

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KINCAID GENERATION, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	PCB 06-062
)	(Permit Appeal – Air)
)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

<p>To: Pollution Control Board, Attn: Clerk James R. Thompson Center 100 W Randolph Street, Suite 11-500 Chicago, Illinois 60601</p>	<p>Ryan G. Rudich Assistant Attorney General Environmental Bureau 69 West Washington Street, 18th Floor Chicago, Illinois 60602</p>
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Mr. Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board the **Motion for Voluntary Dismissal of Permit Appeal**, a copy of which is herewith served upon you.

/s/ Bina Joshi
Bina Joshi

Dated: July 2, 2015

SCHIFF HARDIN LLP

Attorneys for Kincaid Generation, L.L.C.

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MOTION FOR VOLUNTARY DISMISSAL OF PERMIT APPEAL

Petitioner, by and through its attorneys, Schiff Hardin LLP, and pursuant to 35 Ill. Adm. Code 101.500 hereby voluntarily moves to dismiss the above captioned permit appeal. This voluntary dismissal is without prejudice to Petitioner's ability to prosecute challenges to any permit issued to any other facility owned or operated by Petitioner, to any claims Petitioner may have in any other permit appeals currently before the Board and to any claims it may have with respect to future permits for this facility. Petitioner further requests that the Board order each party to bear its own costs and fees for this permit appeal. Petitioner contacted counsel for Respondent who stated he had no objection to this motion.

Respectfully submitted,

KINCAID GENERATION, L.L.C.

by /s/ Bina Joshi
One of Its Attorneys

Dated: July 2, 2015

SCHIFF HARDIN, LLP

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CERTIFICATE OF SERVICE

I, the undersigned, affirm that on this 2nd day of July, 2015, I have served electronically the attached **Motion for Voluntary Dismissal of Permit Appeal**, upon the following persons by e-mail at the email addresses indicated below:

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
brad.halloran@illinois.gov

Ryan G. Rudich
Assistant Attorneys General
Environmental Bureau
69 West Washington Street, 18th Floor
Chicago, Illinois 60602
RRudich@atg.state.il.us

I further affirm that:

My e-mail address is bjoshi@schiffhardin.com.

The number of pages in the e-mail transmission is 5.

That the e-mail transmission took place before 5:00 p.m. on the date of July 2, 2015.

/s/ Bina Joshi

Bina Joshi

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