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DEC 20 2004

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION EME, LLC
Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Respondent.

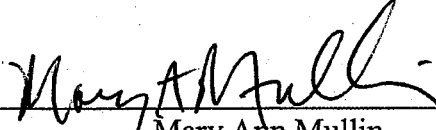
PCB 04-216
(Trade Secret Appeal)

NOTICE OF FILING

To: Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

Lisa Madigan
Matthew Dunn
Ann Alexander
Paula Becker Wheeler
Office of the Attorney General
188 West Randolph Street, Suite 2000
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board Midwest Generation EME, LLC's Waiver of Deadline for Board Action, a copy of which is herewith served upon you.


Mary Ann Mullin

Dated: December 20, 2004

Schiff Hardin LLP
6600 Sears Tower
Chicago, IL 60606
(312) 258-5687

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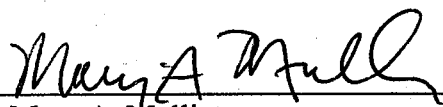
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WAIVER OF DEADLINE
FOR BOARD ACTION

In accordance with 35 Ill. Adm. Code 101.308(c)(2), Midwest Generation EME, LLC hereby waives the statutory deadline for Board action in the above-captioned matter from March 30, 2005 to September 23, 2005.

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By: 
Mary A. Mullin

SCHIFF HARDIN LLP
6600 Sears Tower
Chicago, Illinois 60606
(312) 258-5540

Attorneys for
Midwest Generation EME, LLC

Dated: December 20, 2004

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Waiver of Deadline for Board Action by U.S. Mail, upon the following persons:

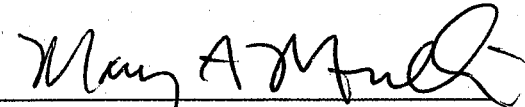
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Dated: December 20, 2004

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By: 
Mary A. Mullin

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Chicago, Illinois 60606
(312) 258-5687

One of the Attorneys for
Midwest Generation EME, LLC