

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
))
Complainant,)
))
v.)
))
NORTHERN ILLINOIS)
SERVICE COMPANY,)
))
Respondent.)

AC 2012-051
(IEPA No. 87-12-AC)
(Administrative Citation)

NOTICE

John T. Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Peter DeBruyne
Peter DeBruyne, P.C.
838 North Main Street
Rockford, IL 61103

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION FOR LEAVE TO WITHDRAW COMPLAINANT'S MOTION TO COMPEL with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: September 20, 2013

Respondent,

Scott B. Sievers
Attorney Registration No. 6275924
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

BY: 

Scott B. Sievers
Special Assistant Attorney General

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
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v.)	AC 2012-051
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NORTHERN ILLINOIS)	(Administrative Citation)
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)	
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MOTION FOR LEAVE TO WITHDRAW
COMPLAINANT'S MOTION TO COMPEL

NOW COMES the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through its counsel, Special Assistant Attorney General Scott B. Sievers, and, pursuant to 35 Ill. Adm. Code 101.500, moves the Hearing Officer for leave to withdraw the Complainant's Motion to Compel. In support, the Complainant states the following:

1. After personal consultation and reasonable attempts to resolve differences over the Respondent's responses to the Complainant's written discovery requests, counsel responsible for trial of this case were unable to reach an accord. Consequently, the Complainant filed its Motion to Compel on July 23, 2013.

2. During a telephonic status conference on July 24, 2013, the Hearing Officer suggested that the parties initiate discussions in an attempt to resolve Complainant's Motion to Compel.

3. In response to the Hearing Officer's suggestion, counsel for the parties discussed attempting to resolve Complainant's Motion to Compel. After going back and forth about proposed responses, the parties ultimately reached an accord as to the Respondent's responses to

the Complainant's written discovery requests.

4. The Respondent subsequently tendered executed responses to the Complainant's written discovery requests that are acceptable to the Complainant.

5. Counsel for the parties are now discussing a mutually acceptable date for discovery depositions by both parties of witnesses in this action.

6. As the parties have resolved their differences as to the Respondent's responses to the Complainant's written discovery requests, the Complaint now seeks leave to withdraw its previously filed Motion to Compel.

WHEREFORE, the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, moves the Hearing Officer for LEAVE to WITHDRAW its previously filed MOTION TO COMPEL.

Dated: September 20, 2013

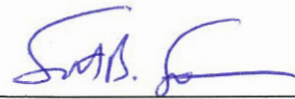
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Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent,

BY:



Scott B. Sievers
Special Assistant Attorney General

Illinois Environmental Protection Agency v. Northern Illinois Service Company
Pollution Control Board No. AC 2012-051

CERTIFICATE OF SERVICE

Scott B. Sievers, Special Assistant Attorney General, herein certifies that he has served a copy of the foregoing **MOTION FOR LEAVE TO WITHDRAW COMPLAINANT'S MOTION TO COMPEL** upon:

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Peter DeBruyne
Peter DeBruyne, P.C.
838 North Main Street
Rockford, IL 61103

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

by mailing true copies thereof to the addresses referred to above in envelopes duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois, on September 20, 2013.

Respectfully submitted,

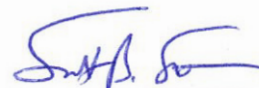
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: September 20, 2013

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