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JUL 10 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD
July 10, 2014

DYNEGY MIDWEST GENERATION, LLC,)
)
 Petitioner,)
)
 v.)
) PCB 12-135
 ILLINOIS ENVIRONMENTAL PROTECTION) (Variance - Air)
 AGENCY,)
)
 Respondent.)
)



ORIGINAL

HEARING OFFICER ORDER

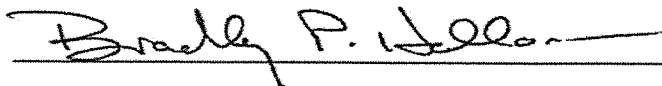
On July 10, 2014, all parties participated in a telephonic status conference with the hearing officer. The petitioner stated the United States Supreme Court recently ruled in favor of the United States Environmental Protection Agency (USEPA) and reversed the decision of the District of Columbia Circuit Court of Appeals. It is noted that the issues in that case involved the Cross-State Air Pollution Rule that is relevant to this variance petition. The petitioner stated that the USEPA has now filed a motion to lift the previously ordered stay in the Court of Appeals. Briefing is expected to be concluded on July 25, 2014.

Petitioner further stated that it is likely that it will file an amended variance petition that would revise the dates in the above-captioned petition that was filed June 8, 2012.

The petitioner stated that it would file an additional waiver of the statutory decision deadline to and including January 8, 2015.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 26, 2014, at 10:30 a.m. The telephonic conference must be initiated by the petitioner, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a solid horizontal line.

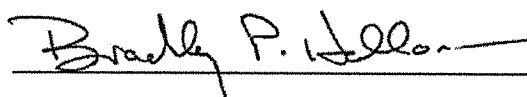
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Hearing Officer
Illinois Pollution Control Board
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312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on July 10, 2014, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on July 10, 2014:

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



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