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ENVIRONMENTAL APPEALS BOARD

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FILE NO: 60644.000002

June 13, 2005

**Via Federal Express**

Ms. Eureka Durr  
Clerk of the Board  
Environmental Appeals Board  
U.S. Environmental Protection Agency  
1341 G Street, N.W., Suite 600  
Washington, D.C. 20005

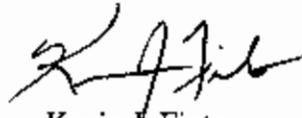
Re: Prairie State Generating Station  
Permit Number 189808AAB  
PSD Permit Appeal No. PSD 05-05

Dear Ms. Durr:

Enclosed for filing is one original and five copies of Prairie State Generating Company, LLC's Motion for Leave to Intervene in the above captioned matter.

Please note that my last name is "Finto," not "Sinto." Thank you.

Sincerely,



Kevin J. Finto

KJF:lo  
Enclosure

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

**IN THE MATTER OF:** )  
**PRAIRIE STATE** )  
**GENERATING STATION** )  
**APPLICATION NUMBER: 01100065** )  
**PSD PERMIT NUMBER: 189808AAB** )

**PSD APPEAL: PSD 05-05**

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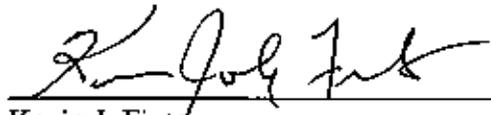
**PRAIRIE STATE GENERATING COMPANY, LLC  
MOTION FOR LEAVE TO INTERVENE**

Pursuant to Rule 40 C.F.R. § 124.19 and Environmental Appeals Board Practice Manual § III.B.4, Prairie State Generating Company, LLC ("Prairie State") hereby moves for leave to intervene in the petition for review filed by American Bottom Conservancy, American Lung Association of Metropolitan Chicago, Clean Air Task Force, Health and Environmental Justice-St. Louis, Lake County Conservation Alliance, Sierra Club and Valley Watch ("Petitioners"). The petition for review involves the decision by the Illinois Environmental Protection Agency ("IEPA") to issue a Prevention of Significant Deterioration ("PSD") permit to Prairie State to construct a 1,500 MW coal-fueled electric generating station in Washington County, Illinois. The petition alleges that the IEPA issued the PSD permit without factual or legal basis.

As the Permittee, Prairie State has a direct interest in the proceedings relating to the permit and the petition. Disposition of the action may as a practical matter impair or impede Prairie State's ability to protect that interest.

For the foregoing reasons, Prairie State respectfully requests that this Board grant Prairie State leave to intervene in this proceeding. All correspondence regarding this matter shall be served upon the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin J. Finto", written over a horizontal line.

Kevin J. Finto

*Counsel of Record*

Harry M. Johnson, III

Penny A. Shamblin

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Dated this 13<sup>th</sup> day of June, 2005.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 13<sup>th</sup> day of June, 2005, copies of the foregoing Motion of Prairie State Generating Company, LLC for Leave to Intervene were served by first class mail, postage prepaid to:

Bruce Nilles  
Sierra Club  
214 N. Henry St., Suite 203  
Madison, Wisconsin 53704

Verena Owen  
Lake County Conservation Alliance  
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Ann Brewster Weeks  
Clean Air Task Force  
18 Tremont Street, Suite 530  
Boston, Massachusetts 02108

John Blair  
Valley Watch  
800 Adams Avenue  
Evansville, Indiana 47713

Kathy Andria  
American Bottom Conservancy  
614 N. 7<sup>th</sup> Street  
East St. Louis, Illinois 62201-1372

Kathleen Logan-Smith  
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Counsel for Prairie State  
Generating Company, LLC