#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| AMEREN ENERGY GENERATING )            |                       |
|---------------------------------------|-----------------------|
| COMPANY, ELECTRIC ENERGY, INC., and ) |                       |
| MIDWEST ELECTRIC POWER, INC.,         |                       |
| Petitioner, )                         |                       |
| )                                     |                       |
| v. )                                  | PCB 09-94             |
| )                                     | (Permit Appeal – Air) |
| ILLINOIS ENVIRONEMNTAL )              |                       |
| PROTECTION AGENCY, )                  |                       |
| )                                     |                       |
| Respondent.                           |                       |

### **NOTICE**

To: Pollution Control Board, Attn: Clerk James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 Sally Carter, Assistant Counsel Robb Layman, Assistant Counsel Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue, East P.O. Box 19276 Springfield, Illinois 62794-9276

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

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Petitioner's **Waiver of Decision Date**, copies of which are herewith served upon you.

| /s/ | Joshua R. More |  |
|-----|----------------|--|
|     | Joshua R. More |  |

Dated: June 2, 2009

# Electronic Filing - Received, Clerk's Office, June 2, 2009

SCHIFF HARDIN LLP Renee Cipriano Joshua R. More 6600 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 312-258-5769

FAX: 312-258-5600

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| AMEREN ENERGY GENERATING            | )                       |
|-------------------------------------|-------------------------|
| COMPANY, ELECTRIC ENERGY, INC., and | )                       |
| MIDWEST ELECTRIC POWER, INC.,       | )                       |
|                                     | )                       |
| Petitioner,                         | )                       |
|                                     | )                       |
| <b>V</b> •                          | ) PCB 09-94             |
|                                     | ) (Permit Appeal – Air) |
| ILLINOIS ENVIRONEMNTAL              | )                       |
| PROTECTION AGENCY,                  | )                       |
|                                     | )                       |
| Respondent.                         | )                       |
|                                     |                         |

## WAIVER OF DECISION DATE

NOW COMES Petitioner, Ameren Energy Generating Company, Electric Energy, Inc., and Midwest Electric Power, Inc., by and through its attorneys, Schiff Hardin LLP, and waives the Board's statutory decision date in this matter until January 14, 2010.

Respectfully submitted,

AMEREN ENERGY GENERATING COMPANY, ELECTRIC ENERGY, INC., and MIDWEST ELECTRIC POWER, INC.

By /s/ Joshua R. More
One of Its Attorneys

Dated: June 2, 2009

SCHIFF HARDIN LLP Renee Cipriano Joshua R. More 6600 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 312-258-5769

FAX: 312-258-5600

## **CERTIFICATE OF SERVICE**

I, the undersigned certificate that I have served the attached Waiver of Decision Date, by

electronic delivery upon the following person:

and by electronic mail and first class mail upon the following persons:

Pollution Control Board, Attn: Clerk James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 Sally Carter, Assistant Counsel
Robb Layman, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
sally.carter@epa.state.il.us
robb.layman@epa.state.il.us

Mr. Bradley P. Halloran, Hearing Officer Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, Illinois 60601 hallorab@ipcb.state.il.us

/s/ Joshua R. More Joshua R. More

Dated: June 2, 2009