

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation EME, LLC,	)	
	)	
Petitioner,	)	
	)	PCB No. 04-185
v.	)	(Trade Secret Appeal)
	)	
Illinois Environmental Protection Agency,	)	
	)	
Respondent.	)	

**MIDWEST GENERATION EME, LLC'S  
WAIVER OF DEADLINE FOR BOARD ACTION**

Pursuant to 35 Ill. Admin. Code §101.308(c)(2), Midwest Generation EME, LLC hereby waives the statutory decision deadline for Board action in the above-captioned matter from March 19, 2009 to September 18, 2009.

Respectfully submitted,

Midwest Generation EME, LLC

By:   
Mary A. Mullin

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

Attorneys for  
Midwest Generation EME, LLC

Dated: January 5, 2009

**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: Illinois Pollution Control Board, Attn: Clerk  
100 West Randolph  
Suite 11-500  
Chicago, Illinois 60601

Brad P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street  
Suite 11-500  
Chicago, IL 60601

PLEASE TAKE NOTICE that we 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, copies of which are herewith served upon you.



Mary A. Mullin  
Schiff Hardin LLP  
One Westminster Place  
Lake Forest, IL 60045  
(847) 295-4318

Dated: January 5, 2009

**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 person:

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

Bradley P. Halloran, Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

Dated: Lake Forest, Illinois  
January 5, 2009

Respectfully submitted,

MIDWEST GENERATION EME, LLC

By:   
Mary A. Mullin

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

One of the Attorneys for  
Midwest Generation EME, LLC