ILLINOIS POLLUTION CONTROL BOARD
May 9, 1986

ILLINOIS POWER COMPANY, Petitioner,	)	
v.	)	PCB 85-119
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	

ORDER OF THE BOARD (by B. Forcade):

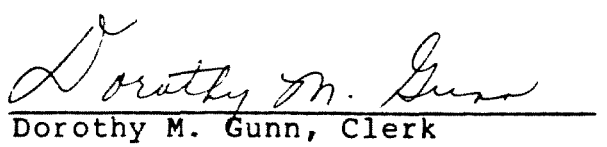
On April 30, 1986, both Illinois Power Company ("IPC") and the Illinois Environmental Protection Agency ("Agency") filed separate motions for reconsideration of the Board's March 27, 1986, Opinion and Order in this matter. On May 5, 1986, the Agency filed a response to IPC's motion for reconsideration. The Board will grant reconsideration of its March 27, 1986, Opinion and Order and will, by this Order, establish a briefing schedule regarding the reconsideration of this proceeding.

The Agency's motion, among other things, asserts that it detrimentally relied on the Board's November 7, 1985, denial of IPC's motion for summary judgment and, consequently, failed to address these issues in its final brief. As the Board ultimately disposed of this case based on issues raised in IPC's motion for summary judgment, the Agency requests an opportunity to present legal argument and citations on these issues. By granting reconsideration, the Board provides such an opportunity.

Simultaneous briefs regarding reconsideration will be accepted through May 30, 1986. Simultaneous reply briefs will be accepted through June 10, 1986. Parties may waive briefs and rely on filings submitted to date in support of reconsideration.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 9th day of May, 1986, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board