

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

AQUA ILLINOIS, INC. ) DOCKET NO.  
 ) 06-0203  
 )  
 )  
Petition for issuance of a )  
Certificate of Public Convenience )  
and Necessity to operate a water )  
supply and distribution system in )  
Kankakee County, Illinois, and for )  
the issuance of an order approving )  
rates, accounting entries and )  
tariff language. )

Springfield, Illinois  
Tuesday, November 14, 2006

Met, pursuant to notice, at 2:30 p.m.

BEFORE:

MR. J. STEPHEN YODER, Administrative Law Judge

APPEARANCES:

MR. JOHN E. ROONEY  
Sonnenschein, Nath & Rosenthal  
8000 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606

(Appearing on behalf of Aqua  
Illinois, Inc., via  
teleconference)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
Ln. #084-002710

1 APPEARANCES: (Cont'd)

2 MS. JANIS E. VON QUALEN  
3 Office of General Counsel  
4 527 East Capitol Avenue  
5 Springfield, Illinois 62794

6 (Appearing on behalf of the  
7 Staff of the Illinois Commerce  
8 Commission)

9 MS. SANDRA S. HARTMAN  
10 617 Lakeview Drive  
11 Manteno, Illinois 60950

12 (Appearing pro se via  
13 teleconference)

14

15

16

17

18

19

20

21

22

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

I N D E X

WITNESS

DIRECT

CROSS

REDIRECT

RECROSS

None.

EXHIBITS

MARKED

ADMITTED

None.



1 60950, area code (815) 468-8994.

2 JUDGE YODER: All right. Anyone else wishing  
3 to enter their appearance in this docket? Let the  
4 record reflect no response.

5 We had originally, I believe, had a  
6 status hearing set for the 29th, and I believe  
7 shortly after that was scheduled, we had set those  
8 dates and some testimony dates, and Ms. Hartman's  
9 petition was filed on about October 13 or 14th. So I  
10 kind of wanted to advance that status hearing to  
11 today so we could address the Petition to Intervene,  
12 any other issues that have arisen because of that,  
13 and confirm our other dates.

14 I assume, Mr. Rooney and Ms. Von  
15 Qualen, you have received copies of the Petition to  
16 Intervene?

17 MS. VON QUALEN: Yes.

18 MR. ROONEY: Yes.

19 JUDGE YODER: Any objection or comment by  
20 either party?

21 MR. ROONEY: No. On behalf of Aqua, none.

22 MS. VON QUALEN: Staff has no objection.

1           JUDGE YODER: All right. Then the Petition to  
2 Intervene of Ms. Hartman will be granted.

3           Ms. Hartman, did you receive the  
4 notice of the schedule in this docket that set out  
5 some dates for like testimony dates and the hearing  
6 date on February 22, 2007?

7           MS. HARTMAN: Yes, I did.

8           JUDGE YODER: When you filed your petition you  
9 had also filed some direct testimony and some  
10 exhibits?

11          MS. HARTMAN: Right.

12          JUDGE YODER: You had also filed a request for  
13 a public hearing or public forum?

14          MS. HARTMAN: Right.

15          JUDGE YODER: Which I believe occurred last  
16 week on the 9th.

17          MS. HARTMAN: Correct.

18          JUDGE YODER: Does that resolve your request  
19 for a public forum?

20          MS. HARTMAN: Yes.

21          JUDGE YODER: Okay. Is there anything else? I  
22 wanted to make sure we had that matter addressed.

1                   Oh, I am sorry. Before we go on,  
2 Ms. Von Qualen, on something, Ms. Hartman, when you  
3 serve matters -- I think one of the other judges saw  
4 this on our docket -- would you be sure to send  
5 copies to the other parties of record along with  
6 myself? If it goes to the Clerk's office, it doesn't  
7 necessarily get forwarded to me.

8                   MS. HARTMAN: Oh, I am sorry.

9                   JUDGE YODER: No, that's fine. Just for the  
10 future if you have something to file, you can send it  
11 to the same address as the Clerk's office but just  
12 send a separate copy. Maybe you can even stick it in  
13 the same envelope but just put it is a copy for me  
14 and they will send it up there. But we don't  
15 routinely check our e-Docket system.

16                  MS. HARTMAN: Right.

17                  JUDGE YODER: Do you have any other questions  
18 at this point?

19                  MS. HARTMAN: Well, there is no more time to  
20 send in any more testimony, is that correct?

21                  JUDGE YODER: Well, there will be -- the  
22 deadline for Staff and Intervenors is tomorrow. You

1 have actually filed your direct testimony.

2 MS. HARTMAN: Right, okay.

3 JUDGE YODER: Then there would be a date for  
4 Staff and Intervenor rebuttal testimony of January  
5 17.

6 MS. HARTMAN: Right, okay.

7 JUDGE YODER: So the Company has filed their  
8 direct which is on our e-Docket system. Have you  
9 accessed that and read their testimony?

10 MS. HARTMAN: Yeah, pretty much all of it.

11 JUDGE YODER: Then they will file -- have a  
12 deadline for rebuttal testimony of December 20.

13 MS. HARTMAN: Right.

14 JUDGE YODER: And then Staff and you, if you  
15 have any rebuttal testimony, that would be due  
16 January 17.

17 MS. HARTMAN: Okay, great.

18 JUDGE YODER: Anything, Ms. Von Qualen?

19 MS. VON QUALEN: Yes, I wanted to ask  
20 Ms. Hartman, did you provide an e-mail address for  
21 the Clerk's office and for people to serve you?

22 MS. HARTMAN: Yes, I did, thank you.

1 MS. VON QUALEN: Thanks for doing that. That  
2 makes all of our jobs so much easier.

3 JUDGE YODER: Let me just for the record, is  
4 that sandi.hartman@sbcglobal.net?

5 MS. HARTMAN: Yes.

6 JUDGE YODER: And you are agreeable to  
7 receiving papers at that e-mail address?

8 MS. HARTMAN: Yes, I do, yes.

9 JUDGE YODER: Anything else, Ms. Von Qualen,  
10 for today?

11 MS. VON QUALEN: No, thank you.

12 JUDGE YODER: Anything else for today,  
13 Mr. Rooney?

14 MR. ROONEY: I just want to confirm that we do  
15 have a revised schedule in place then, Your Honor?

16 JUDGE YODER: Yes.

17 MR. ROONEY: I know we had proposed it.

18 JUDGE YODER: I think it went out just before  
19 Ms. Hartman's petition was filed. It was like just a  
20 day or two, I think. Because we were getting some  
21 postcards in regarding the proposed sale, and Judge  
22 Wallace, I think, was looking at e-Docket and then

1 saw the Petition to Intervene and the request for  
2 public hearing. We were discussing whether to have a  
3 public forum. So I think that schedule went out just  
4 before that. It might have been almost concurrent.  
5 But, yeah, the revised schedule has gone out.

6 MR. ROONEY: Just if I could just take the time  
7 to confirm, Staff is going to file their direct  
8 testimony tomorrow?

9 MS. VON QUALEN: That is the plan.

10 MR. ROONEY: Okay. Then the Company is on  
11 December 20, Staff/Intervenor rebuttal January 17,  
12 Company surrebuttal February 7, and hearing February  
13 22?

14 JUDGE YODER: Correct. Anything else, Mr.  
15 Rooney?

16 MR. ROONEY: Not from me, Your Honor.

17 JUDGE YODER: Ms. Hartman?

18 MS. HARTMAN: No, thank you, Your Honor.

19 JUDGE YODER: Then that should resolve -- I  
20 guess there is nothing else we need to address today.  
21 Unless the parties see a need for a further status,  
22 at this point we will just be continued to the

1 February 22, 2007, date at 10:00 a.m.

2 (Whereupon the hearing in this  
3 matter was continued until February  
4 22, 2007, at 10:00 a.m. in  
5 Springfield, Illinois.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22