

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

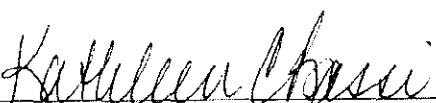
DYNEGY MIDWEST GENERATION, INC.)
(VERMILION POWER PLANT),)
Petitioner,)
v.) PCB 06-073
ILLINOIS ENVIRONMENTAL) (Permit Appeal – Air)
PROTECTION AGENCY,)
Respondent.)

NOTICE OF FILING

To: Pollution Control Board, Attn: Clerk Robb Layman
James R. Thompson Center Sally Carter
100 W. Randolph, Suite 11-500 Division of Legal Counsel
Chicago, Illinois 60601 Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

Mr. Bradley Halloran
Hearing Officer
Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution control Board Petitioner's **Waiver of Decision Date**, copies of which are herewith served upon you.



Kathleen C. Bassi

Dated: December 13, 2005

Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
Joshua R. More
Kavita M. Patel
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6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
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WAIVER OF DECISION DATE

NOW COMES Petitioner, Dynegy Midwest Generation, Inc. (Vermilion Power Plant), by and through its attorneys, Schiff Hardin LLP, and waives the Board's statutory decision date in this matter for approximately 180 days until September 7, 2006.

Respectfully submitted,

**DYNEGY MIDWEST GENERATION, INC.
(VERMILION POWER PLANT)**

by *Kathleen Masei*
One of Its Attorneys

Dated: December 13, 2005

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CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached **Waiver of Decision**
Date,

by electric delivery upon the following person:

Pollution Control Board, Attn: Clerk
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

and by electronic and first class mail upon the following person:

Robb Layman
Sally Carter
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
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Springfield, Illinois 62794-9276
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Bradley Halloran, Hearing Officer
Pollution Control Board
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halloran@ipcb.state.il.us



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