

ILLINOIS POLLUTION CONTROL BOARD
October 1, 2008

FOX MORaine, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 07-146
UNITED CITY OF YORKVILLE, CITY)	(Pollution Control Facility
COUNCIL,)	Siting Appeal)
)	
Respondent.)	
)	
)	
KENDALL COUNTY,)	
)	
Intervenor.)	

HEARING OFFICER ORDER

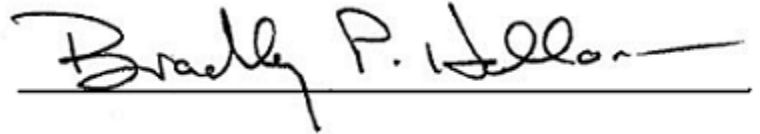
On October 1, 2008, all parties participated in a telephonic status conference with the hearing officer. Discussions centered on the recently filed pre-hearing motions and the hearing scheduled for October 6, 7 and 8, 2008. The parties indicated that they would like an opportunity to file a written reply to the respective responses to the motions. The parties were directed to file their respective replies on or before October 7, 2008. All parties agreed that due to the briefing schedule of the replies, and the need for an opportunity to review the order once issued, the hearing in this matter should be cancelled and rescheduled.

To that end, the hearing in this matter is cancelled and is rescheduled for December 16 through the 18, 2008. The time and location will be noted in the notice of hearing.

The petitioner represented that it will file an additional waiver of the statutory decision deadline, to and including April 16, 2009.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on October 16, 2008, 1:30 p.m. The telephonic conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. The petitioner represented that the conference call-in number will be the same as on October 1, 2008. At the conference the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line that spans the width of the signature.

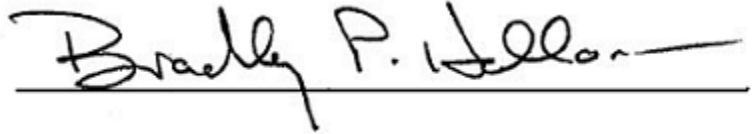
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order was mailed, first class, on October 1, 2008 to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on October 1, 2008:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath it.

Bradley P. Halloran
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