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FEB 21 2013

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
February 21, 2013

DYNEGY MIDWEST GENERATION, LLC,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTON))
AGENCY,)
)
Respondent.)
)

PCB 12-135
(Variance - Air)

 ORIGINAL

HEARING OFFICER ORDER

On February 21, 2013, all parties participated in a telephonic status conference with the hearing officer. The parties have agreed to continue the above-captioned matter as they are awaiting whether a petition for certiorari will be filed in the United States Supreme Court in Homer City v. EPA. The petitioner stated that it will file an additional waiver of the statutory decision deadline to and including September 5, 2013.

The parties or their legal representatives are directed to participate in a telephonic pre-hearing conference with the hearing officer on May 16, 2013, at 10:45 a.m. The telephonic conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



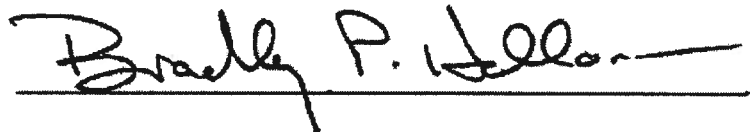
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on February 21, 2013, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on February 21, 2013:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
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