

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNION ELECTRIC COMPANY d/b/a)	
ANERENUE and KIMMUNDY POWER)	
PLANT,)	
)	
Petitioners,)	
)	
v.)	PCB 09-100
)	(CAAPP Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To:

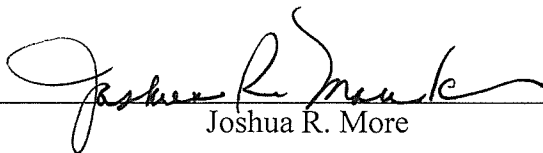
John T. Therriault, Assistant Clerk
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Sally Carter
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Jane McBride
Office of the Attorney General
500 South Second Street
Springfield, Illinois 62706

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 Union Electric Company d/b/a Anergus
and Kimmunity Power Plant

Joshua R. More

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PETITIONERS' MOTION TO DISMISS

NOW COME Petitioners, UNION ELECTRIC COMPANY d/b/a ANERENUE and KIMMUNDY POWER PLANT, 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:

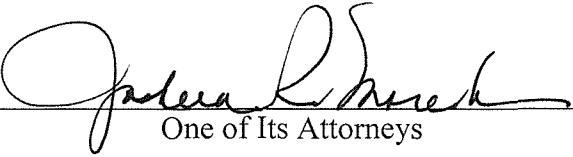
1. During the pendency of this CAAPP appeal, the Respondent issued a revised CAAPP permit.
2. Accordingly, the Petitioners no longer seek to appeal the Respondent's CAAPP permit decision at issue in this proceeding.

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

Respectfully submitted,

UNION ELECTRIC COMPANY d/b/a ANERENUE
and KIMMUNDY POWER PLANT

by:



One of Its Attorneys

Dated: October 10, 2012

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CERTIFICATE OF SERVICE

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

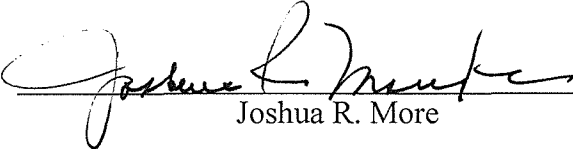
John T. Therriault, Assistant Clerk
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and their having waived paper service, electronically upon the following persons:

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