



**Board of Education of the City of Chicago
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January 24, 2007

Ms. Elizabeth Rolando
Chief Clerk
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62706

Via Overnight Delivery

Re: ICC Docket No. 05-0597

CHIEF CLERK'S OFFICE
2007 JAN 25 1 A 10:06
ILLINOIS
COMMERCE COMMISSION

Dear Ms. Rolando:

Enclosed please find the Notice of Filing Notice of Joining Prior Appeal, Notice of Joining Prior Appeal, Petition for Review and Notice of Petition for Review of the Board of Education of the City of Chicago in the captioned case. Two extra copies of these documents are enclosed, along with a self-addressed, postage prepaid envelope. Please return file-stamped copies to me.

Thank you for your assistance in this matter.

Sincerely,

Lee Ann Lowder

Encls. 10

IN THE APPELLATE COURT OF ILLINOIS
FOR THE SECOND JUDICIAL DISTRICT

CITY OF CHICAGO and BOARD OF EDUCATION)
 OF THE CITY OF CHICAGO,)
 Petitioners-Appellants,)
 v.)
 ILLINOIS COMMERCE COMMISSION; THE)
 PEOPLE OF THE STATE OF ILLINOIS ex rel.)
 THE ATTORNEY GENERAL; BLUESTAR)
 ENERGY SERVICES, INC.; BUILDING OWNERS)
 AND MANAGERS ASSOCIATION OF CHICAGO;)
 CASTWELL PRODUCTS, INC.; CHICAGO)
 TRANSIT AUTHORITY; CITIZENS UTILITY)
 BOARD; CITY OF CHICAGO; COALITION OF)
 ENERGY SUPPLIERS; COMMONWEALTH EDISON)
 COMPANY; COMMUNITY ACTION FOR FAIR)
 UTILITY PRACTICE; CONSTELLATION ENERGY)
 COMMODITIES GROUP, INC.; CONSTELLATION)
 NEWENERGY, INC.; COOK COUNTY STATE'S)
 ATTORNEY'S OFFICE; UNITED STATES)
 DEPARTMENT OF ENERGY; DIRECT ENERGY)
 SERVICES, L.L.C.; DOWNERS GROVE SANITARY)
 DISTRICT; DYNEGY, INC.; ILLINOIS ASSOCIATION)
 OF WASTEWATER AGENCIES; ILLINOIS)
 INDUSTRIAL ENERGY CONSUMERS (styled as such)
 collectively from the following petitioners: ABBOTT)
 LABORATORIES, INC.; CATERPILLAR, INC.,)
 DAIMLER CHRYSLER CORPORATION; CITGO)
 PETROLEUM CORPORATION; CORN PRODUCTS)
 INTERNATIONAL, INC., FORD MOTOR)
 COMPANY, MERCHANDISE MART PROPERTIES,)
 INC.; STERLING STEEL COMPANY, LLC and)
 THERMAL CHICAGO, ISG RIVERDALE, INC.;)
 MIDAMERICAN ENERGY COMPANY; MIDWEST)
 GENERATION EME, LLC; NORTHEAST ILLINOIS)
 REGIONAL COMMUTER RAILROAD)
 CORPORATION DBA METRA; PEOPLES ENERGY)
 SERVICES CORPORATION; UNIVERSITY OF)
 ILLINOIS; AND U.S. ENERGY SAVINGS CORP.,)
 Respondents-Appellees.)

ILLINOIS
 COMMERCE COMMISSION
 2001 JAN 25 A 10: 06
 CHIEF CLERK'S OFFICE

Petition for Review of Orders
 of the Illinois Commerce Commission
 in Docket No. 05-0597

NOTICE OF FILING NOTICE OF JOINING PRIOR APPEAL

CERTIFICATE OF FILING AND SERVICE

I certify that I caused three copies each of the attached Notice of Joining Prior Appeal and Notice of Filing to be filed with the Illinois Commerce Commission, through Elizabeth A. Rolando, its Chief Clerk, 527 E. Capitol Avenue, Springfield, Illinois 62706, by sending the foregoing documents by overnight mail on January 24, 2007; and that I am causing copies of each of the foregoing Notice of Joining Prior Appeal and Notice of Filing to be served on the persons at the addresses specified on the attached Service List by depositing such copies in the United States mail on or before 5:00 p.m., first class postage prepaid, from 125 South Clark Street, Chicago, Illinois, on January 25, 2007.



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APPEAL TO THE APPELLATE COURT OF ILLINOIS
FOR THE SECOND JUDICIAL DISTRICT
FROM THE STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF CHICAGO and BOARD OF EDUCATION OF THE CITY OF CHICAGO,

Petitioners-Appellants,

v.

ILLINOIS COMMERCE COMMISSION; THE PEOPLE OF THE STATE OF ILLINOIS ex rel. THE ATTORNEY GENERAL; BLUESTAR ENERGY SERVICES, INC.; BUILDING OWNERS AND MANAGERS ASSOCIATION OF CHICAGO; CASTWELL PRODUCTS, INC.; CHICAGO TRANSIT AUTHORITY; CITIZENS UTILITY BOARD; COALITION OF ENERGY SUPPLIERS; COMMONWEALTH EDISON COMPANY; COMMUNITY ACTION FOR FAIR UTILITY PRACTICE; CONSTELLATION ENERGY COMMODITIES GROUP, INC.; CONSTELLATION NEWENERGY, INC.; COOK COUNTY STATE'S ATTORNEY'S OFFICE; UNITED STATES DEPARTMENT OF ENERGY; DIRECT ENERGY SERVICES, L.L.C.; DOWNERS GROVE SANITARY DISTRICT; DYNEGY, INC.; ILLINOIS ASSOCIATION OF WASTEWATER AGENCIES; ILLINOIS INDUSTRIAL ENERGY CONSUMERS (styled as such collectively from the following petitioners: ABBOTT LABORATORIES, INC.; CATERPILLAR, INC., DAIMLER CHRYSLER CORPORATION; CITGO PETROLEUM CORPORATION; CORN PRODUCTS INTERNATIONAL, INC., FORD MOTOR COMPANY, MERCHANDISE MART PROPERTIES, INC.; STERLING STEEL COMPANY, LLC and THERMAL CHICAGO, ISG RIVERDALE, INC.; MIDAMERICAN ENERGY COMPANY; MIDWEST GENERATION EME, LLC; NORTHEAST ILLINOIS REGIONAL COMMUTER RAILROAD CORPORATION DBA METRA; PEOPLES ENERGY SERVICES CORPORATION; UNIVERSITY OF ILLINOIS; AND U.S. ENERGY SAVINGS CORP.,

Respondents-Appellees.

Appeal from Orders of the Illinois Commerce Commission
Docket No. 05-0597

NOTICE OF JOINING PRIOR APPEAL

PLEASE TAKE NOTICE that the Board of Education of the City of Chicago ("Board"), by its general counsel, Patrick J. Rocks, pursuant to 220 ILCS 5/10-201 (2004), 83 Illinois Administrative Code 200.890, and Illinois Supreme Court Rule 303(a)(3), hereby joins the City of Chicago in petitioning the Appellate Court of Illinois, Second District, for review of Orders of the Illinois Commerce Commission ("ICC") in ICC Docket No. 05-0597, including the July 26, 2006 Order, which was served July 28, 2006;

the August 1, 2006 Order, correcting the July 26, 2006 Order; the August 30, 2006 Order, served August 31, 2006, which granted in part and denied in part Commonwealth Edison Company's ("Com Ed"'s) Application for Rehearing; the September 13, 2006 Order, served September 14, 2006, which granted the City of Chicago's Application for Rehearing; and the December 20, 2006 Order on Rehearing and December 21, 2006 Corrected Order on Rehearing which, among other things, approved Rider GCB7 and ruled that Com Ed is not obligated to continue to provide service under Rider GCB.

The petition the Board filed on January 24, 2007, and the petition the City filed on January 22, 2007, ask this Court to reverse the Orders of the ICC, insofar as those Orders approve Rider GCB7 and rule that Commonwealth Edison Company is not obligated to continue to provide service under Rider GCB, and for such other relief as the Board may be entitled to on this petition.

Dated: January 24, 2007

Respectfully submitted,
Patrick J. Rocks, General Counsel
Board of Education of the City of Chicago

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