

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Commonwealth Edison Company)	
)	00-0259
Petition for Expedited Approval of)	
Implementation of a Market-Based)	
Alternative Tariff, to become effective)	
on or before May, 2000, pursuant to Article)	
IX and Section 16-112 of the Public)	(Cons.)
Utilities Act.)	
)	
Central Illinois Public Service Company))	
Union Electric Company)	00-0395
)	
Petition for Approval of Revisions to)	
Market Value Tariff, Rider MV)	
)	
Illinois Power Company)	
)	
Proposed New Rider MVI and Revisions)	00-0461
Revisions to Rider TC)	

NOTICE OF FILING

PLEASE TAKE NOTICE that on this date, January 12, 2001, we have filed with the Chief Clerk of the Illinois Commerce Commission the enclosed Response Of The People Of The State Of Illinois to Illinois Industrial Energy Consumers' Motion For Reopening The Record And Conducting Additional Hearings via e-docket to the Chief Clerk of the Illinois Commission at 527 East Capitol Avenue, Springfield, Illinois 62794-9280.

Mark G. Kaminski
Assistant Attorney General

CERTIFICATE OF SERVICE

I, Mark G. Kaminski, Assistant Attorney General, hereby certify that I served the above identified documents upon all active parties of record on the attached service list by United States Mail, first class postage prepaid on January 11, 2001, and by electronic mail to all active parties.

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**RESPONSE OF THE PEOPLE OF THE STATE OF ILLINOIS TO ILLINOIS
INDUSTRIAL ENERGY CONSUMERS' MOTION FOR REOPENING THE RECORD
AND CONDUCTING ADDITIONAL HEARINGS**

NOW COMES the People of the State of Illinois, by James E. Ryan, Attorney General of Illinois (herein after "the People"), pursuant to the Notice from the Chief Clerk, dated January 9, 2001, and hereby responds to the Motion of Illinois Industrial Energy Consumers for Reopening the Record and Conducting Additional Hearings.

The People support Illinois Industrial Energy Consumers' (Hereafter "IIEC") request to hold additional hearings for the purpose of examining the effect of Bloomberg PowerMatch's decision to discontinue posting Into ComEd pricing information. The People also support IIEC's request to address how Bloomberg's decision impacts the use of Altrade and Bloomberg data in general.

IIEC's motion meets the requirements of the Commission's administrative rules. Part 200.870 allows the Hearing Examiner to hold additional hearings where the moving party presents material changes of fact or law, proposes additional evidence, and an explanation of why the evidence was not previously adduced. 83 Ill. Adm. Code 200.870. IIEC's motion presents a material change of fact, specifically, Bloomberg's decision to discontinue reporting market data for the Into-ComEd hub. The proposed evidence is ComEd's letter, attached as Exhibit A to IIEC's motion, informing parties of Bloomberg's announcement that it will no longer post or report Into-ComEd pricing information because of lack of volume in the Into-ComEd market. IIEC at par. 2. IIEC's motion also explained why the evidence was not previously adduced. *Id.* This material change of fact only occurred after the record was marked Heard and Taken. *Id.* Therefore, IIEC's motion meets the requirements of Part 200.870, and the Hearing Examiner may hold additional hearings. 83 Ill. Adm. Code 200.870.

Regarding the continued propriety of using the Altrade and Bloomberg systems, the People note that there have been industry reports that the liquidity of the Altrade and Bloomberg exchanges are decreasing due to increased competition in the online trading arena:

Online power trading platforms backed by large marketers appear to have dealt a blow to two once-strong independent platforms, according to a large number of traders, in the battle for dominance in the fragmented online trading business....

...[T]raders report that liquidity is drying up on the platforms operated by Altrade Power Exchange, a joint venture of Altra Technologies and brokerages Amerex and Prebon Yamane, and Bloomberg's Powermatch, run by the business news service. Bids and offers on the platforms are too wide and often not as fresh as those on Enron On-line or the new entrant into the market, the intercontinental Exchange (ICE), traders said last week....

...Some sources believe the activity on ICE has been a far larger factor than Enron in what they see as the decline of Altrade and PowerMatch. "It's more ICE than Enron," said one trader not involved in either venture. "The guys who traded Bloomberg and Altra[, i.e. Altrade] are now part of ICE."

Power Markets Week, *Traders See Altrade, Bloomberg Losing Ground in Crowded Online Trading Arena*, (December 4, 2000). Given such reports, the Commission should hold additional hearings to assess the viability of Altrade and Bloomberg PowerMatch based market value tariffs.

The People further agree with IIEC that the additional hearings should be held for a finite period of time, and that such hearings would not unduly delay a final order in this proceeding.

Respectfully Submitted,

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January 12, 2001

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