



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS
December 31, 2009

Lisa Madigan
ATTORNEY GENERAL

Eurika Durr
Clerk of Board
Environmental Appeals Board
US Environmental Protection Agency
1341 G Street, NW Suite 600
Washington D.C., 20005

BY OVERNIGHT MAIL

Re: In the Matter of: Power Holdings of Illinois, LLC
PSD Appeal No. 09-04

Dear Ms. Durr:

Enclosed please find an original and five copies of the Office of the Attorney General's Appearances and a Motion for Extension of Time to File Response. Also included is a sixth copy and a return self addressed stamped envelope. Please file this pleading on or before Monday January 4, 2010. Please contact me at the number below if you have any questions.

Thank you.

Very truly yours,

Joy Ham, Paralegal II
Environmental Bureau
Illinois Attorney General's Office
69 West Washington St., 18th Floor
Chicago, IL 60602
(312) 814-0669

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BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

RECEIVED
U.S. EPA
JUN 14 10 31 AM '04

ENVIRONMENTAL APPEALS BOARD

IN THE MATTER OF:)
)
POWER HOLDINGS OF ILLINOIS, LLC)
)

PSD APPEAL NO. 09-04

JUN 14 10 31 AM '04

ENVIRONMENTAL APPEALS BOARD

RECEIVED
U.S. EPA
JUN 14 10 31 AM '04



NOTICE

To:

Eurika Durr,
Clerk of the Board
Environmental Appeals Board
US Environmental Protection Agency
1341 G Street, N.W. Suite 600
Washington, D.C. 20005

Robert Kaplan
Regional Counsel
Office of Regional Counsel
U.S. EPA, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604-3507

David C. Bender
McGillivray Westerberg & Bender
305 S. Paterson Street
Madison, Wisconsin 53703

James Gignac
Sierra Club
70 East Lake Street, Suite 1500
Chicago, Illinois 60601

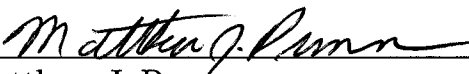
Bruce Nilles
Sierra Club
408 C Street, N.E.
Washington, DC 20002

Cheryl L. Newton, Acting Director
Air and Radiation Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3507

Power Holdings of Illinois, LLC
Joseph Darguzas
2112 West Galena Boulevard
Aurora, IL 60506

PLEASE TAKE NOTICE that I have today filed with the Clerk of the Environmental Appeals Board an original (1) and five (5) copies of the Office of the Attorney General's **APPEARANCES** and a **MOTION FOR EXTENSION OF TIME TO FILE RESPONSE** on behalf of the STATE OF ILLINOIS, a copy of which is herewith served upon you.

Respectfully submitted by,


Matthew J. Dunn
Assistant Attorney General

Environmental Division
Office of the Illinois Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-2521

Dated: December 31, 2009

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

IN THE MATTER OF:)

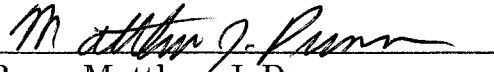
POWER HOLDINGS OF ILLINOIS, LLC)

PSD APPEAL NO. 09-04

APPEARANCE

NOW COMES Matthew J. Dunn, an Assistant Attorney General for the State of Illinois and enters this appearance on behalf of the STATE OF ILLINOIS, in the above-captioned matter.

Respectfully submitted,


By: Matthew J. Dunn
Assistant Attorney General

Environmental Division
Office of the Illinois Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-2521

Dated: December 31, 2009

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

IN THE MATTER OF:

POWER HOLDINGS OF ILLINOIS, LLC

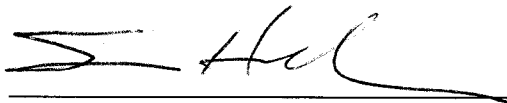
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PSD APPEAL NO. 09-04

APPEARANCE

NOW COMES Susan Hedman, an Assistant Attorney General for the State of Illinois and enters this appearance on behalf of the STATE OF ILLINOIS, in the above-captioned matter.

Respectfully submitted,



By: Susan Hedman
Assistant Attorney General

Environmental Division
Office of the Illinois Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-2521

Dated: December 31, 2009

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

IN THE MATTER OF:)
)
POWER HOLDINGS OF ILLINOIS, LLC) PSD APPEAL NO. 09-04
)
)

**MOTION FOR EXTENSION OF TIME TO FILE
RESPONSE TO PETITION FOR REVIEW**

The State Of Illinois ("Illinois"), by and through Illinois Attorney General Lisa Madigan, hereby requests an extension of time to file a Response to the Petition for Review (hereinafter "Petition") filed by the Sierra Club, in the above-captioned matter. In support thereof, Illinois states:

1. This matter was referred to the Office of the Illinois Attorney General on December 16, 2009.
2. The permitting agency continues to compile the administrative record and the certified index thereto, which after completion and review by the Office of the Illinois Attorney General, will be filed with the Board.
3. In light of these circumstances, Illinois will not be able to meet the January 4, 2010, deadline for filing a Response to the Petition.
4. Illinois respectfully requests a 60-day extension of time to file a Response to the Petition, until at least March 4, 2010.
5. Counsel for the Sierra Club has been consulted and does not object to

this extension of time.

WHEREFORE, the State of Illinois respectfully requests that the Board grant this Motion for Extension of Time and set a Response filing deadline no earlier than March 4, 2010.

Respectfully submitted,

LISA MADIGAN
Illinois Attorney General

By:  _____

Matthew J. Dunn
Susan Hedman
Assistant Attorneys General

Environmental Division
Office of the Illinois Attorney General
69 West Washington Street
Suite 1800
Chicago, Illinois 60602
(312) 814-2521

Dated: December 31, 2009

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of December, 2009, I did send, by express mail for next-day delivery, one (1) original and five (5) copies of the Office of the Illinois Attorney General's **APPEARANCES** and a **MOTION FOR EXTENSION OF TIME TO FILE RESPONSE** on behalf of the STATE OF ILLINOIS to:

Eurika Durr,
Environmental Appeals Board
U.S. Environmental Protection Agency
1341 G Street N.W. Suite 600
Washington, D.C. 20005

and a true and correct copy of the same documents, by First Class Mail with postage thereon fully paid, to:

Robert Kaplan
Regional Counsel
U.S. EPA, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604-3507


Power Holdings of Illinois, LLC
Joseph Darguzas
2112 West Galena Boulevard
Aurora, IL 60506

David C. Bender
McGillivray Westerberg & Bender
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Cheryl L. Newton, Acting Director
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By: 
Matthew J. Dunn
Assistant Attorney General