

FEB 25 2010

STATE OF ILLINOIS
Pollution Control Board

DYNEGY MIDWEST GENERATION, INC.
(TILTON ENERGY CENTER),

Petitioner,

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**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,**

Respondent.

PCB 09-92
(Permit Appeal – Air)

NOTICE OF FILING

To:

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Ctr., Ste 11-500
100 West Randolph
Chicago, Illinois 60601

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Ctr., Ste 11-500
100 West Randolph
Chicago, Illinois 60601

Sally Carter
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board **WAIVER OF DECISION DEADLINE**, copies which are herewith served upon you.

Dated: February 25, 2010

McDERMOTT WILL & EMERY LLP

By: Mark A. Fluet

MARK A. BILUT
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Suite 4400
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Fax: (312) 984-7700

Attorney for Petitioner

STATE OF ILLINOIS
Pollution Control Board

[illegible]

Attorney for Petitioner

CERTIFICATE OF SERVICE

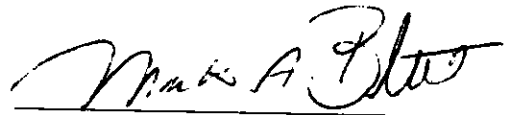
I, hereby certify that I caused a copy of the foregoing, **WAIVER OF DECISION DEADLINE**, and Notice of Filing thereof to be filed by hand delivery on February 25, 2010:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph
Chicago, Illinois 60601

and a true and correct copy of the same, **WAIVER OF DECISION DEADLINE**, and Notice of Filing thereof to be delivered by First Class U.S. Mail on February 25, 2010, to the following:

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Ctr., Suite 11-500
100 West Randolph
Chicago, Illinois 60601

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