

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AMEREN ENERGY GENERATING	)	
COMPANY and ELGIN ENERGY	)	
CENTER,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 09-97
	)	(CAAPP Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

To:

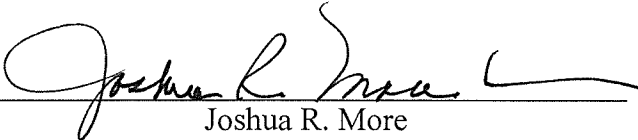
John T. Therriault, Assistant Clerk  
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James R. Thompson Center  
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100 West Randolph  
Chicago, Illinois 60601

Sally Carter  
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P.O. Box 19276  
Springfield, Illinois 62794-9276

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

Jane McBride  
Office of the Attorney General  
500 South Second Street  
Springfield, Illinois 62706

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board **PETITIONERS' MOTION TO DISMISS**, a copy of which is herewith served upon you.

  
Joshua R. More

Dated: October 10, 2012

SCHIFF HARDIN LLP  
Attorney for Ameren Energy Generating Company and  
Elgin Energy Center  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**AMEREN ENERGY GENERATING  
COMPANY and ELGIN ENERGY  
CENTER,**

**Petitioners,**

**V.**

**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,**

**Respondent.**

**PCB 09-97**  
**(CAAPP Permit Appeal – Air)**

## PETITIONERS' MOTION TO DISMISS

NOW COME Petitioners, AMEREN ENERGY GENERATING COMPANY and ELGIN ENERGY CENTER, by and through its attorneys, SCHIFF HARDIN LLP, pursuant to Section 101.500 of the Board's Procedural Rules and asks the Board to dismiss this Clean Air Act Permit Program ("CAAPP") permit appeal, stating as follows:

1. During the pendency of this CAAPP appeal, the Respondent issued a revised CAAPP permit.
2. Accordingly, the Petitioners no longer seek to appeal the Respondent's CAAPP permit decision at issue in this proceeding.

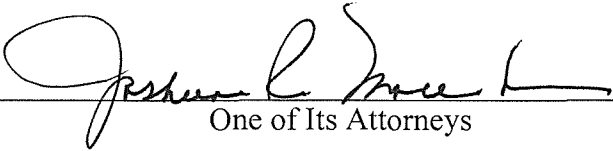
WHEREFORE, the Petitioners pray for an Order from the Board dismissing this matter and closing the docket.

Respectfully submitted,

AMEREN ENERGY GENERATING COMPANY  
and ELGIN ENERGY CENTER

by:

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One of Its Attorneys

Dated: October 10, 2012

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 10<sup>th</sup> day of October, 2012, I have served electronically the attached **PETITIONERS' MOTION TO DISMISS**, upon the following persons:

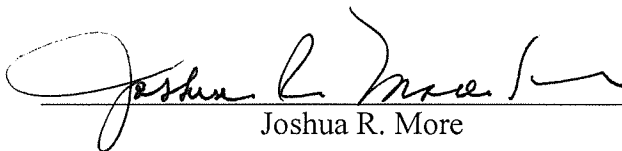
John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
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and their having waived paper service, electronically upon the following persons:

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