

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
SECTION 27 PROPOSED RULES FOR) R07-19
NITROGEN OXIDE (NO_x) EMISSIONS) (Rulemaking – Air)
FROM STATIONARY RECIPROCATING)
INTERNAL COMBUSTION ENGINES AND)
TURBINES: AMENDMENTS TO 35 ILL.)
ADM. CODE PARTS 211 AND 217)

NOTICE OF FILING

TO: Mr. John Therriault Mr. Tim Fox
Assistant Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
100 West Randolph Street 100 West Randolph Street
Suite 11-500 Suite 11-500
Chicago, Illinois 60601 Chicago, Illinois 60601
(VIA ELECTRONIC MAIL) **(VIA ELECTRONIC MAIL)**

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **AGREED MOTION FOR EXTENSION OF TIME**, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS MUNICIPAL ELECTRIC AGENCY
and ILLINOIS ENVIRONMENTAL
REGULATORY GROUP,

By: /s/ N. LaDonna Driver
N. LaDonna Driver

Dated: December 12, 2008

N. LaDonna Driver
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, N. LaDonna Driver, the undersigned, hereby certify that I have served the attached **AGREED MOTION FOR EXTENSION OF TIME** upon:

Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic filing and by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on December 12, 2008; and upon:

Mr. Tim Fox
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Rachel L. Doctors, Esq.
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Renee Cipriano, Esq.
Kathleen C. Bassi, Esq.
Joshua R. More, Esq.
Stephen J. Bonebrake, Esq.
Schiff Hardin, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6473

via electronic mail on December 12, 2008.

/s/ N. LaDonna Driver
N. LaDonna Driver

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AGREED MOTION FOR EXTENSION OF TIME

NOW COMES the Illinois Municipal Electric Agency (“IMEA”) and Illinois Environmental Regulatory Group (“IERG”), by one of their attorneys, N. LaDonna Driver of HODGE DWYER ZEMAN, and pursuant to 35 Ill. Admin. Code 101.522, moves the Illinois Pollution Control Board (“Board”) or the Hearing Officer for an extension of time (“Motion”) to file its Comments to the First Notice Proposal. In support of their Motion, IMEA and IERG state as follows:

1. Hearings in this proceeding occurred on April 9, 2008 and May 7, 2008. On September 16, 2008, the Board adopted the proposed rule for First Notice.
2. Public comments are due 45 days from the date of publication of the First Notice. First Notice was published in the Illinois Register on October 31, 2009. Therefore, comments in this proceeding are due on Monday, December 15, 2008.
3. IMEA and IERG have been in talks with the Illinois Environmental Protection Agency (“IEPA”) and the Pipeline Group (collectively “the Parties”) to try to resolve a few final issues with the language of the First Notice proposed rule. The Parties hope to be able to reach agreement on these issues so that they may file a joint comment. The Parties have made significant progress to that end, but require additional time to finalize agreed-upon language and prepare a joint comment.

4. With the approaching holidays and the status of other regulatory matters, the Parties seek an extension of time to January 31, 2009, for the comment period in this proceeding.

5. Counsel for IEPA and the Pipeline Group have reviewed and consented to the contents of this Motion.

6. The Parties are waiving the opportunity to respond to this Motion. Due to the deadline of the filing of comments, we request that the decision on this Agreed Motion be expedited.

WHEREFORE, Illinois Municipal Electric Agency and Illinois Environmental Regulatory Group request that the Board or the Hearing Officer grant this Motion, and allow the Parties up to and including January 31, 2009, to file comment on the First Notice proposed rule in this proceeding.

Respectfully submitted,

By: /s/ N. LaDonna Driver
N. LaDonna Driver

Dated: December 12, 2008

N. LaDonna Driver
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IMEA:001/Fil/Agreed Motion for Extension of Time