

September 2, 2004

Mr. Louis D. Bernstein
Atty. for the Receiver for KMS Joliet II, Inc.
Gould & Ratner
222 North LaSalle Street, Eighth Floor
Chicago, IL 60601

Re: Docket No. 04-0164, Illinois Commerce Commission On Its Own Motion -vs-
MANK, LTD, Citation to show cause for continued QSWEF Certification.

Dear Mr. Bernstein:

Enclosed, relative to the above topic, is Staff data request DB-1, for KMS Joliet II, Inc. /or other applicable representatives. Please send the responses, as they are completed but no later than September 14, 2004. All responses should be provided electronically. Responses to each Item should be sent, as available, to all Staff listed in the instructions, followed up with hard copies of any attachments.

Please contact John Reichart at (312) 793-3241, and Carla Scarsella at (312) 793-3305 with questions or for clarification.

Sincerely,

Counsel for the Staff of the
Illinois Commerce Commission

Enclosure

cc: Service List

**ILLINOIS COMMERCE COMMISSION
MANK, LTD**

REQUEST NUMBERS DB-1

Docket No.: 04-0164

Requested of Company Representative: Court Appointed Receiver other applicable Representatives of KMS Joliet II, Inc.

Date of Request: September 2, 2004

Response Request Date: September 14, 2004

INSTRUCTIONS AND DEFINITIONS

1. Please furnish all of the information requested for each request. If that is not possible, indicate what information is not being provided and the reason that it can not be provided.
2. The response to each data request item should begin on a new page.
3. Documents and work papers provided as part of a response should be attached to the sheet containing the response. Each page of any document or work paper provided should be clearly marked with the data request item number, unless stapled together, in which case only the first page need be marked.
4. The terms "document" and "work paper" are defined as any written, recorded, electronically stored, filmed or graphic matter, whether produced or reproduced on paper, computer diskette or other computer storage device, cards, tapes, film electronic facsimile or other media, including, but not limited to financial models, memoranda, notes, analysis, minutes, records, photographs, correspondence, telegrams, diaries, bookkeeping entries, financial statements, tax returns, checks, check stubs, reports, studies, charts, graphs, statements, notebooks, handwritten notes, applications, computer programs, contracts, agreements, program macros, books, pamphlets, periodicals, appointment calendars, records and recordings of oral conversations, observations, commercial practice manuals, reports and summaries of interviews, or any form of recording that is capable of transmitting information.
5. The documents and work papers requested herein are all those in the custody of, possession of, or control of the respondent or its experts, owners, managers, holding companies, consultants, agents, employees or representatives (including attorneys), or to which they have access.

6. If asked to identify an individual, state that individual's name, job title and last known business address.
7. If a document requested is claimed to be privileged or confidential, state the grounds on which the privilege or confidentiality is being asserted.
8. For each request identify the Company witness responsible. List that person's name, job title, business address and telephone number.
9. Rather than waiting to provide all of the responses to this data request simultaneously, please provide individual responses as they become available.
10. Provide updated information to the request as it becomes available.
11. Due to the requirements regarding ex parte communications in the recently enacted State Officials and Employees Ethics Act, 5 ILCS 430/5-50, please serve your responses to these data requests to all parties on the Service List.
12. Please submit a copy of each response to:

Dave Borden
dborden@icc.state.il.us
Energy Division Policy Section
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701

John J. Reichart
jreichar@icc.state.il.us
Illinois Commerce Commission
160 North LaSalle Street
Chicago, Illinois 60601-3104

Carla Scarsella
cscarsel@icc.state.il.us
Illinois Commerce Commission
160 North LaSalle Street
Chicago, Illinois 60601-3104

DESCRIPTION OF DATA REQUESTED FROM KMS JOLIET II, INC.

DB-1

Please provide a copy of all documents that facilitate the transfer or sale of assets between MANK, LTD and KMS Joliet II, Inc., concerning a landfill gas to energy facility at the CDT Landfill in or near Joliet, Illinois. If the requested documents do not exist, then please explain how KMS Joliet II, Inc. came to own and operate a landfill gas to energy facility at the CDT Landfill in or near Joliet, Illinois.