

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SIERRA CLUB,)	
)	
Complainant,)	
)	
v.)	PCB 13-27
)	(Citizen Enforcement - Air)
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	
)	

NOTICE OF ELECTRONIC FILING

TO:

John Therriault, Assistant Clerk
Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
john.therriault@illinois.gov

David L. Wentworth II
Hasselberg, Williams, Grebe, Snodgrass &
Birdsall
124 SW Adams, Suite 360
Peoria, IL 61602-1320
dwentworth@hwgsb.com

David C. Bender
McGillivray, Westerberg & Bender
211 S. Paterson Street, Suite 320
Madison, WI 53703
bender@mwbattorneys.com

Zoran Balac
Goldstein & McClintock, LLP
208 S. LaSalle Street, Suite 1750
Chicago, IL 60601

Faith E. Bugel
1004 Mohawk
Wilmette, IL 60091

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board of the State of Illinois the attached **Joint Submission Regarding Case Status and Schedule**, copies of which are herewith served upon you.

Dated: April 15, 2015

MIDWEST GENERATION, LLC,

/s/ Bina Joshi
Bina Joshi

Stephen J. Bonebrake
Bina Joshi
Schiff Hardin LLP
233 South Wacker Drive
Suite 6600

Chicago, Illinois 60606
(312) 258-5500

Andrew N. Sawula
Schiff Hardin LLP
One Westminster Place
Lake Forest, IL 60045
(847) 295-4336

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
SIERRA CLUB,)	
)	
Complainant,)	
)	
v.)	PCB No. 13-27
)	(Citizens Enforcement – Air)
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

JOINT SUBMISSION REGARDING CASE STATUS AND SCHEDULE

Counsel for the Complainant and Respondent (the “Parties”) have discussed this case and a possible schedule for this case, and they make the following joint submission:

1. The claims in this case relate to the 1-hour SO2 NAAQS.
2. The Parties, upon information and belief, understand that the IEPA intends to file with the Board in the very near future, a proposed rulemaking that includes, among other things, requirements related to that 1-hour SO2 NAAQS.
3. That rulemaking could have an impact on the claims in this case. The Parties currently anticipate that the rulemaking could affect certain of Complainant's claims and possibly narrow its complaint in this case.
4. Other than the proposed meet and confer described in paragraph 5 below, the Parties would like to hold all action in this case in abeyance until October 30, 2015, to allow time for that rulemaking to proceed.
5. The Parties will confer in October, 2015, regarding that rulemaking and its impact on the claims asserted in and the potential schedule for this case.
6. The Parties request that the Hearing Officer set a status call for late October, 2015. At that status call the Parties will be prepared to discuss whether they are ready to proceed with the case and, if so, the development of a case schedule in light of developments in the rulemaking.
7. The Parties agree that Complainant should not be required to respond to Respondent’s asserted affirmative defenses until a date for such responses is set by the Hearing Officer on or after the proposed status call in late October, 2015.

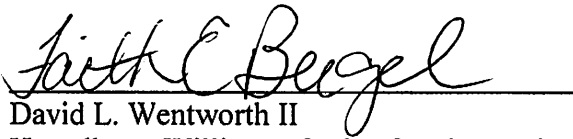
For these reasons, the Parties request that the Hearing Officer hold in abeyance all matters in the case until October 30, 2015, and set a status call for late October, 2015.

Dated: April 14, 2015

Respectfully submitted,

SIERRA CLUB,

MIDWEST GENERATION, LLC,

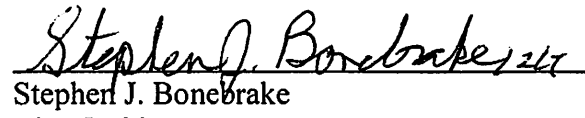


David L. Wentworth II
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Goldstein & McClintock, LLP
208 S. LaSalle Street, Suite 1750
Chicago, IL 60601

Faith E. Bugel
Attorney at Law
1004 Mohawk Rd.
Wilmette, IL 60091



Stephen J. Bonebrake
Bina Joshi
Schiff Hardin LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
Telephone: 312-258-5500

Andrew N. Sawula
Schiff Hardin LLP
One Westminster Place
Lake Forest, Illinois 60045
Telephone: 847-295-4336

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 15th day of April, 2015, I have served the attached **Joint Submission Regarding Case Status and Schedule** by first class U.S. mail, postage affixed, upon:

David L. Wentworth II
Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
124 SW Adams, Suite 360
Peoria, IL 61602-1320
dwentworth@hwgsb.com

David C. Bender
McGillivray, Westerberg & Bender
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