

ILLINOIS POLLUTION CONTROL BOARD  
April 14, 2021

SIERRA CLUB, ENVIRONMENTAL LAW )  
AND POLICY CENTER, PRAIRIE RIVERS )  
NETWORK, and CITIZENS AGAINST )  
RUINING THE ENVIRONMENT, )  
 )  
Complainants, )  
 )  
v. ) PCB 13-15  
 ) (Citizens Enforcement – Water)  
MIDWEST GENERATION, LLC, )  
 )  
Respondent. )

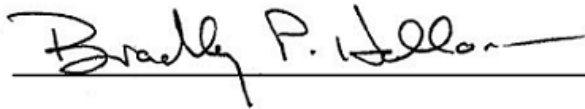
**HEARING OFFICER ORDER**

On April 14, 2021, all parties participated in a telephonic status conference with the hearing officer. Discussions centered on my Order of April 13, 2021, granting respondent's motion *in limine*-excluding portions of the Shefftz Opinion that concern NRG. The complainants are discussing whether to file an interlocutory appeal. The complainants are also discussing whether to file a motion to clarify my Order.

The parties are in agreement that at present they will proceed pursuant to the discovery order that was entered on October 19, 2020. It is noted that the discovery schedule may have to be revisited in the future.

The parties are directed to participate in a telephonic conference with the hearing officer on May 19, 2021, at 11:30 a.m. (cdt). The complainants are directed to provide a call-in number.

IT IS SO ORDERED.



Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on April 14, 2021, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on April 14, 2021:

Don Brown  
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  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
312.814.8917

@ Consents to electronic service

SERVICE LIST

PCB 2013-015@  
Jennifer T. Nijman  
Nijman Franzetti LLP  
10 S. LaSalle Street  
Suite 3600  
Chicago, IL 60603

PCB 2013-015@  
Jeffrey Hammons  
Environmental Law & Policy Center  
35 E. Wacker Drive  
Suite 1600  
Chicago, IL 60601

PCB 2013-015@  
Keith I. Harley  
Chicago Legal Clinic, Inc.  
211 W. Wacker Drive  
Suite 750  
Chicago, IL 60606

PCB 2013-015@  
Abel Russ  
Environmental Integrity Project  
1000 Vermont Avenue NW  
Suite 1100  
Washington, DC 20005

PCB 2013-015@  
Susan M. Franzetti  
Nijman Franzetti LLP  
10 S. LaSalle Street  
Suite 3600  
Chicago, IL 60603

PCB 2013-015@  
Kristen L. Gale  
Nijman Franzetti LLP  
10 S. LaSalle Street  
Suite 3600  
Chicago, IL 60603

PCB 2013-015@  
Greg Wannier  
Sierra Club  
85 Second Street  
Second Floor  
San Francisco, CA 94105

PCB 2013-015@  
Kelly Emerson  
Nijman Franzetti LLP  
10 S. LaSalle Street  
Suite 3600  
Chicago, IL 60603

PCB 2013-015@  
Faith Bugel  
1004 Mohawk  
Wilmette, IL 60091

PCB 2013-015@  
James M. Morpew  
Sorling, Northrup, Hanna, Cullen & Cochran,  
Ltd.  
1 North Old State Capitol Plaza, Suite 200  
P.O. Box 5131  
Springfield, IL 62705

PCB 2013-015@  
Jennifer M. Martin  
Heplerbroom LLC  
4340 Acer Grove Drive  
Springfield, IL 62711

PCB 2013-015@  
Melissa S. Brown  
Heplerbroom LLC  
4340 Acer Grove Drive  
Springfield, IL 62711

PCB 2013-015@  
Brian J.D. Dodds  
Heplerbroom LLC  
4340 Acer Grove Drive  
Springfield, IL 62711