

ILLINOIS POLLUTION CONTROL BOARD
December 14, 1978

CENTRAL ILLINOIS PUBLIC SERVICE CO.,)
)
 Petitioner,)
)
 v.)
)
)
ENVIRONMENTAL PROTECTION AGENCY,)
)
)
 Respondent.)

PCB 78-271
R76-6

ORDER OF THE BOARD (by Mr. Goodman):

On December 5, 1978, Central Illinois Public Service Co. (CIPS) filed a Motion for Modification of the Board's Order adopted herein on November 2, 1978. That Order designated CIPS' Rule 203(i)(10) proceeding an adjudicatory proceeding pursuant to our action taken in R77-7, assigned it docket number PCB 78-271, incorporated the original R76-6 record into the PCB 78-271 record, and dismissed R76-6. In its Motion for Modification, CIPS points out that in another matter, PCB 75-310, the Board ordered CIPS to cease and desist certain violations within 180 days of final Board action in R76-6. CIPS suggests that the action taken by the Board dismissing R76-6 is not the final action contemplated by the Board in PCB 75-310. The Board agrees. We therefore modify our December 5, 1978, Order in the following manner. We find that our application of R77-7 to CIPS' Rule 203(i)(10) proceeding, R76-6, was not a final action by the Board on R76-6. Rather than dismissing R76-6, the Board hereby redesignates it as PCB 78-271.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 14th day of December, 1978 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board