

ILLINOIS POLLUTION CONTROL BOARD  
July 25, 2017

DYNEGY MIDWEST GENERATION, LLC )  
(BALDWIN ENERGY COMPLEX), )  
 )  
Petitioner, )  
 )  
v. ) PCB 09-9  
 ) (CAAPP Permit Appeal – Air)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

**HEARING OFFICER ORDER**

In an effort to assist the Board’s understanding of this appeal’s status, the Hearing Officer directs the parties to address the attached questions in a written response filed, jointly or otherwise, on or before August 18, 2017.

As stated in the previous Hearing Office Order in this matter, dated June 14, 2017, the parties or their legal representatives shall participate in a telephonic status conference with the hearing officer on September 6, 2017. The telephonic status conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of this matter and their readiness for hearing.

IT IS SO ORDERED.



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Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
217/524-8509  
Carol.Webb@illinois.gov

**BOARD QUESTIONS**

The parties to this and other similar appeals have told the Hearing Officer that progress has been made to resolve these appeals since the last set of Board questions issued on February 22, 2016. Please elaborate on the progress that is being made to resolve this appeal, PCB 09-9. Specifically, please address the following questions that the Board directs to both parties in this appeal:

1. Have discussions specific to the permit at issue in this appeal taken place outside of Hearing Officer status calls? Are the parties actively working to resolve this particular appeal at the same time as they are actively working on other similar appeals, or is progress being made in a sequential manner, *i.e.*, resolving appeals one at a time before moving on to others? If sequential, where does this case fall in the sequence and when do the parties expect to focus in earnest on resolving it?
2. Have any settlement proposals been made since the parties last responded to specific Board questions that would completely resolve this appeal? If so, who made that proposal and when did they make it? What is the status of negotiations over any such proposals?
3. Is there any anticipated time frame when the parties expect to resolve this appeal?

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, on July 25, 2017, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on July 25, 2017:

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



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Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
217/524-8509  
Carol.Webb@illinois.gov

“@” Consents to electronic service.

PCB 2009-009@  
Angad Nagra  
Office of the Attorney General  
69 W. Washington Street, Suite 1800  
Chicago, IL 60602

PCB 2009-009@  
James Gignac  
Office of the Attorney General  
69 W. Washington Street, Suite 1800  
Chicago, IL 60602

PCB 2009-009@  
Andrew N. Sawula  
Schiff Hardin, LLP  
233 S. Wacker Drive  
Chicago, IL 60606-6473

PCB 2009-009@  
Ryan C. Granholm  
Schiff Hardin, LLP  
233 S. Wacker Drive  
Chicago, IL 60606-6473

PCB 2009-009@  
Stephen J. Bonebrake  
Schiff Hardin, LLP  
233 S. Wacker Drive  
Chicago, IL 60606-6473