

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST ELECTRIC POWER, INC.)	
)	
Petitioner,)	
)	
v.)	PCB 09-94
)	(Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

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

/s/ Amy Antonioli
Amy Antonioli

Dated: September 26, 2017

SCHIFF HARDIN LLP
Renee Cipriano
Joshua R. More
Amy Antonioli
233 South Wacker Drive, Suite 7100
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Tel: 312-258-5550
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MOTION TO VOLUNTARILY DISMISS

NOW COMES Petitioner, Midwest Electric Power, Inc., by and through its attorneys, Schiff Hardin LLP, and pursuant to Section 101.500 of the Illinois Pollution Control Board's (Board's) procedural rules and moves the Board to dismiss this Clean Air Act Permit Program (CAAPP) permit appeal and close the docket, stating as follows:

1. On April 23, 2009, Ameren Energy Generating Company, Electric Energy, Inc., and Midwest Electric Power, Inc. (Petitioners) filed a Petition for Review of CAAPP Permit No. 01050058 issued by the Illinois Environmental Protection Agency to Midwest Electric Power, Inc. and a request for a stay of the contested conditions.
2. On July 23, 2009, the Board stayed the effectiveness of the contested conditions pending the final resolution of the appeal.
3. On October 16, 2014, the Board granted Petitioners' motion to strike Ameren Electric Generating Company from this matter.
4. The parties came to an agreement about the issues raised in the appeal.

5. Petitioner Midwest Electric Power, Inc. received a final modified CAAPP permit, issued August 14, 2017, addressing the issues raised in the appeal.

WHEREFORE, Midwest Electric Power, Inc. moves the Board to grant the Motion to Voluntarily Dismiss, dismiss this appeal, and close the docket.

Respectfully submitted,

Midwest Electric Power, Inc.

By /s/ Amy Antonioli
One of Its Attorneys

Dated: September 26, 2017

SCHIFF HARDIN LLP
Renee Cipriano
Joshua R. More
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CERTIFICATE OF SERVICE

I, the undersigned certificate that on this 26th day of September, 2017:

I have electronically served a true and correct copy of the attached **MOTION TO VOLUNTARILY DISMISS**, on behalf of Midwest Electric Power, Inc., upon the following Mr. Brad Halloran, Hearing Officer at the Illinois Pollution Control Board at the email address of Brad.Halloran@illinois.gov;

My e-mail address is aantoniolli@schiffhardin.com;

The number of pages in the e-mail transmission is 5.

The e-mail transmission took place before 5:00 p.m.

I further certify that I have served a true and correct copy of the attached **MOTION TO VOLUNTARILY DISMISS**, on behalf of Midwest Electric Power, Inc., by first class mail, postage affixed, upon:

Nancy Tikalsky
Office of the Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602

Sally Carter
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Sally.carter@illinois.gov

/s/ Amy Antonioli

Amy Antonioli

Dated: September 26, 2017

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SERVICE LIST

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