

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ELECTRIC ENERGY,)
INCORPORATED,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 06-65

RECEIVED
CLERK'S OFFICE
DEC 19 2005
STATE OF ILLINOIS
Pollution Control Board

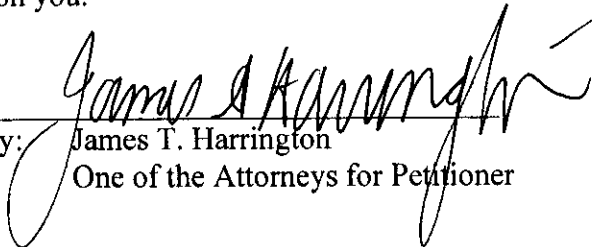
NOTICE OF FILING

To: Mr. Robb Layman
Ms. Sally Carter
Illinois Environmental
Protection Agency
Division of Legal Counsel
1021 North Grand Avenue
Post Office Box 19276
Springfield, IL 62794-9276

Ms. Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
1000 West Randolph Street
Suite 11-500
Chicago, IL 60601

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
1000 West Randolph St., Suite 11-500
Chicago, IL 60601

Please take notice that on December 19, 2005, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board a Response to Agency Motion for an Extension of Time to File the Record, a copy of which is herewith served upon you.


By: James T. Harrington
One of the Attorneys for Petitioner

James T. Harrington
David L. Rieser
McGuireWoods LLP
77 West Wacker, Suite 4100
Chicago, IL 60601
Telephone: 312/849-8100

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RESPONSE TO AGENCY MOTION FOR AN EXTENSION OF TIME
TO FILE THE RECORD

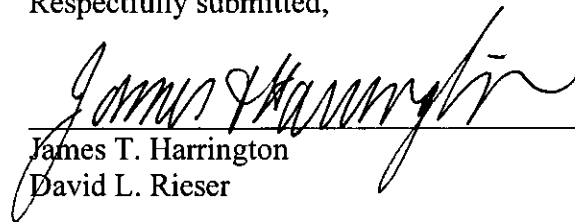
NOW COMES the Petitioner, by its Attorneys, James T. Harrington, David R. Rieser and McGuireWoods LLP and for its response to the Motion for Extension of Time to File the Record, states as follows.

1. The Illinois Environmental Protection Agency (the "Agency") has indicated that some issues raised by Petitioner may be resolved and therefore an indefinite delay in filing the record is appropriate. Petitioner agrees that while some matters may be resolved, others are likely to proceed and the record should be filed.
2. Petitioner, however, understands that the Agency has completed compilation of the record but is having difficulty arranging for the copying of the record.
3. Petitioner, therefore, does not object to the Board granting a reasonable extension of time within which the record will be filed to a date certain and does not object to the Agency filing one copy of the record with the Board.
4. Petitioner suggests an extension to January 26, 2006 without prejudice to the right of the Agency to seek an additional extension should it prove necessary.

Respectfully submitted,

Dated:

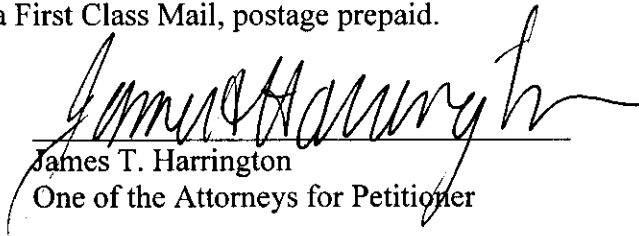
12/19/05


James T. Harrington
David L. Rieser

McGuireWoods LLP
77 West Wacker, Suite 4100
Chicago, IL 60601
Telephone: 312/849-8100

CERTIFICATE OF SERVICE

I, James T. Harrington, one of the attorneys for Petitioner, hereby certify that I served a copy of Response to Agency Motion for an Extension of Time to File the Record upon those listed on the attached Notice of Filing on December 19, 2005 via First Class Mail, postage prepaid.


James T. Harrington
One of the Attorneys for Petitioner

McGuireWoods LLP
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