



ENVIRONMENTAL LAW & POLICY CENTER
Protecting the Midwest's Environment and Natural Heritage

December 21, 2012

Hand delivered

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

RE: *Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment v. Midwest Generation, PCB 2013-015*

Dear Illinois Pollution Control Board Members,

On behalf of the complainant groups ("Citizen Groups") in the above-referenced action, we write to advise you that on December 17, 2012, the Respondent in PCB 2013-015, Midwest Generation LLC ("MWG"), along with its parent company Edison Mission Energy ("EME") and numerous other EME subsidiaries, filed for Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the Northern District of Illinois. *In re Edison Mission Energy et al*, No. 12-49219 (Bankr. N.D. Ill., filed Dec. 17, 2012).

The filing of a bankruptcy petition triggers the "automatic stay" of certain types of legal and administrative actions involving the debtor. *See* 11 U.S.C. § 362. Violation of the automatic stay contravenes federal law and may subject the violator to penalties. *See, e.g., Paloian v. Grupo Serla, S.A. de C.V.*, 433 B.R. 19, 37-41 (N.D. Ill. 2010).

Citizens Groups understand that the automatic stay provision of 11 U.S.C. § 362 applies to the PCB 2013-015 action. Also, Citizens Groups recognize that, in light of the bankruptcy filing and the automatic stay, the deadline for Citizens Groups to respond to MWG's motion to dismiss (currently set as December 28, 2012) in PCB 2013-015 is extended until the bankruptcy court lifts the stay or the stay expires.

Thank you in advance for your attention,

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