

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
 Clerk of the Board
 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 TO EXTEND BRIEFING SCHEDULE with the Illinois Pollution Control Board, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
 PROTECTION AGENCY,

Complainant,

Dated: September 12, 2014

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)	
)	
Complainant,)	
)	
v.)	AC 2012-051
)	(IEPA No. 87-12-AC)
NORTHERN ILLINOIS)	(Administrative Citation)
SERVICE COMPANY,)	
)	
Respondent.)	

MOTION TO EXTEND BRIEFING SCHEDULE

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 101.502 and 35 Ill. Adm. Code 101.522, moves the Hearing Officer to extend the post-hearing briefing schedule in this action. In support, the Complainant states the following:

1. Section 101.522 of the Board rules provides that “[t]he Board or hearing officer, for good cause shown on a motion after notice to the opposite party, may extend the time for filing any document or doing any act which is required by these rules to be done within a limited period, either before or after the expiration of time.” 35 Ill. Adm. Code 101.522.

2. At the conclusion of the July 30, 2014 hearing in this action, the Hearing Officer entered an Order providing that the Complainant’s post-hearing brief was to be filed on or before September 12, 2014; that the Respondent’s post-hearing brief was to be filed on or before October 13, 2014; and that the Complainant’s reply brief, if any, was to be filed on or before October 27, 2014.

3. While counsel for the Complainant intended to devote a substantial portion of his time prior to September 12 to drafting Complainant's post-hearing brief, a busier than anticipated schedule and a greater than expected workload, including an emergency Leaking Underground Storage Tank referral, have frustrated his efforts.

4. Consequently, to allow additional time to draft Complainant's post-hearing brief, the Complainant moves the Hearing Officer for a one (1) week extension of the briefing schedule, with Complainant's post-hearing brief due to be filed on or before September 19, 2014; the Respondent's post-hearing brief due to be filed on or before October 20, 2014; and the Complainant's reply brief, if any, to be filed on or before November 3, 2014.

5. The undersigned has conferred with opposing counsel, and opposing counsel has no objection to Complainant's motion.

WHEREFORE, the Complainant, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, prays that the honorable Hearing Officer ALLOW the Complainant's Motion to Extend Briefing Schedule and extend the schedule by one (1) week to provide for Complainant's post-hearing brief to be filed on or before September 19, 2014; for the Respondent's post-hearing brief to be filed on or before October 20, 2014; and for the Complainant's reply brief, if any, to be filed on or before November 3, 2014.

Respectfully submitted,


ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

Dated: September 12, 2014

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

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 TO EXTEND BRIEFING SCHEDULE** upon:

John Therriault
Clerk of the Board
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 12, 2014.

Respectfully submitted,


ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Dated: September 12, 2014

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

Complainant,

BY:



Scott B. Sievers
Special Assistant Attorney General