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MAY 19 2016

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
May 19, 2016

| | | |
|--------------------------|---|--------------------|
| MIDWEST GENERATION, LLC, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | |
| |) | PCB 16-19 |
| ILLINOIS ENVIRONMENTAL |) | (Variance – Water) |
| PROTECTON AGENCY, |) | |
| |) | |
| Respondent. |) | |



ORIGINAL

HEARING OFFICER ORDER

On May 19, 2016, all parties participated in a telephonic status conference with the hearing officer. The petitioner stated that the parties had an extensive meeting with the United States Environmental Protection Agency (USEPA) on May 4, 2016. The petitioner stated that some new issues were discussed based on the new regulations enacted after the variance was filed. The petitioner also stated that it is working with the respondent regarding the thermal standards. To that end, counsel for petitioner stated that she will continue to discuss with her client, the respondent and the USEPA a possible resolution to this matter. By agreement, the Agency's recommendation is now due on or before September 1, 2016.

Petitioner stated that it will file an additional waiver of the statutory decision deadline to and including December 15, 2016.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 18, 2016, at 10:30 a.m. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

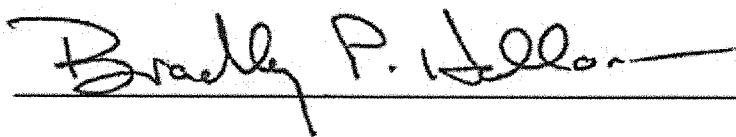
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
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100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 19, 2016, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on May 19, 2016:

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" with a horizontal line underneath it.

Bradley P. Halloran
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