

## ILLINOIS POLLUTION CONTROL BOARD

June 19, 2006

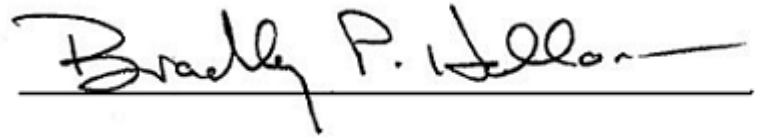
|                              |   |                       |
|------------------------------|---|-----------------------|
| MIDWEST GENERATION EME, LLC, | ) |                       |
|                              | ) |                       |
| Petitioner,                  | ) |                       |
|                              | ) |                       |
| v.                           | ) | PCB 04-185            |
|                              | ) | (Trade Secret Appeal) |
| ILLINOIS ENVIRONMENTAL       | ) |                       |
| PROTECTION AGENCY,           | ) |                       |
|                              | ) |                       |
| Respondent.                  | ) |                       |

**HEARING OFFICER ORDER**

On June 15, 2006, all parties participated in a telephonic status conference with the hearing officer. The petitioner represented that it has forwarded all of the documents in question to the United States Environmental Protection Agency (USEPA) as requested by the USEPA. A confidentiality determination is pending. The parties represented that they will discuss a revised discovery schedule at the next status conference. The petitioner represented that it will file a six month waiver of the statutory decision deadline.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 3, 2006, at 1:00 p.m. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

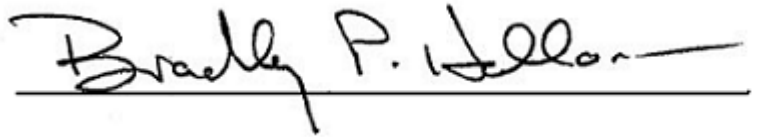
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on June 19, 2006, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on June 19, 2006:

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-8917

PCB 2004-185  
Paula Becker Wheeler  
Office of the Attorney General  
188 West Randolph, 20th Floor  
Chicago, IL 60601

PCB 2004-185  
Ann Alexander  
Office of the Attorney General  
188 West Randolph, 20th Floor  
Chicago, IL 60601

PCB 2004-185  
IEPA  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

PCB 2004-185  
Katherine D. Hodge  
Illinois Environmental Regulatory Group  
3150 Roland Avenue  
Springfield, IL 62703

PCB 2004-185  
N. LaDonna Driver  
Illinois Environmental Regulatory Group  
3150 Roland Avenue  
Springfield, IL 62703

PCB 2004-185  
Sheldon A. Zabel  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

PCB 2004-185  
Mary Ann Mullin  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

PCB 2004-185  
Andrew N. Sawula  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

PCB 2004-185  
Keith I. Harley  
Chicago Legal Clinic  
205 West Monroe Street, 4th Floor  
Chicago, IL 60606

