

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)

SIERRA CLUB, NATURAL)
RESOURCES DEFENSE COUNCIL,)
PRAIRIE RIVERS NETWORK, and)
ENVIRONMENTAL LAW &)
POLICY CENTER)

Petitioners,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY and)
MIDWEST GENERATION, LLC)

Respondents.


PCB 15-189
(Third Party NPDES Appeal)

NOTICE OF ELECTRONIC FILING

To: Attached Service List

PLEASE TAKE NOTICE that on September 28, 2016, I electronically filed with the Clerk of the Illinois Pollution Control Board: **STATEMENT**, a copy of which is served on you along with this notice.

Respectfully submitted,



Matthew Glover
Legal Assistant
Environmental Law & Policy Center
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Dated: September 28, 2016

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
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SIERRA CLUB, NATURAL)	
RESOURCES DEFENSE COUNCIL,)	
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ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY and)	
MIDWEST GENERATION, LLC)	
)	
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STATEMENT

At the request of the hearing officer, Petitioners filed subpoenas on the witnesses (Jaime Rabins and Darin LeCrone) that were identified by Respondent Illinois Environmental Protection Agency (IEPA) on Monday September 27, 2016. Petitioners obtained the standard subpoena form from the clerk of the Illinois Pollution Control Board. The subpoenas were served electronically via email by counsel for Petitioners, Jessica Dexter. Respondents subsequently noted that the form incorrectly stated the standard language for in-person service indicating that “I served this subpoena by handing a copy to” Mr. Rabins and Mr. LeCrone respectively, and requested that Petitioners file this document to clarify this detail for the record. Petitioners provide the below statement as clarification:

Counsel for Petitioners, Jessica Dexter, served subpoenas upon witnesses Jaime Rabins and Darin LeCrone electronically via email on September 26, 2016. The language of each subpoena form served refers to in-person service. This language was left unaltered. Service was made to both witnesses electronically via email.



Jessica Dexter
Staff Attorney
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Duluth, MN 55802
(312) 795-3747

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF ELECTRONIC FILING** and **STATEMENT** were served electronically to all parties of record listed below, on September 28, 2016.



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