Electronic Filing - Received, Clerk's Office: 11/13/2013

BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

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NOTICE OF FILING

To:

John T. Therriault

Clerk of the Board

Illinois Pollution Control Board

100 West Randolph

Suite 11-500

Chicago, IL 60601

PLEASE TAKE NOTICE that on <u>November 13, 2013</u>, I filed with the Office of the Clerk of the Illinois Pollution Control Board c/o John T. Therriault, Clerk of the Board, Illinois Pollution Control Board, 100 West Randolph, Suite 11-500, Chicago, IL 60601, the attached Motion to Dismiss Petition with a copy to: Carol Webb, Hearing Officer, 1021 N. Grand Avenue East, Springfield, IL 62794, and Jane McBride, Sr. Assistant Attorney General, 500 South Second Street, Springfield, IL 62706.

Respectfully submitted,

Petitioner, THE CITY OF SPRINGFIELD, City Water, Light and Power a municipal corporation

One of its Attorneys

Dated: November 13, 2013

Christine G. Zeman
Office of Public Utilities
800 East Monroe

Springfield, Illinois 62757 (217) 789-2116, Ext. 2628

Email: christine.zeman@cwlp.com

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE CITY OF SPRINGFIELD,)
a municipal corporation)
D-444)
Petitioner)
v.) PCB 2006-75
) (CAAPP Permit Appeal)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)
Respondent)

MOTION TO DISMISS PETITION

NOW COMES, Petitioner, THE CITY OF SPRINGFIELD, by its attorney, Christine G. Zeman, and moves the Board to dismiss the Petition for Hearing to Review Clean Air Act Permit Program ("CAAPP") Permit Issuance filed November 3, 2005. In support of this Motion to Dismiss this permit appeal, Petitioner states that all issues raised in this appeal have been resolved and the Illinois Environmental Protection Agency has issued to City Water, Light and Power ("CWLP") a "significant modification" CAAPP permit. The Respondent, through its attorney, Senior Assistant Attorney General Jane McBride, has no objection to this Motion and to the dismissal of this CAAPP permit appeal.

WHEREFORE, Respondent moves the Board for an Order dismissing this permit appeal.

Respectfully submitted,

THE CITY OF SPRINGFIELD

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CHRISTINE G. ZEMAN City Water, Light & Power 800 E. Monroe, 4th Floor Springfield, Illinois 62701 Electronic Filing - Received, Clerk's Office: 11/13/2013

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that I have filed via e-mail the attached **MOTION TO DISMISS PETITION** upon John Therriault, Clerk of the Board, and by First Class Mail, postage prepaid, a true and correct copy to the individuals named on the foregoing Notice of Filing on November 13, 2013 from Springfield, Illinois.

This filing uses recycled paper as defined in Subpart B of the Procedural Rules.