OR OTHERWISE RESPOND**

NOW COME the Respondents, Commonwealth Edison, Frank Clark and Tim Johnson, by and through their attorney, and respectfully request that this Board grant an extension of time up to and including Thursday, September 30, 2010 to Answer or Otherwise Respond to the Complaint. In support of this Motion, the Respondents state as follows:

1. This matter arose from a complaint filed by Jon Chualovsky alleging various noise violations from Respondent Commonwealth Edison's activities.
2. Respondents requested an extension of time, until Friday November 6, 2009 to Answer or Otherwise Respond. The Board granted that request on September 29, 2009.
3. Respondents requested, and Complainant agreed to an additional extension of time, until Friday February 5, 2010 to Answer or Otherwise Respond. The Board granted that request on December 2, 2009.
4. Respondents requested, and Complainant agreed to an additional extension of time, until Friday, July 30, 2010 to Answer or Otherwise Respond. The Board granted that request on February 17, 2010.

This document was filed electronically.

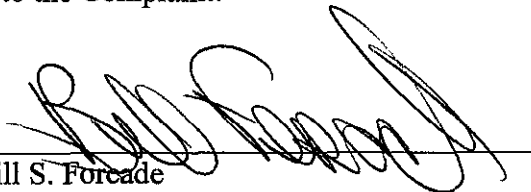
5. Since this action was filed Commonwealth Edison has been: (1) investigating the nature of the claimed noise issues, (2) investigating possible options to mitigate any claimed noise issues relating to Respondent's activities, and (3) communicating with Complainant about the nature of the claimed noise impacts.

6. Representatives of Commonwealth Edison met with Complainant to discuss potential options to reduce noise impacts. Those discussions are ongoing.

7. Commonwealth Edison advised Complainant of the need for additional time to complete discussions.

8. Complainant informed Commonwealth Edison that he does not object to this Motion for an Extension of Time to Answer or Otherwise Respond until September 30, 2010.

WHEREFORE, Respondents, Commonwealth Edison, Frank Clark and Tim Johnson, request that this Board grant them an extension of time up to and including Thursday, September 30, 2010 to Answer or Otherwise Respond to the Complaint.

  
Bill S. Forcade

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Jenner & Block LLP  
Attorney for Respondents  
353 N. Clark Street  
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Dated: July 29, 2010