BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| MIDWEST GENERATION, LLC |) |
|-------------------------------|-------------------------|
| (CRAWFORD GENERATING STATION) |) |
| Petitioner, |) |
| |) PCB 06-056 |
| v. |) |
| |) (Permit Appeal – Air) |
| ILLINOIS ENVIRONMENTAL |) |
| PROTECTION AGENCY |) |
| |) |

NOTICE

To: Pollution Control Board, Attn: Clerk James R. Thompson Center 100 W Randolph Street, Suite 11-500 Chicago, Illinois 60601 Ryan G. Rudich Assistant Attorney General Environmental Bureau 69 West Washington Street, 18th Floor Chicago, Illinois 60602

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: November 30, 2015

SCHIFF HARDIN LLP Attorneys for Midwest Generation, LLC Kathleen C. Bassi Stephen J. Bonebrake Bina Joshi 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606 Phone: 312-258-5605 Fax: 312-258-5600

Andrew N. Sawula One Westminster Place Suite 200 Lake Forest, IL 60045 847-295-4336

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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,

MIDWEST GENERATION, LLC

by <u>/s/ Bina Joshi</u> One of Its Attorneys

Dated: November 30, 2015

SCHIFF HARDIN LLP Kathleen C. Bassi Stephen J. Bonebrake Bina Joshi 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606 Phone: 312-258-5500 Fax: 312-258-2600 bjoshi@schiffhardin.com

Andrew N. Sawula One Westminster Place Suite 200 Lake Forest, IL 60045 847-295-4336

CERTIFICATE OF SERVICE

I, the undersigned, affirm that on this 30th day of November, 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 November 30, 2015.

/s/ Bina Joshi Bina Joshi

SCHIFF HARDIN LLP Attorneys for Midwest Generation LLC 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606 Phone: 312-258-5605 Fax: 312-258-5600

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