

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Midwest Generation EME, LLC,)
)
Petitioner,)
)
v.)
)
Illinois Environmental Protection Agency,))
)
Respondent.)

**PCB No. 04-185
(Trade Secret Appeal)**

NOTICE OF FILING

To:

Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601

Stephen Sylvester
Office of the Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board **Midwest Generation EME, LLC's Waiver of Deadline for Board Action**, a copy of which is herewith served upon you.

Dated: May 18, 2010

/s/ Bina Joshi

Bina Joshi
Schiff Hardin LLP
Mary Ann Mullin
Bina Joshi
One Westminster Place
Lake Forest, IL 60045
(847) 295-4318
and
233 South Wacker, Suite 6600
Chicago, IL 60606
(312)258-5500
(312)258-5600 (fax)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

Midwest Generation EME, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 04-185
)	(Trade Secret Appeal)
)	
Illinois Environmental Protection Agency,)	
)	
Respondent.)	

**MIDWEST GENERATION EME, LLC'S
WAIVER OF DEADLINE FOR BOARD ACTION**

Pursuant to 35 Ill. Admin. Code §101.308(c)(2), Midwest Generation EME, LLC hereby waives the statutory decision deadline for Board action in the above-captioned matter from September 20, 2010 to March 21, 2011.

Dated: May 18, 2010

Respectfully submitted,

Midwest Generation EME, LLC

By: /s/ Bina Joshi

Mary Ann Mullin

Bina Joshi

Schiff Hardin LLP

One Westminster Place

Lake Forest, IL 60045

(847) 295-4318

and

233 South Wacker, Suite 6600

Chicago, IL 60606

(312)258-5500

(312)258-5600 (fax)

Attorneys for Midwest Generation EME, LLC

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached **Midwest Generation EME, LLC's Waiver of Deadline for Board Action**, by U.S. Mail, upon the following persons:

Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601

Stephen Sylvester
Office of the Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602

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

Dated: May 18, 2010

/s/ Bina Joshi
Bina Joshi