

ILLINOIS POLLUTION CONTROL BOARD

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MAY 27 2004

STATE OF ILLINOIS  
Pollution Control Board

PCB 04-815  
(Trade Secret Appeal)

MIDWEST GENERATION EME, LLC  
Petitioner,

v.

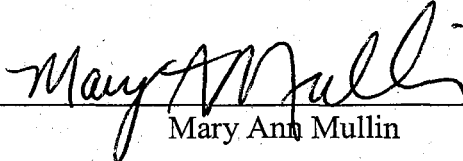
ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Respondent.

NOTICE OF FILING

To: Sally A. Carter  
Robert H. Layman  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, IL 60601  
(312) 814-8917

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board Midwest Generation EME, LLC's Waiver of Deadline for Board Action, a copy of which is herewith served upon you.

  
Mary Ann Mullin

Dated: May 27, 2004

Schiff Hardin LLP  
6600 Sears Tower  
Chicago, IL 60606  
(312) 258-5687

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MIDWEST GENERATION EME, LLC

Petitioner,

v.

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PROTECTION AGENCY,

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Pollution Control Board  
PCB or  
(Trade Secret Appeal)

WAIVER OF DEADLINE  
FOR BOARD ACTION

In accordance with 35 Ill. Adm. Code 101.308(c)(2), Midwest Generation EME, LLC hereby waives the statutory deadline for Board action in the above-captioned matter from October 21, 2004 to April 19, 2005

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By: Mary A. Mullin

Sheldon A. Zabel

Mary A. Mullin

SCHIFF HARDIN LLP

6600 Sears Tower

Chicago, Illinois 60606

(312) 258-5540

Attorneys for

Midwest Generation EME, LLC

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served the attached Waiver of Deadline for Board Action by U.S. Mail, upon the following persons:

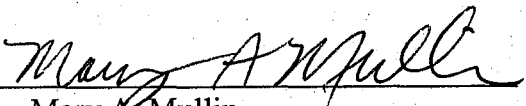
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Dated: May 27, 2004

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By:   
Mary A. Mullin

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6600 Sears Tower  
Chicago, Illinois 60606  
(312) 258-5540

One of the Attornies for  
Midwest Generation EME, LLC