

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
SIERRA CLUB, ENVIRONMENTAL)	
LAW AND POLICY CENTER,)	
PRAIRIE RIVERS NETWORK, and)	
CITIZENS AGAINST RUINING THE)	
ENVIRONMENT,)	
)	
Complainants,)	
)	
v.)	PCB 2013-015
)	(Enforcement – Water)
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

NOTICE OF FILING

To: Attached Service List

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board the attached **MOTION TO EXTEND DATES OF HEARING**, copies of which are herewith served upon you.

Respectfully submitted:
MIDWEST GENERATION, LLC.

By /s/ Kristen L. Gale
One of Its Attorneys

Dated: June 13, 2017

Jennifer T. Nijman
Kristen L. Gale
NIJMAN FRANZETTI LLP
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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation LLC's Motion for Extension of Hearing Date filed electronically on June 13, 2017 with the following:

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

and that true copies were mailed by First Class Mail, postage prepaid, on June 13, 2017 to the parties listed on the foregoing Service List.

/s/ Kristen L. Gale

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CITIZENS AGAINST RUINING THE)	
ENVIRONMENT,)	PCB No-2013-015
)	(Enforcement – Water)
Complainants,)	
)	
v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

MOTION FOR EXTENSION OF HEARING DATE

Respondent, Midwest Generation, LLC, (“MWG”) by and through counsel, requests that the Illinois Pollution Control Board (“Board”) enter an order extending the Hearing Date for the above captioned matter. In support of its motion, Respondent states the following:

1. On February 9, 2017, the Hearing Officer set the hearing dates for July 17 through 21, 2017.
2. Pursuant to Board Rule 101.522, the Board or Hearing Officer may extend the time for any act for good cause shown on a motion and after notice to the opposite party.
3. Following scheduling of the Hearing, MWG’s in-house counsel found that he is unavailable to assist or participate in the hearing on the scheduled dates. MWG’s in-house counsel’s presence at the hearing is necessary to assist in making decisions required on the dates of the hearing. Not only will MWG be prejudiced if he were absent, but his presence will expedite the hearing process by assisting in any decision making that may be required on the dates of the hearing.

4. MWG has reached out to Complainants to request whether they object to the motion. Complainants advised MWG that they object to the motion, but if the motion were granted they would be available for a hearing in the last two weeks of September, September 18 through September 29, 2017 or later.

5. The requested extension should not prejudice or harm any interested party.

WHEREFORE, MWG respectfully requests an extension of the hearing dates until at least September 18 through 22, 2017 or at a later date as is convenient for the Illinois Pollution Control Board. If the extension is approved, MWG respectfully requests that the Agreed Proposed Scheduling Order be modified and the pre-hearing Memoranda be due approximately 30 days before the scheduled hearing.

MIDWEST GENERATION, LLC.

By /s/ Kristen L. Gale
One of Its Attorneys

Dated: June 13, 2017

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