

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**ILLINOIS POWER  
GENERATING COMPANY,**

Petitioner,

**v.**

**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,**

Respondent.

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**PCB 2024-056**

**NOTICE OF FILING**

To: See Attached Service List (Via Electronic Filing)

PLEASE TAKE NOTICE that the undersigned filed today with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following MOTION FOR EXTENSION OF TIME TO FILE THE RECORD, copies of which are attached hereto and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/Samuel Henderson  
Samuel Henderson, #6336028  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 720-9820  
[samuel.henderson@ilag.gov](mailto:samuel.henderson@ilag.gov)

Dated: March 13, 2024

**SERVICE LIST**

Joshua R. More  
Bina Joshi  
Samuel A. Rasche  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
Joshua.More@afslaw.com  
Bina.Joshi@afslaw.com  
Sam.Rasche@afslaw.com

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274  
carol.webb@illinois.gov

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 13, 2024, before 5:00 PM, he caused to be served by electronic mail, a true and correct copy of the following instruments entitled Notice of Filing and Motion for Extension of Time to File the Record to:

Joshua R. More  
Bina Joshi  
Samuel A. Rasche  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
Joshua.More@afslaw.com  
Bina.Joshi@afslaw.com  
Sam.Rasche@afslaw.com

Carol Webb  
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1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, IL 62794-9274  
[carol.webb@illinois.gov](mailto:carol.webb@illinois.gov)

This email transmission contains 5 pages.

/s/ Samuel Henderson  
Samuel Henderson  
Assistant Attorney General  
Environmental Bureau  
[samuel.henderson@ilag.gov](mailto:samuel.henderson@ilag.gov)

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/Samuel Henderson  
Assistant Attorney General  
Environmental Bureau

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>ILLINOIS POWER</b>	)	
<b>GENERATING COMPANY,</b>	)	
	)	
	)	
Petitioner,	)	
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<b>v.</b>	)	
	)	<b>PCB 2024-056</b>
<b>ILLINOIS ENVIRONMENTAL</b>	)	
<b>PROTECTION AGENCY,</b>	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME**  
**TO FILE THE RECORD**

NOW COMES Respondent, the Illinois Environmental Protection Agency, by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, and hereby moves for an extension of time to file the administrative record in this matter pursuant to Sections 101.522 and 105.116 of the Board's Procedural Rules, 35 Ill. Adm. Code 101.522 and 105.116. In support thereof, Respondent states as follows:

1. On February 20, 2024, Illinois Power Generating Company ("Petitioner") filed a Petition for Review of Illinois Environmental Protection Agency's Non-Concurrence with Alternative Source Demonstration Under 35 Ill. Adm. Code Part 845 and Motion for Stay, challenging Respondent's non-concurrence with Petitioner's Alternative Source Determination, which Respondent issued to Petitioner on January 11, 2024.
2. Respondent has no objection to Petitioner's requested stay.
3. Pursuant to Section 105.116(a) of the Board's regulations, 35 Ill. Adm. Code 105.116(a), and the Board's Order of March 7, 2024 in this case, Illinois EPA must file the administrative record by March 21, 2024.

4. Illinois EPA personnel involved in preparing the record have been working diligently, but certain personnel changes have impacted the compiling of the record. Therefore, additional time is needed to compile and file the administrative record.

5. Respondent respectfully requests additional time until May 29, 2024 in order to file the record.

6. Counsel for Petitioner does not object to Respondent's request.

7. Respondent's request for additional time is for good cause and will not prejudice Petitioner or unduly delay this matter.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including May 29, 2024 to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/Samuel Henderson  
Samuel Henderson, #6336028  
Assistant Attorney General  
Environmental Bureau  
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