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ILLINOIS POLLUTION CONTROL BOARD

JUN 0 9 2005

)	STATE OF ILLINOIS Pollution Control Board
MIDWEST GENERATION EME, LLC Petitioner,))	PCB 04-216 (Trade Secret Appeal)
v.)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
Respondent.)	

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: June 9, 2005

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

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	STATE OF ILLINOIS Pollution Control Board
MIDWEST GENERATION EME, LLC Petitioner,)) PCB 04-216) (Trade Secret Appeal)
v.	
ILLINOIS ENVIRONMENTAL	
PROTECTION AGENCY, Respondent.	

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 September 23, 2005 to March 29, 2006.

Respectfully submitted,

MIDWEST GENERATION EME, LLC

Mary A. Mallin

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

Attorneys for Midwest Generation EME, LLC

Dated: June 9, 2005

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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:

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

Dated: June 9, 2005

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By:_

Mary A. Mullin

SCHIFF HARDIN LLP

6600 Sears Tower

Chicago, Illinois 60606

(312) 258-5687

One of the Attorneys for Midwest Generation EME, LLC

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