MOTION TO WITHDRAW APPLICATION WITHOUT PREJUDICE

Wolf Carbon Solutions US LLC (“WCSUS”) hereby requests leave to withdraw its application for a Certificate of Authority pursuant to the Carbon Dioxide Transportation and Sequestration Act (“CO2 Act”) (220 ILCS 75/1 et seq.) filed in this Docket on June 16, 2023 without prejudice and to conclude the proceedings in this Docket. Additionally, WCSUS requests that that Administrative Law Judges (“ALJs”) immediately suspend the procedural schedule and all filing dates in this Docket until this motion can be presented to and ruled on by the Commission.

1. On June 16, 2023, WCSUS filed with the Illinois Commerce Commission (“Commission”) an Application for a Certificate of Authority to construct and operate an interstate carbon dioxide transportation pipeline in Illinois pursuant to the Carbon Dioxide Transportation and Sequestration Act, 220 ILCS 75/1 et seq. The Application was docketed by the Commission as Docket 23-0475.

2. During the course of these proceedings, several parties have moved to dismiss WCSUS’s application on the basis that WCSUS’s identification of the “notification corridor” of parcels within one-half mile on either side of the proposed centerline is improper. Additionally, Commission staff’s testimony criticized, among other things, WCSUS’s lack of “agreement” with
a source that will result in the reduction of carbon dioxide emissions from the source, as required by 220 ILCS 75/20.

3. WCSUS believes that its current Application is sufficient and has objected to the parties’ motions to dismiss. However, WCSUS also believes that through a new application, it can address and moot many, if not all, of the concerns expressed. Accordingly, WCSUS requests leave to voluntarily withdraw its Application, without prejudice and with leave to file a new application, and requests an order from the Commission granting leave to voluntarily withdraw its application without prejudice, and concluding this Docket.

4. WCSUS intends to file a new application for a Certificate of Authority to construct and operate a carbon dioxide transportation pipeline pursuant to 220 ILCS 75/1 et seq. soon.

5. To preserve judicial and party resources, WCSUS further requests that the ALJs in this Docket suspend the current procedural schedule and filing dates in this Docket until such time as this Motion can be presented to and ruled on by the Commission.

WHEREFORE, WCSUS respectfully requests the Commission enter an order dismissing this proceeding without prejudice.

Respectfully Submitted,

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WOLF CARBON SOLUTIONS US LLC )
APPLICATION PURSUANT TO THE )
CARBON DIOXIDE TRANSPORTATION )
AND SEQUESTRATION ACT (220 ILCS 75/1 et seq.) FOR A CERTIFICATE OF )
AUTHORITY TO CONSTRUCT AND )
OPERATE A CARBON DIOXIDE PIPELINE )
AND WHEN NECESSARY TO TAKE )
INTERESTS IN PROPERTY AS PROVIDED )
BY THE LAW OF EMINENT DOMAIN )

Certificate of Service

The undersigned certifies that he caused to be served upon all parties on the SERVICE
LIST copies of the following on November 20, 2023: Response in Opposition to Motion to
Dismiss.

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