

ILLINOIS POLLUTION CONTROL BOARD  
August 26, 1993

CITIZENS UTILITIES COMPANY )  
OF ILLINOIS AND VILLAGE OF )  
PLAINFIELD, )  
 )  
Petitioner, )  
 )  
v. ) PCB 93-101  
 ) (Permit Appeal)  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY AND VILLAGE )  
OF BOLINGBROOK, )  
 )  
Respondent. )

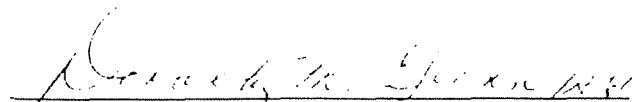
ORDER OF THE BOARD (by G. T. Girard):

On July 13, 1993, petitioners filed a joint motion for rehearing. On July 22, 1993, the Agency responded and on July 26, 1993, the Village of Bolingbrook responded. Both respondents are in opposition to the motion to rehear. On July 29, 1993, petitioners filed a motion for leave to file a reply instanter and on August 9, 1993, the Village of Bolingbrook filed a motion to strike the reply. On August 12, 1993, petitioners filed a response to the Village of Bolingbrook's motion to strike the reply.

The Board notes that 35 Ill. Adm. Code 101.241 states that the moving person shall not have a right to reply except as permitted by the Board to prevent material prejudice. The Board finds that material prejudice will not occur and therefore, the Board denies the motion for leave to file a reply. Thus, the motion to strike and the response are moot. The petitioners have presented no new evidence or arguments to persuade the Board to reopen this case. Therefore, the Board denies the motion for rehearing and affirms the June 17, 1993 Board order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 26<sup>th</sup> day of August, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board