

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PROPOSED NEW CLEAN AIR)	R06-26
INTERSTATE RULES (CAIR))	(Rulemaking – Air)
SO₂, NO_x ANNUAL AND NO_x)	
OZONE SEASON TRADING)	
PROGRAMS, 35 ILL. ADM. CODE 225,)	
SUBPARTS A, C, D AND E)	

NOTICE OF FILING

To:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

Persons included on the
ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board the MOTION TO WITHDRAW MIDWEST GENERATION, LLC's "MOTION TO DISMISS," a copy of which is herewith served upon you.

 /s/ Karl A. Karg
Karl A. Karg

Dated: January 5, 2007

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MOTION TO WITHDRAW MIDWEST GENERATION, LLC's "MOTION TO DISMISS"

NOW COMES Participant MIDWEST GENERATION, LLC, by and through its attorneys, Latham & Watkins LLP, and requests to withdraw its Motion to Dismiss. In support of its request, Participant states as follows:

1. On November 30, 2006, Participant, along with DYNEGY MIDWEST GENERATION, INC. and SOUTHERN ILLINOIS POWER COOPERATIVE, collectively filed with the Board their Motion to Dismiss.
2. That motion requested that the Board dismiss the Illinois Environmental Protection Agency's ("Agency") proposed new Subparts C, D, and E of Part 225, to the Board's air pollution regulations (35 Ill. Adm. Code Part 225, Subparts C, D, and E).
3. On December 11, 2006, Participant and the Agency entered into a Memorandum of Understanding, under which the Participant and the Agency agreed to undertake certain actions to achieve reductions in mercury, sulfur dioxide and nitrogen oxide emissions from Participant's coal-fired Illinois electric generating units.
4. Based on the agreement between Participant and the Agency, as reflected in the Memorandum of Understanding, Participant moves to withdraw its Motion to Dismiss.

5. Participant's Motion to Withdraw its Motion to Dismiss is filed independently of DYNEGY MIDWEST GENERATION, INC. and SOUTHERN ILLINOIS POWER COOPERATIVE, and is not intended to have any effect on DYNEGY MIDWEST GENERATION, INC. and SOUTHERN ILLINOIS POWER COOPERATIVE's support for the previously filed Motion to Dismiss.

WHEREFORE, for the reasons set forth above, Participant MIDWEST GENERATION, LLC moves that the Board grant its Motion to Withdraw MIDWEST GENERATION, LLC's Motion to Dismiss, as set forth herein.

RESPECTFULLY SUBMITTED,
MIDWEST GENERATION, LLC

By: /s/ Karl A. Karg
Karl A. Karg

Dated: January 5, 2007

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 5th day of January, 2007, I have served electronically the attached Motion to Withdraw MIDWEST GENERATION, LLC's Motion to Dismiss upon the following person:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

and by first-class mail with postage thereon fully prepaid and affixed to the persons listed on the **ATTACHED SERVICE LIST.**

/s/ Karl A. Karg

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