

ILLINOIS POLLUTION CONTROL BOARD
October 18, 1973

COMMONWEALTH EDISON COMPANY)
)
 v.) PCB 73-248
)
 ENVIRONMENTAL PROTECTION AGENCY)

ORDER OF THE BOARD (by Mr. Henss)

Citizens for a Better Environment has filed a Motion For Reconsideration Of Petition To Intervene. The Environmental Protection Agency requests that we allow the intervention. Commonwealth Edison has not responded to the CBE Motion.

Petitioner, Citizens for a Better Environment, has filed an enforcement action wherein it is alleged the Commonwealth Edison has operated its Kincaid Power Station without a permit (PCB 73-245). The prosecution case has been consolidated for hearing with this case. The two actions appear to have common questions of fact and law and this does appear to be appropriate case for intervention.

It is therefore ordered that our prior Orders in which intervention was denied are vacated. The Petition for Intervention is allowed and Petitioner Citizens for a Better Environment, an Illinois not-for-profit corporation, is added as Intervenor-Respondent.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted this 18th day of October, 1973 by a vote of 4 to 3.