

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 No-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 **MIDWEST GENERATION, LLC’S RESPONSE TO COMPLAINANTS’ MOTION TO CANCEL AND RESCHEDULE REMEDY HEARING**, copies of which are served on you along with this notice.

Respectfully submitted:
MIDWEST GENERATION, LLC.

By /s/ Jennifer T. Nijman
One of Its Attorneys

Dated: December 27, 2022

Jennifer T. Nijman
Kristen L. Gale
NIJMAN FRANZETTI LLP
10 South LaSalle Street, Suite 3600
Chicago, IL 60603
312-251-5255

SERVICE LIST

Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Cantrell Jones
Environmental Law & Policy Center
35 East Wacker Drive, Suite 1600
Chicago, IL 60601

Keith Harley
Chicago Legal Clinic, Inc.
211 West Wacker Drive, Suite 750
Chicago, IL 60606

Abel Russ
Prairie Rivers Network
Environmental Integrity Project
1000 Vermont Avenue, Suite 1100
Washington, DC 20005

Faith E. Bugel
Attorney at Law
Sierra Club
1004 Mohawk
Wilmette, IL 60091

Greg Wannier, Associate Attorney
Sierra Club
85 Second Street, 2nd Floor
San Francisco, CA 94105

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation LLC's, Response to Complainants' Motion to Cancel and Reschedule Remedy Hearing was filed electronically on December 27, 2022 with the following:

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

and that true copies were emailed to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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,)	PCB No-2013-015
)	(Enforcement – Water)
Complainants,)	
)	
v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

MIDWEST GENERATION, LLC’S RESPONSE TO COMPLAINANTS’ MOTION TO CANCEL AND RESCHEDULE REMEDY HEARING

Respondent, Midwest Generation, LLC, (“MWG”), responds to Complainants’ Motion to Cancel and Reschedule Remedy Hearing (“Motion”) as follows:

1. Despite Complainants’ past assertions that MWG has sought to delay these proceedings, MWG was prepared to proceed to hearing on January 30, 2023 as scheduled even though counsel for MWG was out for the month of December due to a major surgery.
2. Complainants now assert that they will not be ready for the hearing due to new counsel for Complainants and for personal reasons.
3. MWG does not object to Complainants request to reschedule the remedy hearing.
4. MWG will work with Complainants to find agreed dates to reschedule the hearing, already noting conflicts in March and April and the need to confirm with witnesses and experts. As such, MWG requests flexibility and cooperation in setting a new date for hearing that is convenient for all participants.

MIDWEST GENERATION, LLC.

By /s/ Jennifer T. Nijman
One of Its Attorneys

Date: December 27, 2022

Jennifer T. Nijman
Kristen L. Gale
NIJMAN FRANZETTI LLP
10 South LaSalle Street, Suite 3600
Chicago, IL 60603
312-251-5255