

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AMEREN ENERGY)
 GENERATING COMPANY,)
 NEWTON POWER STATION,)
)
 Petitioner,)
)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB 06-68
CAAPP Appeal

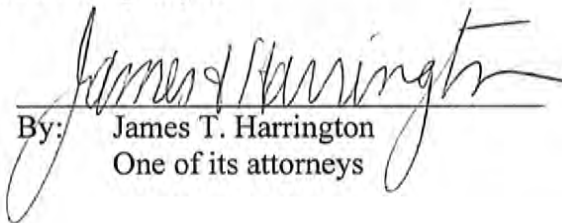
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 CLERK'S OFFICE
 DEC 14 2005
 STATE OF ILLINOIS
 Pollution Control Board

NOTICE OF FILING

To: Mr. Robb Layman Ms. Dorothy Gunn, Clerk
 Ms. Sally Carter Illinois Pollution Control Board
 Division of Legal Counsel James R. Thompson Center
 1021 North Grand Avenue 1000 West Randolph Street
 Post Office Box 19276 Suite 11-500
 Springfield, IL 62794-9276 Chicago, IL 60601

Bradley P. Halloran, Hearing Officer
 Illinois Pollution Control Board
 James R. Thompson Center
 1000 West Randolph Street, Suite 11-500
 Chicago, IL 60601

Please take notice that on December 14, 2005, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board the Time Certain Waiver of Decision Date, copies of which are herewith served upon you.

By: 
 James T. Harrington
 One of its attorneys

James T. Harrington
 David L. Rieser
 McGuireWoods LLP
 77 West Wacker, Suite 4100
 Chicago, IL 60601
 Telephone: 312/849-8100

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 Petitioner,)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB – 06-068
(Air – 180 Day Extension)

TIME CERTAIN WAIVER OF DECISION DATE

NOW COMES Petitioner, Ameren Energy Generating Company, Newton Power Station, (“Ameren” or “Petitioner”), by and through one of its attorneys, James T. Harrington of McGuireWoods LLP, pursuant to 35 Ill.Adm.Code §101.308(c), and hereby waives the Illinois Pollution Control Board’s (the “Board”) decision deadline applicable to the petition for review of the Clean Air Act Permit Program (“CAAPP”) permit issued to Petitioner for the Newton Power Station on September 29, 2005, for a period of approximately one hundred and eighty days, until a time certain of September 07, 2006. In support of this waiver, the Petitioner states as follows:

1. On September 29, 2005, the Illinois Environmental Protection Agency (the “Agency”) issued to the Petitioner a CAAPP operating permit for Ameren’s Newton Power Station. On November 3, 2005, Petitioner filed a petition for review of this permit, PCB 06-068.

2. Pursuant to Section 40.2(c) of the Environmental Protection Act (“Act”) (415 ILCS 5/40.2(c)) and 35 Ill.Adm.Code §101.308(a), the Board must render decisions

on permit appeals within 120 days following the filing of petition, the decision in this matter being scheduled for no later than March 06, 2006.

WHEREFORE, for reasons set forth above, the Petitioner respectfully waives the deadline for the Board's determination on this appeal for a period of approximately one hundred and eighty (180) days to a date certain of September 07, 2006.

Respectfully submitted,

AMEREN ENERGY
GENERATING COMPANY

By: 

One of its Attorneys

Dated: December 14, 2005

James T. Harrington, Esq.
McGuireWoods LLP
77 West Wacker Drive
Suite 4100
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PCB - 06-068
(Permit Appeal - Air)

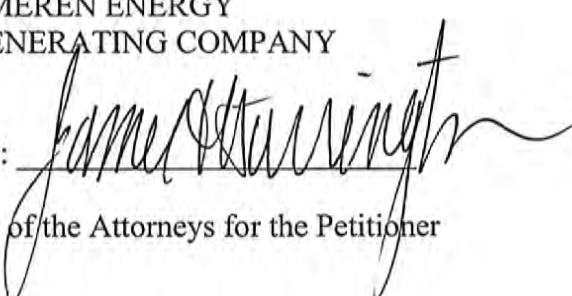
CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Time Certain Waiver of Decision Date upon the following person, by first class mail, postage affixed:

Illinois Environmental Protection Agency, Division of Legal Counsel

Respectfully submitted,

AMEREN ENERGY
GENERATING COMPANY

By: 
One of the Attorneys for the Petitioner

Dated: December 14, 2005

James T. Harrington, Esq.
McGuireWoods LLP
77 West Wacker Drive
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Chicago, IL 60601
Telephone: 312/849-8100