

April 22, 2005

|  |   |                              |
|--|---|------------------------------|
| Central Illinois Light Company<br>d/b/a AmerenCILCO  | : |                              |
|  | : | 05-0160                      |
| Proposal to implement a competitive procurement<br>process by establishing Rider BGS, Rider BGS-L,<br>Rider RTP, Rider RTP-L, Rider D, and Rider MV.<br>(Tariffs filed on February 28, 2005) | : | (Cons.)                      |
| Central Illinois Public Service Company<br>d/b/a AmerenCIPS  | : |                              |
|  | : | 05-0161                      |
| Proposal to implement a competitive procurement<br>process by establishing Rider BGS, Rider BGS-L,<br>Rider RTP, Rider RTP-L, Rider D, and Rider MV.<br>(Tariffs filed on February 28, 2005) | : |                              |
| Illinois Power Company d/b/a AmerenIP  | : |                              |
|  | : | 05-0162                      |
| Proposal to implement a competitive procurement<br>process by establishing Rider BGS, Rider BGS-L,<br>Rider RTP, Rider RTP-L, Rider D, and Rider MV.<br>(Tariffs filed on February 28, 2005) | : | <b>SERVED ELECTRONICALLY</b> |

NOTICE OF ADMINISTRATIVE LAW JUDGE'S RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given of the attached Administrative Law Judge's Ruling.

Sincerely,

Elizabeth A. Rolando  
Chief Clerk

EAR:cp  
Administrative Law Judge Jones

|     |              |                   |               |                          |
|-----|--------------|-------------------|---------------|--------------------------|
| cc: | <u>Rates</u> | <u>Accounting</u> | <u>Energy</u> | Ms. Phipps – Finance     |
|     | Mr. Lazare   | Mr. Struck        | Mr. Stoller   |                          |
|     | Mr. Luth     | Mr. Knepler       | Mr. Stutsman  | Mr. Buxton – Engineering |
|     | Ms. Harden   | Ms. Selvaggio     | Mr. Kennedy   |                          |
|     |              |                   | Mr. Zuraski   |                          |
|     |              |                   | Mr. Schlaf    |                          |
|     |              |                   | Mr. Rismiller |                          |
|     |              |                   | Mr. Ogur      |                          |

**Administrative Law Judge's Scheduling and Procedural Ruling in Docket Nos. 05-0160, 05-0161 and 05-0162 (Cons.)**

**Length of Schedule**

In a Suspension Order entered March 9, 2005, the Commission ordered that the proposed tariffs were suspended to and including July 27, 2005. Under Section 9-201 of the Public Utilities Act, 220 ILCS 5/9-201, if the Commission suspends proposed tariffs, it may, in its discretion, "extend...the period of suspension for a further period not exceeding 6 months." Assuming the tariffs are resuspended for a period of six months, the deadline would be January 27, 2006. Hence, a 13-month schedule that contemplates an order by March 31, 2006 may not be implemented.

**Service of Filings**

Pleadings and other formal filings shall be filed with the Chief Clerk's Office or via e-Docket. Copies shall be served electronically on other parties and (in Word format) on the Administrative Law Judge. Service of paper copies is not required.

Copies of all pre-filed testimony shall be served electronically on other parties and on the Administrative Law Judge, not later than 5:00 P.M. on the date of filing unless otherwise ordered. Service of paper copies is not required.

All persons appearing for any party shall maintain a current e-mail address on the Commission's official service list, as reflected on e-Docket.

**Discovery**

Data requests shall be sent electronically, in Word format, to the party from whom a response is sought. A copy of the request shall be provided electronically to other parties. A copy of the response shall also be provided to parties other than the requester if such parties request it. Responses to data requests shall be provided electronically, except for items of a size or nature not conducive to electronic transmittal at reasonable convenience or expense. In those instances, the responder may utilize other means provided the response is delivered to the requesting party by the due date. Data requests and responses thereto shall not be served on the Commission or the Administrative Law Judge.

Except as noted below, parties shall have 21 calendar days to respond to data requests after each initial round of direct testimony is served, and 14 calendar days to respond to data requests after each round of rebuttal testimony is served. The Ameren Companies shall have seven calendar days to respond to data requests after their surrebuttal testimony is served. Each party shall, in good faith, respond to data requests as responses are prepared. Response times may be extended by agreement of the requesting and responding parties.

Whenever a response to a data request directed to a witness would otherwise be due under the above-stated response intervals within three business days of a date on which the witness is scheduled to file testimony, the response shall be due as soon as reasonably practicable within four business days after the filing of the testimony. Further, when any data request seeks information regarding or related to testimony to be filed, such as the witness' background, qualifications, previous testimony, workpapers and/or supporting documents, the response date shall not be less than seven calendar days after the filing of the testimony.

A limit on the specific number of data requests (or subparts thereof) that may be sent to another party will not be imposed at this time over the objections of several parties. If any motions are filed seeking relief pursuant to 83 Ill. Adm. Code 200.370, or alleging inconsistencies with the policies in 83 Ill. Adm. Code 200.340, they will be duly considered assuming reasonable attempts to resolve differences have failed.

In the interest of resolving discovery issues, within 10 days after entry of this ruling, the Ameren Companies will designate an individual(s) who will serve as the primary point of contact for any discovery issue. A motion to compel formal discovery shall not be filed until consultation and reasonable attempts to resolve differences have failed. (83 Ill. Adm. Code 200.350)

### **Protected Materials**

When information or material provided has been identified as Confidential or Confidential & Proprietary, such information shall be made available to another party in accordance with the provisions of the protective order issued or to be issued in this proceeding.

### **Schedules**

|  |                    |
|--|--------------------|
| Staff and Intervenor testimony filing                  | 6/15/05            |
| Status hearing   | 6/23/05            |
| Ameren rebuttal filing                                 | 7/13/05            |
| Staff and Intervenor rebuttal of Ameren and each other | 8/10/05            |
| Ameren surrebuttal filing                              | 8/30/05            |
| Common hearings with Docket 05-0159                    | 9/6/05 to 9/9/05   |
| Ameren hearings  | 9/12/05 to 9/16/05 |
| Initial briefs   | 10/13/05           |
| Reply briefs   | 11/01/05           |

Other scheduling elements and issues, and other procedural matters, will be addressed in later rulings, as needed.

Guidelines relating to the nature and scope of the common hearings may be addressed in a later ruling, as needed.

In the interest of efficiency and party convenience, it is possible that some portion of the round of Ameren hearings could be reassigned to the round of common hearings, or vice versa.

Unless otherwise noted, in this ruling, the term “parties” includes the Commission Staff.