

ILLINOIS POLLUTION CONTROL BOARD
April 18, 1985

PEOPLE OF THE STATE OF
ILLINOIS

v.

COMMONWEALTH EDISON COMPANY
(Certification No. 21RA-ILL-WPC-83-35)

PCB 83-223

Revocation of Tax Certification.

ORDER OF THE BOARD (by B. Forcade):

On March 4, 1985, the Circuit Court of Cook County, by Judge James Murray, entered an order vacating the Board's orders of December 28, 1983, in numbers PCB 83-215 through 83-223, inclusive. The Court remanded these cases back to the Board for further proceedings. The Court addressed a number of procedural grounds for vacating and remanding: 1) the difficulties presented by the interpretation of Public Act 83-0883; 2) hearing on less than 14 days notice to the plaintiff; 3) no right to rehearing provided; and 4) the insufficiency of the record and lack of findings regarding the Board's interpretation of PA 83-0883 as it applies to cooling ponds and cooling towers.

The Board will, therefore, set this matter for rehearing. A hearing officer will be assigned to schedule and conduct a hearing and the Clerk is directed to provide public notice of hearing dates and locations in accordance with 35 Ill. Adm. Code Part 103.

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 18th day of April, 1985, by a vote of 5-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board