

[x] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.

ILLINOIS POLLUTION CONTROL BOARD

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1. ' IEPA has filed a motion for summary judgment in its favor. Petitioner received that motion on April 7, 2011.
2. The hearing officer has previously granted extensions of time for petitioner to respond to the motion for summary judgment. Petitioner's response is currently due on June 6, 2011.
3. Petitioner seeks a further extension, to and including June 30, 2011, in which to file a response.
4. This motion is not made for purposes of delay, but to allow petitioner sufficient time to fully analyze and act in response to (EPA's motion. No party will be prejudiced by the extension of time.

5. Counsel for IEPA has no objection to petitioner's requested extension, and has authorized petitioner's counsel to so state.

WHEREFORE, petitioner MORGAN SOUTHERN COMPANY moves for an extension of time, to and including June 30, 2011, to respond to IEPA's motion for summary judgment, and for such other relief as the hearing officer deems appropriate.

MORGAN SOUTHERN COMPANY

By

s/Elizabeth S. Harvey One of its
attorneys

Date: June 3, 2011

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