

ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION EME, LLC

Petitioner,

v.

ILLINOIS ENVIRONMENTAL

PROTECTION AGENCY,

Respondent.

PCB 04-185

(Trade Secret Appeal)

NOTICE OF FILING

To: Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

Lisa Madigan
Matthew Dunn
Ann Alexander
Paula Becker Wheeler
Office of the Attorney General
188 West Randolph Street, Suite 2000
Chicago, Illinois 60601

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.

/s/ Mary Ann Mullin

Mary Ann Mullin

Dated: June 11, 2007

SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
(847) 295-4318

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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 September 26, 2007 to March 20, 2008.

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By: /s/ Mary A. Mullin
Mary A. Mullin
SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
(847) 295-4318

One of the Attorneys for
Midwest Generation EME, LLC

Dated: June 11, 2007

CERTIFICATE OF SERVICE

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

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

Lisa Madigan
Matthew Dunn
Ann Alexander
Paula Becker Wheeler
Office of the Attorney General
188 West Randolph Street, Suite 2000
Chicago, Illinois 60601

Dated: June 11, 2007

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By: /s/ Mary Ann Mullin
Mary Ann Mullin

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One Westminster Place
Lake Forest, IL 60045
(847) 295-4318

One of the Attorneys for
Midwest Generation EME, LLC