

ILLINOIS POLLUTION CONTROL BOARD
January 9, 1986

WESTERN ILLINOIS POWER)
COOPERATIVE, INC.,)
)
Petitioner,)
)
v.) PCB 85-164
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J.D. Dumelle):

This matter comes before the Board upon a December 19, 1985 motion for continuance filed on behalf of the Western Illinois Power Cooperative, Inc. (Western). Western indicates that it is "engaged in obtaining additional engineering studies" and that it has filed a rulemaking petition (R85-26), the resolution of which could moot this permit appeal proceeding. However, neither of those circumstances justifies delaying decision in this matter. The additional engineering studies, when completed, would not be admissible in this permit appeal proceeding in any case since they would not have been before the Illinois Environmental Protection Agency at the time of its permit decision. Further, a final decision on the regulation may well not be made for a year or more and may not moot this proceeding in any case. The motion for continuance is, therefore, denied.

The Board reiterates an order entered today regarding a companion variance petition (PCB 85-165). In that order a motion to consolidate this matter with PCB 85-165 was denied and the parties were ordered "not to file jointly captioned pleadings before the Board."

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 January, 1986 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board