

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission	:	
On Its Own Motion	:	
	:	
Adoption of report concerning the	:	
2004 reliability performance of Mt.	:	06-0218
Carmel Public Utility Company	:	
pursuant to 83 Ill. Adm. Code 411.140	:	
	:	
	:	

ORDER

By the Commission:

Section 16-125(d) of the Public Utilities Act [220 ILCS 5/16-125(d)] states:

At least every 3 years, beginning in the year the Commission issues the rules required by subsection (a) or the following year if the rules are issued after June 1, the Commission shall assess the annual report of each jurisdictional entity and evaluate its reliability performance. The Commission's evaluation shall include specific identification of, and recommendations concerning, any potential reliability problems that it has identified as a result of its evaluation.

The Illinois Commerce Commission adopted 83 Ill. Adm. Code 411, "Electric Reliability", in response to the statutory requirement in Section 16-125(a) [220 ILCS 5/16-125(a)]. Section 411.140(a) reads in relevant part:

Beginning in the year 1999 and at least every three years thereafter, the Commission shall assess the annual report of each jurisdictional entity and evaluate its reliability performance. Within thirty days after receiving the Commission's final report on such assessment, the jurisdictional entity may prepare a response to such report. Both the Commission's final report and the jurisdictional entity's response shall be filed with the Chief Clerk of the Commission.

The Staff of the Commission has prepared and circulated to the Commission a Staff Report entitled "Illinois Commerce Commission Assessment of Mt. Carmel Public Utility Company's Reliability Report and Reliability Performance for Calendar Year 2004" that supports the adoption of the reliability performance report for Mt. Carmel Public Utility Company. The Commission has reviewed this report and agrees with the Staff's recommendation.

The Commission, having reviewed the record herein, consisting of the Staff Report entitled "Illinois Commerce Commission Assessment of Mt. Carmel Public Utility Company's Reliability Report and Reliability Performance for Calendar Year 2004", and being fully advised in the premises, finds that:

- (1) the Commission has jurisdiction over the subject matter of this proceeding;
- (2) the recitals of fact set forth in the prefatory portion of this order are supported by the record and are hereby adopted as findings of fact;
- (3) the Staff Report entitled "Illinois Commerce Commission Assessment of Mt. Carmel Public Utility Company's Reliability Report and Reliability Performance for Calendar Year 2004" should be made part of the record of this proceeding;
- (4) the Commission should adopt the reliability performance report for Mt. Carmel Public Utility Company;
- (5) the reliability performance report for Mt. Carmel Public Utility Company should be filed with the Chief Clerk of the Commission pursuant to 83 Ill. Adm. Code 411.140 and served on Mt. Carmel Public Utility Company;
- (6) any response from Mt. Carmel Public Utility Company should be filed with the Chief Clerk of the Commission within thirty days after the receipt of this adopting order and the reliability performance report, with a copy of any response also being served by Mt. Carmel Public Utility Company on the Director of the Energy Division of the Commission.

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the reliability performance report for Mt. Carmel Public Utility Company is adopted.

IT IS FURTHER ORDERED that the reliability performance report for Mt. Carmel Public Utility Company be filed with the Chief Clerk of the Commission and served on Mt. Carmel Public Utility Company.

IT IS FURTHER ORDERED that the Staff Report entitled "Illinois Commerce Commission Assessment of Mt. Carmel Public Utility Company's Reliability Report and Reliability Performance for Calendar Year 2004" is made a part of the record of this proceeding.

IT IS FURTHER ORDERED that any response from Mt. Carmel Public Utility Company to the reliability performance report be filed with the Chief Clerk of the Commission within thirty days of receipt of this order and the reliability performance report,

and that any response also be served on the Director of the Energy Division of the Commission.

IT IS FURTHER ORDERED that, subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By order of the Commission this 22nd day of March, 2006.

(SIGNED) CHARLES E. BOX

Chairman