

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

In the matter of:

SIERRA CLUB, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 AMEREN ENERGY MEDINA VALLEY )  
 COGEN, LLC )  
 )  
 and )  
 )  
 FUTUREGEN INDUSTRIAL ALLIANCE )  
 INC., )  
 )  
 Respondents. )

PCB No. 2014-134  
(Enforcement)

**NOTICE OF FILING**

To: AMERENENERGY MEDINA VALLEY COGEN, LLC  
 James Michael Showalter  
 Renee Cipriano  
 Ashley Thomson  
 SCHIFF HARDIN LLP  
 233 South Wacker Drive, Suite 6600  
 Chicago, IL 60606-6473  
 312-258-5561  
 Email: [mshowalter@schiffhardin.com](mailto:mshowalter@schiffhardin.com)

FUTUREGEN INDUSTRIAL ALLIANCE  
 Dale N Johnson  
 Christopher D. Zentz  
 VAN NESS FELDMAN LLP  
 719 Second Avenue, Suite 1150  
 Seattle, WA 98104  
 206-623-9372  
 Email: [dni@vnf.com](mailto:dni@vnf.com)

Carol Webb, Hearing Officer  
 Illinois Pollution Control Board  
 100 West Randolph Street  
 James R. Thompson Center, Suite 11-500  
 Chicago, IL 60601-3218  
 Carol.webb@illinois.gov

Kyle Barry  
 Husch Blackwell LLP  
 118 South Fourth Street, Unit 101  
 Springfield, IL 62701  
 T: 217-670-1782  
[kyle.barry@huschblackwell.com](mailto:kyle.barry@huschblackwell.com)

PLEASE TAKE NOTICE that on this date I filed with the Clerk of the Pollution Control Board of the State of Illinois a RULE 707 STATEMENT for Eva Schueller; RULE 707

STATEMENT for William Moore; NOTICE OF ASSOCIATION; ENTRY OF APPEARANCE for William Moore; and CERTIFICATE OF SERVICE. Pursuant to the Board's procedural rules, the documents referenced above are served upon Respondents addressed as set forth above by Federal Express. See 35 Ill. Adm. Code 101.302(c).

Respectfully submitted,

/s/ Eric M. Schwing (by consent)

DATED: August 21, 2014

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Eric M Schwing  
Attorney at Law  
1100 South 5th Street  
Springfield, IL 62703  
(217) 544-4440  
Email: [eric.schwing@comcast.net](mailto:eric.schwing@comcast.net)

*Counsel for the Complainant*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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 INC., )  
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PCB No. 2014-134  
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**NOTICE OF ASSOCIATION**

PLEASE TAKE NOTICE that Eva Schueller and William Moore, hereby associate with Eric Schwing on behalf of Sierra Club and request that service of all papers and pleadings herein, except for original process, also be made upon the undersigned at the address stated below.

Dated: August 21, 2014



William J. Moore, III, P.A.  
1648 Osceola Street  
Jacksonville, Florida 32204  
Tel: (904) 685-2172  
Email: [wmoore@winlaw.net](mailto:wmoore@winlaw.net)



Sierra Club, Environmental Law  
Program  
85 Second Street, Second Floor  
San Francisco, CA 94105

Tel: (415) 977-5637

Email: [eva.schueler@sierraclub.org](mailto:eva.schueler@sierraclub.org)

/s/ Eric M. Schwing

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Eric M Schwing

Attorney at Law

1100 South 5th Street

Springfield, IL 62703

(217) 544-4440

Email: [eric.schwing@comcast.net](mailto:eric.schwing@comcast.net)

*Counsel for the Complainant*

**RULE 707 STATEMENT**

BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

In the matter of:

SIERRA CLUB,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	PCB No. 2014-134
AMEREN ENERGY MEDINA VALLEY	)	(Enforcement)
COGEN, LLC	)	
	)	
and	)	
	)	
FUTUREGEN INDUSTRIAL ALLIANCE	)	
INC.,	)	
	)	
Respondents.	)	
	)	

**Verified Statement of Out-of-State Attorney Pursuant to Supreme Court Rule 707**

I, Eva K. Schueller, submit this Verified Statement pursuant to Illinois Supreme Court Rule 707.

1. My full name is Eva K. Schueller. The address of offices from which I practice law and related email address and telephone numbers are as follows:

Sierra Club  
Environmental Law Program  
85 Second Street, Second Floor  
San Francisco, CA 94105  
Tel: (415) 977-5637  
Email: [eva.schueller@sierraclub.org](mailto:eva.schueller@sierraclub.org)

2. I represent Sierra Club in *Sierra Club v. AmerenEnergy Medina Valley Cogen, LLC and FutureGen Industrial Alliance, Inc.*, Illinois Pollution Control Board No. 2014-134:

3(a). I list below all proceedings in which I have filed an appearance pursuant to this rule in this calendar year:

- *Sierra Club v. Illinois Pollution Control Board, et al*, Illinois Court of Appeal for the Fourth District, No. 4-14-0001

3(b). My ARDC registration number is 6314818.

4(a). I list below each jurisdiction of admission, including any state, territory, or commonwealth of the United States, the District of Columbia, or in a foreign country, and my full admission name and license number.

Eva K. Schueller, California, License #237886

4(b). I attach a letter or certificate of good standing for each of the jurisdictions listed in paragraph 4(a) above, as Exhibit A.

5. I have no office or other presence in Illinois for the practice of law.

6. I submit to the disciplinary authority of the Supreme Court of Illinois;

7. I have undertaken to become familiar with and to comply, as if admitted to practice in Illinois, with the rules of the Supreme Court of Illinois, including the Illinois Rules of Professional Conduct and the Supreme Court Rules on Admission and Discipline of Attorneys, and other Illinois law and practices that pertain to the proceeding;

8. The full name, business address and ARDC number of the Illinois attorney with whom I have associated in the matter is:

Eric M. Schwing  
1100 South 5<sup>th</sup> Street  
Springfield, IL 62703  
Email: [eric.schwing@comcast.net](mailto:eric.schwing@comcast.net)  
ARDC #6195275

9. I certify that I have served this Statement upon the ARDC, the Illinois Pollution Control Board, AmerenEnergy Medina Valley Cogen, LLC, and FutureGen Industrial Alliance, Inc., as indicated in the attached Certificate of Service, and that these parties are all entitled to service under this rule.

Verification

I verify the accuracy and completeness of each of the above statements.



\_\_\_\_\_  
Eva K. Schueller

# EXHIBIT A



**THE STATE BAR  
OF CALIFORNIA**

**MEMBER RECORDS & COMPLIANCE**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

**CERTIFICATE OF STANDING**

August 18, 2014

**TO WHOM IT MAY CONCERN:**

This is to certify that according to the records of the State Bar, EVA KRISZTINA SCHUELLER, #237886 was admitted to the practice of law in this state by the Supreme Court of California on October 26, 2005; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in blue ink, appearing to read "Kathan Lambert".

Kathan Lambert  
Custodian of Membership Records



**RULE 707 STATEMENT**

BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

in the matter of:

SIERRA CLUB,	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	PCB No. 2014-134
AMEREN ENERGY MEDINA VALLEY	)	(Enforcement)
COGEN, LLC	)	
	)	
and	)	
	)	
FUTUREGEN INDUSTRIAL ALLIANCE	)	
INC.,	)	
	)	
Respondents.	)	

**Verified Statement of Out-of-State Attorney Pursuant to Supreme Court Rule 707**

I, William J. Moore, III, submit this Verified Statement pursuant to Illinois Supreme Court Rule 707.

1. My full name is William J. Moore, III. The address of offices from which I practice law and related email address and telephone numbers are as follows:

William J. Moore, III, P.A.  
1648 Osceola Street  
Jacksonville, Florida 32204  
Tel: (904) 685-2172  
Email: [wjmoore@wjmlaw.net](mailto:wjmoore@wjmlaw.net)

2. I represent Sierra Club in *Sierra Club v. AmerenEnergy Medina Valley Cogen, LLC and FutureGen Industrial Alliance, Inc.*, Illinois Pollution Control Board No. 2014-134.

3. I have not filed any appearances in any proceedings in Illinois pursuant to this rule in this calendar year or at any other time and therefore have no ARDC registration number.

4(a). I list below each jurisdiction of admission, including any state, territory, or commonwealth of the United States, the District of Columbia, or in a foreign country, and my full admission name and license number.

William J. Moore, III, Florida, Florida Bar No. 0971812

4(b). I attach a letter or certificate of good standing for each of the jurisdictions listed in paragraph 4(a) above, as Exhibit A.

5. I have no office or other presence in Illinois for the practice of law.

6. I submit to the disciplinary authority of the Supreme Court of Illinois;

7. I have undertaken to become familiar with and to comply, as if admitted to practice in Illinois, with the rules of the Supreme Court of Illinois, including the Illinois Rules of Professional Conduct and the Supreme Court Rules on Admission and Discipline of Attorneys, and other Illinois law and practices that pertain to the proceeding;

8. The full name, business address and ARDC number of the Illinois attorney with whom I have associated in the matter is:

Eric M. Schwing  
1100 South 5<sup>th</sup> Street  
Springfield, IL 62703  
Email: [eric.schwing@comcast.net](mailto:eric.schwing@comcast.net)  
ARDC #6195275

9. I certify that I have served this Statement upon the ARDC, the Illinois Pollution Control Board, AmerenEnergy Medina Valley Cogen, LLC, and FutureGen Industrial Alliance, Inc., as indicated in the attached Certificate of Service, and that these parties are all entitled to service under this rule.

Verification

I verify the accuracy and completeness of each of the above statements.



William J. Moore, III

# EXHIBIT A



## The Florida Bar

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

850/561-6600  
WWW.FLORIDABAR.ORG

State of Florida )

County of Leon )

In Re: 971812  
William Joseph Moore III  
The Law Office of William J. Moore III,  
P.A.  
1648 Osceola St.  
Jacksonville, FL

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on April 14, 1993.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an active member of The Florida Bar in good standing.

Dated this 14 day of August, 2014.

Pam Gerard  
Member Services & Records Manager  
The Florida Bar

PG/L:ksth2:R10

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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SIERRA CLUB,	)
	)
Complainant,	)
	)
vs.	)
	)
AMEREN ENERGY MEDINA VALLEY	)
COGEN, LLC	)
	)
and	)
	)
FUTUREGEN INDUSTRIAL ALLIANCE	)
INC.,	)
	)
Respondents.	)

PCB No. 2014-134  
(Enforcement)

**ENTRY OF APPEARANCE**


TO: Clerk of the Illinois Pollution Control Board and All Parties of Record.

Please enter my appearance as counsel of record in this case for:

**SIERRA CLUB, Complainant.**

Respectfully submitted,

DATED: August 21, 2014


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 William J. Moore, III  
 William J. Moore, III, P.A.  
 1648 Osceola Street  
 Jacksonville, Florida 32204  
 (904) 685-2172  
 Email: [wmoore@wjmlaw.net](mailto:wmoore@wjmlaw.net)

**CERTIFICATE OF SERVICE**

I, the undersigned, on oath or affirmation certify that on August 21, 2014, I have served the attached RULE 707 STATEMENTS, EXHIBITS, NOTICE OF ASSOCIATION, ENTRY OF APPEARANCE, NOTICE OF FILING, and this CERTIFICATE OF SERVICE, via Federal Express, upon the following persons:

TO: AMERENENERGY MEDINA  
VALLEY COGEN, LLC  
James Michael Showalter  
Renee Cipriano  
Ashley Thomson  
SCHIFF HARDIN LLP  
233 South Wacker Drive, Suite 6600  
Chicago, IL 60606-6473  
312-258-5561  
Email: [mshowalter@schiffhardin.com](mailto:mshowalter@schiffhardin.com)

Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
James R. Thompson Center, Suite 11-500  
Chicago, IL 60601-3218  
[Carol.webb@illinois.gov](mailto:Carol.webb@illinois.gov)

FUTUREGEN INDUSTRIAL ALLIANCE  
Dale N Johnson  
Christopher D. Zentz  
VAN NESS FELDMAN LLP  
719 Second Avenue, Suite 1150  
Seattle, WA 98104  
206-623-9372  
Email: [dnj@vnf.com](mailto:dnj@vnf.com)

Kyle Barry  
Husch Blackwell LLP  
118 South Fourth Street, Unit 101  
Springfield, IL 62701  
T: 217-670-1782  
[kyle.barry@huschblackwell.com](mailto:kyle.barry@huschblackwell.com)

I have also served the attached Rule 707 Statements upon the ARDC by email at:  
[Rule707@iandc.org](mailto:Rule707@iandc.org).



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Eva Schueller

Associate Attorney  
Sierra Club, Environmental Law Program  
85 Second St., Second Floor  
San Francisco, CA 94105