

AUG - 3 2016

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS POLLUTION CONTROL BOARD

August 3, 2016

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
(Citizen's Enforcement – Water)

 ORIGINAL

HEARING OFFICER ORDER

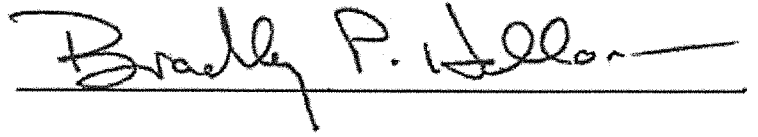
On July 22, 2016, complainants filed a motion for leave to reply in support of its motion for partial summary judgment (Mot.). On July 28, 2016, the respondent filed an objection to complainants' motion (Obj.).

Complainants argue that material prejudice would result if they cannot file a reply and that the scope and complexity of respondent's brief necessitates a reply. Mot. at 2-3. Citing 35 Ill. Adm. Code 101.500 (e), respondent argues that no material prejudice would result if complainants' motion is denied. Obj. at 3-4. Respondent additionally argues that a reply would not assist the Board. *Id.* Finally, respondent requests that if complainants' motion is granted, it be given leave to file a sur-reply. *Id.* at 7.

Due to the length and complexity of both the complainants and respondent's briefs, complainants' motion is granted to the extent that the reply is due to be filed on or before September 2, 2016. Respondent's sur-reply is due to be filed on or before October 3, 2016.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on September 22, 2016, at 11:30 a.m. The telephonic status conference must be initiated by the complainants, 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 that reads "Bradley P. Halloran" with a horizontal line extending to the right from the end of the signature.

Bradley P. Halloran
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on August 3, 2016, 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 August 3, 2016:

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

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath.

Bradley P. Halloran
Hearing Officer
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