

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO. 99-134
)	(Enforcement - Water)
HERITAGE COAL COMPANY, L.L.C.)	
(f/k/a PEABODY COAL COMPANY)	
L.L.C.),)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on November 23, 2010, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, COMPLAINANT'S RESPONSE TO MOTION FOR ADDITIONAL ENLARGEMENT OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

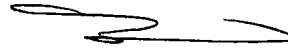
BY: _____


THOMAS DAVIS, Chief
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: November 23, 2010

CERTIFICATE OF SERVICE

I hereby certify that I did on November 23, 2010, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and COMPLAINANT'S RESPONSE TO MOTION FOR ADDITIONAL ENLARGEMENT OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT upon the persons listed on the Service List.



THOMAS DAVIS, Chief
Assistant Attorney General

This filing is submitted on recycled paper.

SERVICE LIST

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Sorling, Northrup, Hannah, Cullen & Cochran
800 Illinois Building
Springfield, IL 62705

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Kansas City, MO 64112

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794

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PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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v.)	PCB NO. 99-134
)	(Enforcement)
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HERITAGE COAL COMPANY, LLC, f/k/a)	
PEABODY COAL COMPANY, LLC,)	
)	
Respondent.)	

**COMPLAINANT'S RESPONSE TO MOTION FOR ADDITIONAL ENLARGEMENT
OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT**

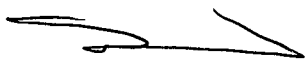
NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, and respectfully responds to the motion to extend the time for filing. Upon further consideration, the Complainant withdraws its objection to the Respondent's request to file its intended Motion for Summary Judgment on or before December 20, 2010. However, the Complainant suggests that the respective response and reply deadlines be extended to February 10, 2011 and February 24, 2011. These extended deadlines will avoid any inconvenience to the Complainant.

WHEREFORE, the Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the motion be GRANTED pursuant to the modified schedule herein suggested.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

THOMAS DAVIS
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500 South Second Street
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Dated: 11/23/10