

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	AS 2024-006
PETITION OF MIDWEST GENERATION)	
FOR AN ADJUSTED STANDARD FROM)	(Adjusted Standard – Air)
35 Ill. Admin. Code Parts 201 and 212)	

NOTICE OF FILING

To:

Don Brown
Carol Webb
Pollution Control Board
100 West Randolph Street
James R. Thompson Center
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Dana Vetterhoffer
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Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on this day, the 22nd day of December, 2023, I caused to be filed with the Clerk of the Illinois Pollution Control Board **MIDWEST GENERATION'S STATUS REPORT**, copies of which are herewith served upon you.

Dated: December 22, 2023

Respectfully submitted,

Midwest Generation, LLC

/s/ Samuel A. Rasche
One of its Attorneys

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STATUS REPORT

NOW COMES Midwest Generation, LLC (“Midwest Generation”) by and through its attorneys, ArentFox Schiff LLP, and pursuant to 35 Ill. Adm. Code § 101.502 and 101.514, provides this Status Report.

1. On September 5, 2023, the Illinois Environmental Protection Agency (“IEPA”) filed a *Motion for Stay of Proceedings, or in the Alternative, Motion for Extension of Time to File Recommendation* while the Board considers Midwest Generation’s substantively similar rulemaking proposal in R23-18(A). On September 21, 2023, the Board granted IEPA’s motion to stay the proceedings for 90 days, until December 21, 2023. *See, Order of the Board, AS24-04* at

2. Pursuant to 35 Ill. Adm. Code § 101.514, the Board directed the parties to file a status report and any additional requests for stay of the proceedings at the close of stay. *Id.*

2. On December 18, 2023, IEPA filed a *Status Report and Motion to Extend Stay of Proceedings* (“IEPA Status Report”), fulfilling the parties’ obligation under 35 Ill. Adm. Code § 101.514(b). IEPA also requested that the Board extend the stay of proceedings “for 120 days up to and including April 19, 2024 (or a later date if deemed more appropriate by the Board).” IEPA Status Report at 4.

3. Midwest Generation has no additional updates beyond those provided by the IEPA Status Report, and Midwest Generation has no objection to IEPA’s request to extend the stay of proceedings.

Respectfully submitted,

Midwest Generation, LLC

By: /s/ Samuel A. Rasche

One of its Attorneys

Dated: December 22, 2023

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