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**AUG 26 2014**

**STATE OF ILLINOIS**  
**Pollution Control Board**

ILLINOIS POLLUTION CONTROL BOARD  
August 26, 2014

DYNEGY MIDWEST GENERATION, LLC, )  
)  
Petitioner, )  
)  
v. )  
) PCB 12-135  
ILLINOIS ENVIRONMENTAL ) (Variance - Air)  
PROTECTON AGENCY, )  
)  
Respondent. )  
)



**ORIGINAL**

**HEARING OFFICER ORDER**

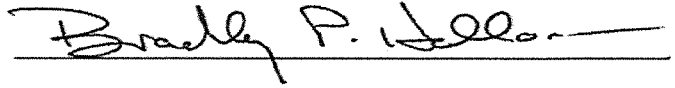
On August 26, 2014, all parties participated in a telephonic status conference with the hearing officer. As noted in the last conference call, the United States Supreme Court recently ruled in favor of the United States Environmental Protection Agency (USEPA) in a related case and reversed the decision of the District of Columbia Circuit Court of Appeals. The issues in the related case involve the Cross-State Air Pollution Rule that is relevant to this variance petition. The petitioner stated that the USEPA has now filed a motion to lift the previously ordered stay in the Court of Appeals. Briefing was expected to be concluded on July 25, 2014, but an extension was granted. It appears the briefing was concluded as of August 25, 2014.

Petitioner further stated that it is likely that it will file an amended variance petition that would revise the dates in the above-captioned petition that was filed June 8, 2012.

The petitioner stated that it would file an additional waiver of the statutory decision deadline to and including March 19, 2015.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on October 30, 2014, at 10:30 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.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

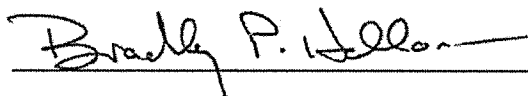
Bradley P. Halloran  
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[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 26, 2014, 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 August 26, 2014:

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 Chicago, Illinois 60601



Bradley P. Halloran  
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