

ILLINOIS POLLUTION CONTROL BOARD
May 30, 2013

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MAY 30 2013

STATE OF ILLINOIS
Pollution Control Board

SIERRA CLUB, ENVIRONMENTAL LAW)
AND POLICY CENTER, PRAIRIE RIVERS)
NETWORK, and CITIZENS AGAINST)
RUINING THE ENVIRONMENT,)

Complainants,)

v.)

MIDWEST GENERATION, LLC.,)

Respondent.)

PCB 13-15
(Enforcement – Water)



ORIGINAL

HEARING OFFICER ORDER

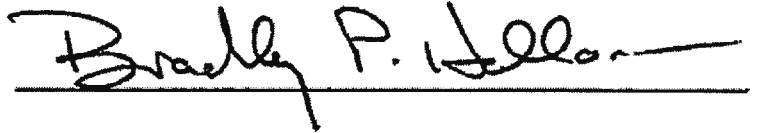
On May 30, 2013, all parties participated in a telephonic status conference with the hearing officer to discuss a briefing schedule pursuant to the February 7, 2013 Board order in this matter. In the order the Board directed that, inter alia, the parties notify the Board within 30 days of the expiration of the automatic stay in this case, either by action of the Bankruptcy Court or otherwise. The Board further directed that upon receipt of such filing, the hearing officer issue an order setting a date certain for complainants' response to respondent's November 5, 2012 motion to dismiss.

On May 22, 2013, the complainants filed a "Notice of Partial Lift of Stay by Bankruptcy Court". The Bankruptcy Court order is attached to the notice as Exhibit A. The Court ordered that the stay is lifted so that proceedings before the Board may continue for the sole purpose of adjudicating respondent's motion to dismiss.

To that end, it was agreed that complainants' response to respondent's motion to dismiss be filed on or before June 21, 2013. The respondent's reply is to be filed on or before July 9, 2013.

The parties or their legal representatives are directed to appear at a telephonic status conference with the hearing officer on September 19, 2013, at 11:30 a.m. The status conference must be initiated by the complainants, but each party is nonetheless responsible for its own appearance.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
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Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on May 30, 2013, 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 May 30, 2013:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
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Chicago, Illinois 60601



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