

Phone: 312-258-5605
Fax: 312-258-5600

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION, LLC –)	
POWERTON GENERATING STATION,)	
)	
Petitioner,)	
)	
v.)	PCB 06-059
)	(CAAPP Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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 /s/ Bina Joshi
One of Its Attorneys

Dated: March 2, 2016

SCHIFF HARDIN LLP

Stephen J. Bonebrake

Bina Joshi

233 South Wacker Drive, Suite 6600

Chicago, Illinois 60606

Phone: 312-258-5500

Fax: 312-258-2600

Andrew N. Sawula

One Westminster Place

Suite 200

Lake Forest, IL 60045

Phone: 847-295-4336

CERTIFICATE OF SERVICE

I, the undersigned, affirm that on this 2nd day of March, 2016, 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 March 2, 2016.

/s/ Bina Joshi

Bina Joshi

SCHIFF HARDIN LLP
Attorneys for Midwest Generation, LLC
233 South Wacker Drive
Suite 6600
Chicago, Illinois 60606
Phone: 312-258-5500
Fax: 312-258-5600

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Suite 200
Lake Forest, IL 60045
Phone: 847-295-4336