

\*\*\*\*\* PC# 3 \*\*\*\*\*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**MIDWEST GENERATION, LLC,**

**Petitioner,**

**v.**

**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,**

**Respondent.**

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**PCB 13-24  
(Variance – Air)**

**NOTICE OF FILING**

To:

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

Dana Vetterhoffer  
Assistant Counsel  
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P.O. Box 19276  
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Bradley P. Halloran, Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board **INFORMATION REGARDING MIDWEST GENERATION'S FILING UNDER CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE**, copies of which are herewith served upon you.



Kathleen C. Bassi

Dated: January 8, 2013

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>MIDWEST GENERATION, LLC,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>PCB 13-24</b>
	)	<b>(Variance – Air)</b>
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY,</b>	)	
	)	
<b>Respondent.</b>	)	

**INFORMATION REGARDING MIDWEST GENERATION'S FILING UNDER  
CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE**

NOW COMES Petitioner, MIDWEST GENERATION, LLC ("Midwest Generation" or "Petitioner"), by and through its attorneys, SCHIFF HARDIN LLP and CHRISTOPHER M. FOLEY, Petitioner's Senior Counsel, and, pursuant to the Hearing Officer's direction, submits this information to clarify the status of this proceeding relative to Midwest Generation's filing under Chapter 11 of Title 11 of the United States Code (the "Bankruptcy Code").

On November 30, 2012, Midwest Generation filed a Petition for Variance with the Board. On December 20, 2012, the Board accepted the Petition for hearing without ruling on its sufficiency. On December 17, 2012, Edison Mission Energy and certain of its subsidiaries and affiliates, including Petitioner, (collectively, the "Debtors"), filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Illinois. The Debtors' Chapter 11 cases are pending before the Honorable Jacqueline P. Cox, United States Bankruptcy Judge, and are being jointly administered under the lead case, *In re Edison Mission Energy*, Case No. 12-49212 (PJC).

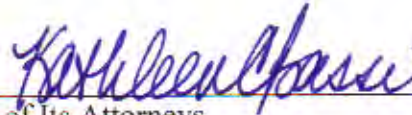
\* \* \* \* \* PC# 3 \* \* \* \* \*

Pursuant to Section 326(a) of the Bankruptcy Code, the Debtors' filing of their respective voluntary petitions operates as a stay, applicable to all entities, of certain judicial, administrative, or other actions or proceedings against the Debtors. However, Midwest Generation's Petition for Variance is not an action against Midwest Generation subject to a stay under Section 362(a).

Respectfully submitted,

MIDWEST GENERATION, LLC

by:



One of Its Attorneys

Dated: January 8, 2013

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 8th day of January, 2013, I have served electronically the attached **INFORMATION REGARDING MIDWEST GENERATION'S FILING UNDER CHAPTER 11 OF THE FEDERAL BANKRUPTCY CODE**, upon the following persons:

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

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