

ILLINOIS POLLUTION CONTROL BOARD

May 6, 2008

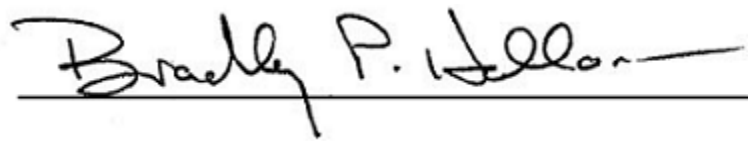
| | | |
|----------------------------------|---|-----------------------|
| MIDWEST GENERATION, LLC, - |) | |
| POWERTON GENERATING STATION, |) | |
| |) | |
| Petitioner, |) | |
| |) | PCB 08-23 |
| v. |) | (Permit Appeal – Air) |
| |) | |
| ILLINOIS ENVIROMENTAL PROTECTION |) | |
| AGENCY, |) | |
| |) | |
| Respondent. |) | |

HEARING OFFICER ORDER

On May 1, 2008, all parties participated in a telephonic status conference with the hearing officer. The parties represented that settlement discussions continue and that a related matter has now been scheduled for argument for May 2008 in the federal appeals court. The outcome may affect these proceedings. The petitioner represented that it will file an additional waiver of the statutory decision deadline.

The parties or their legal representatives are directed to participate in a telephonic status conference on November 6, 2008, at 1:30 p.m. The 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.



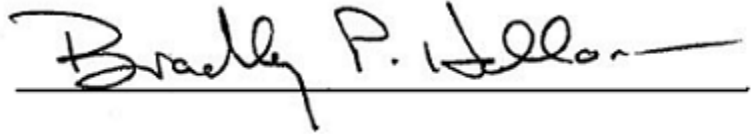
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 6, 2008, 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 May 6, 2008:

John T. Therriault
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
James R. Thompson Center
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