

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

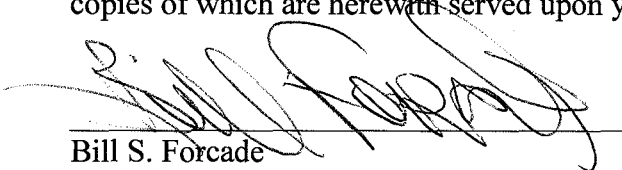
JON CHUALOVSKY,)	
)	
Complainant,)	
)	
v.)	PCB NO. 2010-013
)	(Enforcement-Noise)
COMMONWEALTH EDISON, FRANK)	
CLARK AND TIM JOHNSON,)	
)	
Respondents.)	

NOTICE OF FILING

TO: Jon Chualovsky
9251 Latrobe
Skokie, Illinois 60077

Illinois Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board, the Respondents' Motion for an Extension of Time to Answer or Otherwise Respond, Appearance of Gabrielle Sigel, and Appearance of Katherine M. Rahill, copies of which are herewith served upon you.



Bill S. Forcade
Gabrielle Sigel
Katherine M. Rahill
Attorneys for Respondents
Jenner & Block LLP
353 N. Clark Street
Chicago, IL 60654-3456
312/222-9350

Dated: September 30, 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JON CHUALOVSKY,)	
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Complainant,)	
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v.)	PCB NO. 10-13
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**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 attorneys, Jenner & Block LLP, and respectfully request that this Board grant an extension of time up to and including Friday, November 19, 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. Respondents requested, and Complainant agreed to an additional extension of time, until Thursday, September 30, 2010 to Answer or Otherwise Respond. The Board granted that request on August 2, 2010.

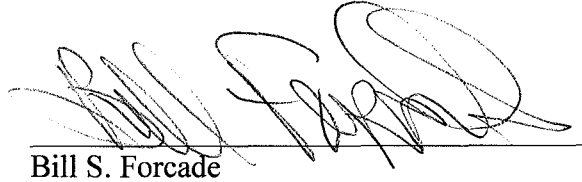
6. As previously reported, since this action was filed, Commonwealth Edison has been: (1) investigating the nature of the claimed noise issues, (2) investigating possible options to mitigate any claimed noise issues relating to Respondent's activities, and (3) communicating with Complainant about the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

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

8. Moreover, Commonwealth Edison continues to investigate the nature of the Complainant's noise claims and evaluate potential solutions to Complainant's claimed noise issues.

9. Commonwealth Edison has advised Complainant of the need for additional time to complete discussions as well as to complete its evaluation of potential solutions to Complainant's noise issues.

WHEREFORE, Respondents, Commonwealth Edison, Frank Clark and Tim Johnson, request that this Board grant them an extension of time up to and including Friday, November 19, 2010 to Answer or Otherwise Respond to the Complaint.



Bill S. Forcade

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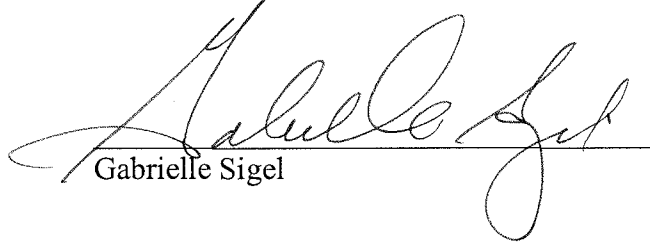
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APPEARANCE

The undersigned, Gabrielle Sigel, as attorney, enters an appearance on behalf of Respondents, Commonwealth Edison, Frank Clark and Tim Johnson.



Gabrielle Sigel

Bill S. Forcade
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Katherine M. Rahill
Jenner & Block LLP
Attorneys for Respondents
353 N. Clark Street
Chicago, IL 60654-3456
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APPEARANCE

The undersigned, Katherine M. Rahill, as attorney, enters an appearance on behalf of Respondents, Commonwealth Edison, Frank Clark and Tim Johnson.


Katherine M. Rahill

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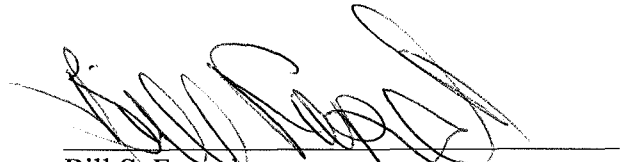
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PROOF OF SERVICE

NOW COME the Respondents, Commonwealth Edison, Frank Clark and Tim Johnson, by and through their attorneys, Jenner & Block LLP, and pursuant to the Board's procedural rules, provides proof of service of the attached Appearances and Motion for Extension of Time to Answer or Otherwise Respond upon Jon Chualovsky, 9251 Latrobe, Skokie, Illinois 60077, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 N. Clark Street, Chicago, Illinois 60654-3456, at or before 5:00 p.m., on September 30, 2010.



Bill S. Forcade

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353 N. Clark Street
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