

ILLINOIS POLLUTION CONTROL BOARD
February 7, 1980

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 79-142
)
 CITIZENS UTILITIES COMPANY OF ILLINOIS,)
)
 Respondent.)

ORDER OF THE BOARD (by Mr. Goodman):


The Agency seeks review of the December 8, 1979 hearing officer order denying its November 30, 1979 motion to file an amendment to its original complaint filed in July of 1979. In his January 2, 1980 Supplementary Order, the hearing officer found the motion to be untimely both under Procedural Rule 308(a) and because the parties were ready for trial, discovery on the original complaint having been completed.

The order of the hearing officer is affirmed. All motions preliminary to the hearing set for December 13, 1979 were due on or before Thursday, November 29, 1979. The pleadings present no compelling reason for the Board's waiver of its procedural rules.

The parties are ordered to continue with hearing immediately.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Order was adopted on the 7th day of February, 1980 by a vote of 4-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board