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ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

ILLINOIS COMMERCE COMMISSION

2007 OCT -21 A 11: 25

TRI-COUNTY ELECTRIC COOPERATIVE, INC.)
)
Complainant,)
)
vs.)
)
ILLINOIS POWER COMPANY d/b/a AMERENIP,)
)
Respondent.)

CHIEF CLERK'S OFFICE

DOCKET NO. 05-0767

MOTION TO COMPEL
BY TRI-COUNTY ELECTRIC COOPERATIVE, INC.

TRI-COUNTY ELECTRIC COOPERATIVE, INC. (Tri-County), Complainant, by its attorneys GROSBOLL, BECKER, TICE & TIPPEY, herewith files it Motion to Compel against ILLINOIS POWER COMPANY d/b/a AMERENIP (IP), Respondent, pursuant to 83 Ill Adm Code Section 200.335(5)-200.430 and Illinois Supreme Court Rules 201 and 219 and in support thereof states as follows:

1. On December 6, 2005, Tri-County filed its complaint in the above matter. On or about March 15, 2006 IP filed its answer to Tri-County's complaint.
2. The parties have engaged in discovery consisting of the exchange of data requests and answers thereto along with inspections of the property comprising the site where the electric service dispute exists.
3. The relevant schedule for discovery has been:
 - A. August 2, 2006 - IP to respond to Tri-County's initial data request/discovery.
 - B. October 27, 2006 - IP to respond to Tri-County's supplemental data

request/discovery.

C. February 7, 2007 - Tri-County filed its amended complaint including additional service connection points of the customer at the site in question.

D. February 16, 2007 - IP filed its answer to Tri-County's amended complaint.

E. Status hearings regarding discovery were held at the Commission on February 21, 2007; March 29, 2007; May 1, 2007; June 26, 2007; and August 23, 2007.

4. IP has responded to Tri-County's data requests, but has objected to various requests and otherwise not responded fully to the same. The data requests for which IP has objected or otherwise not fully responded to are as follows:

A. Tri-County First Data Request:

- (a) DATA REQUEST NO. 15: State whether or not IP is providing electric service utilized by Citation Oil at the proposed gas plant at the present time. In so doing, provide the following information:
- (a) ANSWERED
 - (b) ANSWERED
 - (c) the amount of such electric service provided on a monthly basis in KWH;
 - (d) the revenue received by IP on a monthly basis for providing of such electric service; and
 - (e) attach copies of all billings by IP to Citation Oil identifying such KWH and charges made by IP for such electric service to the aforesaid gas plant.

IP RESPONSE: AmerenIP has and will continue to provide electric service to Citation in the same manner it has for many years by delivery to the Texas Substation, which has and is the service connection point since at least 1965. AmerenIP understands that Citation distributes the voltage AmerenIP supplies to the Texas Substation throughout the Salem Unit and the gas plant via four separate primary circuits owned by the interest owners of the Salem Unit. Citation has and continues to receive only one bill for electrical service. There has not been any significant change in energy use or peak demand readings for service to Citation during the past 12 to 16 months.

ARGUMENT: IP has provided electric service bills for Citation Oil at the Salem

Unit but redacted the revenue information therefrom. If IP considers such information confidential it is covered by the Agreement Regarding Protection of Confidential and Proprietary Materials entered into by the parties on or about March 1, 2007 and attached hereto as Exhibit 1. IP claims the redacted revenue information is not relevant. However, IP has provided Tri-County in discovery communications between IP and the customer Citation regarding electric rates for service to the gas plant by IP or Tri-County. See IP internal communications marked as Exhibit 1A provided Tri-County in discovery. Accordingly, such information is relevant and should be disclosed.

B. Second Data Request:

- (a) DATA REQUEST NO. 2: Provide copies of all documents evidencing the construction plans and work orders of the service connection point claimed by IP to be the service connection point for the Salem Waterflood Unit (Salem Unit) and from which IP claims it is providing electric service to the Citation gas plant at issue in this case.

IP RESPONSE: IP has provided documents in response to Data Request No. 2 concerning construction of and modification to the Texas Substation from 1952 forward and orally advised counsel for Tri-County that the response to Data Request No. 2 is complete. IP has advised the Texas Substation was initially constructed in 1939. However, IP has not provided any documentation regarding the service connection point (Texas Substation) prior to 1952 stating it cannot locate such information. IP must provide a written certification that this oral representation is correct.

- (b) DATA REQUEST NO. 4: State whether or not the service connection point and/or substation by which IP claims to be providing electric service to the Salem Waterflood Unit (Salem Unit) for use by Citation Oil has been modified, upgraded, had any additions of circuits thereto or phases to any circuits emanating from the service connection point/substation subsequent to July 2, 1965 and/or subsequent to March 18, 1968. In so doing, provide all documents, construction plans, work orders and other materials evidencing such modifications, changes, upgrades, addition of phases and/or circuits, or similar modifications.

IP RESPONSE: IP initially objected to this data request. Notwithstanding such objection, IP provided various information, but thereafter provided that the "investigation continues".

ARGUMENT: IP is required to supplement all responses to each data request with information that has come to the knowledge of IP and its agents and attorneys

subsequent to its initial response and to thereafter certify unequivocally that the response to this data request is complete. IP did on April 19, 2007 provide additional documents associated with the Texas Substation, but advised it has not found the Property Accounting file. As a result of a conference call on July 25, 2007 between Tri-County personnel and IP personnel (engineers), IP produced additional drawings of the Texas Substation in a legible format but no drawings or work orders have been provided for the Texas Substation for the period from 1939 to 1952. Accordingly, Tri-County has requested the right to examine in person all files maintained for the Texas Substation which request has not been granted.

(c) DATA REQUEST NO. 5: With respect to the service connection point (Texas Substation) from which IP claims it is providing electric service to the Salem Waterflood Unit (Salem Unit) for use by Citation for the gas plant at issue in this case provide the following information and/or documents evidencing such information:

e. All documents, information, assumptions, and other engineering data utilized in performing a study of the service connection points (Texas Substation) and transmission lines serving the substation with regard to the effect of the electric load of the Citation gas plant at issue in this case on the Texas Substation and transmission feeds thereto. In this regard, provide a copy of the engineering analysis software utilized, all assumptions and other engineering data utilized, and the engineering model used to perform such study along with any reports detailing such study and the results thereof.

IP RESPONSE:

e. AmerenIP utilized PTI's PSSE load flow analysis program to analyze the load addition at Texas Substation. An in-house, excel based, spreadsheet was utilized to perform a basic motor starting/flicker analysis. This program is based upon AmerenIP's voltage flicker cures. AmerenIP determined that there were no necessary system improvements or flicker issues due to the load addition. See documents attached as Exhibit 3.

ARGUMENT: With respect to subparagraph e of Data Request No. 5, IP provided documents attached as Exhibit 1 B (Exhibit 3 of IP's Date Response) disclosing that assumptions were made and an engineering study was performed by IP regarding the affect of adding the additional Citation gas plant electric load to the Texas Substation. IP did not provide the assumptions used or the details of the engineering study, the engineering calculations made and/or utilized in making the engineering analysis regarding the voltage disturbance or voltage flicker relative to adding the Citation gas plant to the Texas Substation. These documents,

computer information, and associated materials utilized to conduct such study are relevant.

- (d) DATA REQUEST NO. 7: Provide all documents and other data not previously provided in Data Request No. 5 herein evidencing the circuit information for the electrical load utilized by either IP or Citation to provide electric service to the Citation gas plant at issue in this case, including all electric loads associated with any and all compressors utilized to transport gas to the gas plant. In so doing, provide the following:
- a. Information detailing wire type and size of such circuit.
 - b. The energization voltage of such circuit.
 - c. Miles or footage of the new motor loads comprising the electrical load at issue in this case.
 - d. The size of all transformers serving each of the motors comprising the electrical load at issue in this case.
 - e. The impedance and voltage of each transformer serving the electric load at issue in this case.
 - f. The size, type and length of service lines to each motor comprising the electric load at issue in this case.
 - g. The size and horsepower of each motor, together with the code letter of each motor, voltage of each motor and the type and voltage of the starter for each motor comprising the electric load at issue in this case.

IP RESPONSE: AmerenIP does not possess the information identified in this data request. Investigation continues.

ARGUMENT: IP is required to supplement its response and certify the response is complete. IP conducted performance tests regarding the effect of Citation Oil connecting the electric motors at the gas plant to the Texas Substation. Such performance test would include the Citation Oil distribution line from the Texas Substation to the Citation gas plant. IP provided the results of those tests, but not the actual study that produced the results. See documents attached as Exhibit 1B. These exhibits do not fully respond to the Data Request.

5. Tri-County communicated by letters dated April 30, 2007; May 1, 2007; and August 15, 2007 to counsel for IP noting the Data Requests which Tri-County maintained IP had not fully responded to or needed to supplement. A copy of the April 30, 2007; May 1, 2007; and August 15, 2007 letters between counsel for Tri-County and counsel for IP is attached hereto as

Exhibits 2, 3, and 4 respectively. However, IP has not responded fully to the above Tri-County Data Requests.

WHEREFORE, Tri-County Electric Cooperative, Inc. requests the following relief:

A. That the Administrative Law Judge enter an Order compelling Illinois Power Company d/b/a AmerenIP to fully respond to the foregoing Data Requests of Tri-County on or before September 30, 2007.

B. Provide by order that appropriate Tri-County representatives be allowed to review appropriate files of IP necessary to obtain complete responses to Tri-County's Data Requests.

C. That failure to respond fully to such Data Requests by such date shall bar IP from presenting any defense to the complaint and/or amended complaint filed herein by Tri-County for service rights to the Citation gas plant and gas compressor site as identified in the amended complaint filed herein and relating to information requested by such Data Requests.

D. For such other and further relief as the Administrative Law Judge and Illinois Commerce Commission deems equitable.

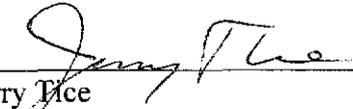
TRI-COUNTY ELECTRIC COOPERATIVE, INC.,
Complainant

By: GROSBOLL, BECKER, TICE & TIPPEY

By:  _____

STATE OF ILLINOIS)
 : SS
COUNTY OF MENARD)

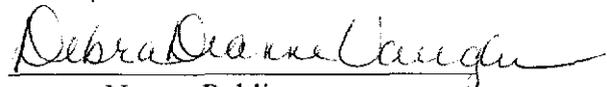
Jerry Tice, being duly sworn upon his oath, deposes and states that he is one of the attorneys for Tri-County Electric Cooperative, Inc., the Complainant named in the foregoing cause of action and that he has read the above foregoing Motion to Compel by him subscribed and that as to those matters set forth therein that do not otherwise appear of record the same are true in substance and in fact.



Jerry Tice

Subscribed and Sworn to before me

this 1 day of October, 2007.



Notary Public



GROSBOLL BECKER TICE & TIPPEY
Attorney Jerry Tice
101 East Douglas Street
Petersburg, Illinois 62675
Telephone: 217-632-2282
Fax: 217-632-5189
email: gbtr@gcctv.com

PROOF OF SERVICE

I, JERRY TICE, hereby certify that on the 1st day of October, 2007, I deposited in the United States mail at the post office at Petersburg, Illinois, postage fully paid, a copy of the document attached hereto and incorporated herein, addressed to the following persons at the addresses set opposite their names:

Scott Helmholz
Brown, Hay & Stephens, LLP
205 South 5th Street, Suite. 700
P.O. Box 2459
Springfield, IL 62705-2459

Elliott Hedin
Brown, Hay & Stephens, LLP
205 South 5th Street, Suite. 700
P.O. Box 2459
Springfield, IL 62705-2459

Larry Jones
Administrative Law Judge
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

A handwritten signature in cursive script, reading "Jerry Tice", is written over a horizontal line.

GROSBOLL, BECKER, TICE & TIPPEY
Attorney Jerry Tice
101 East Douglas Street
Petersburg, IL 62675
Telephone: 217/632-2282

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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

TRI-COUNTY ELECTRIC)	
COOPERATIVE, INC.,)	
)	
Complainant,)	
vs.)	CASE NO. 05-0767
)	
ILLINOIS POWER COMPANY, d/b/a)	
AMEREN IP,)	
Respondent.)	

**AGREEMENT REGARDING PROTECTION OF CONFIDENTIAL
AND PROPRIETARY MATERIAL AND INFORMATION PRODUCED
IN DISCOVERY IN DOCKET NUMBER 05-0767**

This Agreement is entered into between the parties in Docket Number 05-0767 for purposes of furthering discovery otherwise authorized by the Rules of Practice of the Illinois Commerce Commission, WITNESSTH:

WHEREAS, certain documents and data will be made available by the respective parties herein in response to data and/or discovery requests filed in the above docket; and

WHEREAS, certain of the documents and data produced in the discovery process in the above docket may contain information which is confidential or proprietary or is otherwise a trade secret and therefore designated "Confidential";

NOW THEREFORE, the parties agree as follows:

1. Each party to this Docket who is producing (Producing a Party) data, documents and other similar material (Designated Material) to any other party to this proceeding or making such Designated Material available for inspection by any other party shall, to the extent such Designated Material is marked confidential by the Producing Party, be treated as Confidential unless the Administrative Law Judge specifically finds that such Designated Material marked

Confidential need not be so treated. Designated Material marked Confidential shall be held in confidence and used only in connection with this Docket and shall be treated in accordance with any restrictions on the persons or classes of persons to whom such material may be disclosed. The parties agree to exercise all reasonable steps to safe guard such of the Designated Material that is marked Confidential.

2. Neither the Designated Material marked Confidential nor any summaries or compilations of the whole or any part thereof disclosed by a Producing Party to another party in this Docket shall be revealed or distributed to anyone other than those persons identified as Qualified Persons as defined in this Agreement. A "Qualified Person" as used herein shall mean: "Counsel of record in this docket, in-house Counsel, the staff and supporting personnel of such Attorneys who are assisting and working under the direction of any of the Attorneys representing the parties in this Docket and to whom it is necessary that materials may be disclosed for the purpose of this Docket and to those officers, personnel, agents and third parties assisting the parties in this Docket. "Qualified Person" as defined herein shall also include the Administrative Law Judge assigned from time to time to this Docket and all Illinois Commerce Commission Staff participating in this Docket and/or rendering reports, testimony and advise in this Docket. The "Qualified Persons" shall be designated on the attached addendum and may be added to or subtracted from during the course of the proceedings in this Docket.

3. All copies made of the Designated Material marked Confidential shall prominently bear the statement "Confidential" or that disclosure of the contents of such Designated Material marked Confidential is prohibited. All copies shall be returned without further notice to Counsel for the producing party or at the option of the parties receiving the Designated Material marked Confidential destroyed at the conclusion of this proceeding including any re-hearings or appeals.

Notes, memoranda or other written or recorded materials of any kind containing confidential or proprietary data or summaries or compilations of the whole or any part of the Designated Material marked Confidential shall be destroyed when no longer needed by the parties producing such Confidential material in the conduct of this proceeding.

4. It is agreed that the Designated Material marked Confidential and produced in this docket pursuant to this Agreement shall be subject to the terms of any Protective Order issued by the Administrative Law Judge in this Docket.

5. Each Qualified Person agrees not to reveal any designated Material Marked Confidential to anyone other than a Qualified Person as defined herein and is identified on the addendum. Each of the parties to this agreement may add additional Qualified Persons to the addendum as necessary to allow such party examining the Designated Material marked Confidential to properly review the same for purposes of this Docket.

6. Any reference to Designated Material marked Confidential at a hearing with the Illinois Commerce Commission or in any testimony, exhibits or brief shall be marked to readily identify the Designated Material being used as Confidential, shall be filed with the Illinois Commerce Commission in marked, sealed envelopes and shall be distributed only to individuals who are identified as Qualified Persons pursuant to this Agreement and shall be retained by the Illinois Commerce Commission under seal and not as part of the public record.

7. This Agreement establishes a procedure for preventing access to Designated Material marked Confidential that the Producing Party claims contains information which is confidential or proprietary or a trade secret. This Agreement does not waive any party's right to contest the designation of any Designated Material as Confidential by a Producing Party and in the case of a dispute among the parties as to whether such Designated Material is appropriately designated

Confidential by the Producing party, the Administrative Law Judge shall have the authority to determine such dispute.

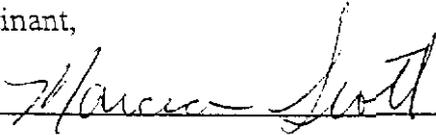
8. It is further agreed that the parties hereto shall not be deemed to have waived any objections to the relevancy, materiality, or admissibility in the record of this Docket of any of the Designated Material marked Confidential and otherwise furnished or received pursuant to this agreement.

9. The parties agree that the Administrative Law Judge assigned to this Docket shall have authority by agreement of the parties to enter a Protective Order containing the terms and conditions of this Agreement with out further hearing thereon.

10. This Agreement shall be binding with respect to each party and Qualified Person designated hereon in accordance with its terms and each executed copy of this Agreement shall be deemed the original by the party executing the same.

AGREED:

TRI-COUNTY ELECTRIC COOPERATIVE, INC.
Complainant,

By: 

ILLINOIS POWER COMPANY d/b/a AMEREN IP
Respondent,

By: 

ADDENDUM A

Listing of Qualified Persons

Tri-County Electric Cooperative, Inc.

Marsha Scott, General Manager

Dennis Evers, Director of Engineering

Brad Grubb, Project Engineer

Steve Thomas, Director of Operations

Gary Chesney, Superintendent of Operations

Robert Dew, Consulting Engineer
HiLine Engineer, LLC

Illinois Power Company d/b/a AmerenIP

Michael W. Tatlock, P.E., C.P.Q., Career Engineer, Ameren

Conrad Siudyla, Key Account Executive, Energy Delivery Illinois

B. Todd Masten, Regulatory Specialist, Regulatory Compliance Department,
Ameren Services

Jon R. Carls, Managing Supervisor, Regulatory Compliance Department,
Ameren Services

Cindy Stocker

From: Siudyla, Conrad [CSiudyla@ameren.com]
Sent: Tuesday, June 21, 2005 10:49 AM
To: Tatlock, Michael W; Bauza, Kelly Ray; Masten, Barry Todd; Blackburn, Brian Wesley
Subject: Citation, plan to build new 750 KVA gas plant in Tri-County territory

Jeff Lewis and Ed Pearson, of Citation, called to review AmerenIP's position on electric service to the gas plant. Previously we advised Citation that the gas plant site is in Tri-County territory and AmerenIP has no right to serve the load. Service request would need to be submitted to Tri-County.

Citation wants to serve the gas plant from AmerenIP's existing SC24 service by extending their distribution lines across the Tri-County - AmerenIP boundary. Advised Jeff that we would not allow this unless Tri-County agreed to the arrangement.

Jeff indicated the project would go forward only if Citation could supply the plant from the AmerenIP existing service. Apparently Tri-County's rates are almost double AmerenIP's SC24. Jeff and Ed were made aware of pending post 2006 rate redesign.

Citation has a meeting scheduled with Tri-County tomorrow. They wanted to meet with AmerenIP prior to the Tri-County meeting to confirm our position. With Mike on vacation, I told them a meeting with us would not be possible.

After some discussion, we came to conclusion that meeting with AmerenIP at this time is not as important as meeting with Tri-County and getting their input. Jeff did not know if Tri-County was aware of Citation's desire to extend their lines across the boundary. Tri-County may still be viewing this as a request for a new point of delivery. The impact that electric price will have on the project's viability may also be important to Tri-County.

Jeff wanted to know what steps Citation could take if Tri-County does not agree to allow extension of Citation's lines into Tri-County's territory. Believe this could go the Illinois Commerce Commission.

Jeff will advise of the outcome of their meeting with Tri-County.

Tatlock, Michael W

From: Tatlock, Michael W
Sent: Wednesday, April 20, 2005 12:27 PM
To: Tatlock, Michael W
Subject: FW: New load at Texas Sub

I called Clyde back today and informed him that we would have capacity in our substation for them to add the 8 (100 hp) compressors throughout the field and also the approx. 583 kw of new plant load without any problems of overloading. I again told him that he would have to make sure it was o.k. with Tri- County that they feed off of our distribution before doing it.

I asked him to let me know if they were in section 5 or 6 of racoon twp - he said he would get back to me.

I told him that if he moved between a 1/4 and a 1/2 mile n of Green St they would get back in our territory.

-----Original Message-----

From: Tatlock, Michael W
Sent: Wednesday, April 20, 2005 12:26 PM
To: Tockstein, David G
Cc: Siudyla, Conrad
Subject: RE: New load at Texas Sub

Thanks Dave, I will let Citation Oil know that we have checked this load out on our system

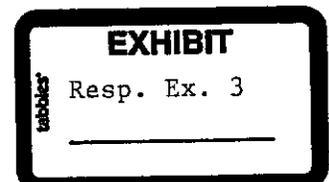
-----Original Message-----

From: Tockstein, David G
Sent: Wednesday, April 20, 2005 11:37 AM
To: Tatlock, Michael W
Subject: New load at Texas Sub

Mike

I took a look at adding about 1500 kW to the Texas Substation and everything looks fine. I looked at the 69kV feeding the sub and the transformers in the substation. In addition, I made some assumptions and performed an evaluation to determine if starting the new customer's large motors would cause objectionable voltage disturbances (voltage flicker) to other AmerenIP customers. An AmerenIP voltage flicker curve was used for an approximation to ensure there would be no problems with other customers. The analysis did not reveal any objectionable voltage flicker due to the new load being connected. As we discussed Citation Oil will have to ensure that they will be able to start their motors. We can get system impedance information up to the delivery point from our relaying folks if they want it to calculate motor starting characteristics.

David Tockstein
Electric Planning Engineer
217-424-8709



CITATION OIL & GAS CORPORATION

3501 SOUTH LAKESIDE DR.

OKLAHOMA CITY, OK 73179

PHONE #: (405) 681-9400

FAX #: (405) 681-9481

COVER + _____ PAGES _____ DATE 4/19/05

TO: MIKE TATLOCK - IP ^{FAX#} (618-244-~~8214~~)
8214

FROM: Clyde Finch

COMMENTS: Attached is electrical load for New Salem gas
plant with sig. 503 kW load.

In addition, we will have 100 HP compressors
distributed throughout field.

Please advise if your local substation has
ample capacity to handle these additional loads.

THANKS
Clyde

4/19/05
Sent info via telegraph to Dave Torkstein
to make sure we would not overload
sub-trf - he will check and let me
know - I need to let Clyde know the outcome

Salem Gas Plant
Electrical Load Estimates

No	NATCO BIO-PLANT	Connected KW	Max. Operating KW	Mode
1	6 KW Inlex gas heater HRT 5070	6	6	I
2	75 HP Solution circulation pump P6100 A	56	56	C
3	75 HP Solution circulation pump P6100 B	56		S
4	3 HP Flow loop pump P6250 A	2.2	2.2	C
5	3 HP Flow loop pump P6250 B	2.2		S
6	75 HP Air blower K6600 A	56	56	C
7	75 HP Air blower K6600B	56	56	C
8	5 HP Air cooler E6650 A	3.7	3.7	C
9	5 HP Air cooler E6650 B	3.7	3.7	C
10	¼ HP NaOH pump P6450	0.2	0.2	I
11	¼ HP Nutrient pump P6550	0.2	0.2	I
12	¼ HP Nutrient mixer MX6510	0.4	0.4	I
13	6 KW Nutrient tank heater HTR 6520	6	6	I
14	7.5 HP Filtrate pump P7200A	5.6	5.6	I
15	7.5 HP Filtrate pump P7200 B	5.6		S
16	7.5 HP Makeup water pump	5.6	5.6	I
17	100 HP Decanting centrifuge	75	75	I
18	Process piping heat tape (est)	20	20	I
19	Process vessel heaters (est)	18	18	I
PLANT COMPRESSOR SKID				
1	250 HP two stage reciprocating gas compressor	187	149	C
2	15 HP Aftercooler fan motor	11.2	11.2	C
NATCO PROPANE COMPRESSOR SKID				
1	100 HP two stage reciprocating gas compressor	75	75	C
2	20 HP Aftercooler fan motor	15	15	C
NATCO REFRIGERATION SKID				
1	3.5 HP Glycol circulation pump	2.6	2.6	C
2	3.75 HP Glycol injection pump	2.8	2.8	C
NATCO CHILLED WATER SKID				
1	10 HP Circulation pump P8200A	7.5	7.5	C
2	10 HP Circulation pump P8200B	7.5		S

No	NGL PRODUCT STORAGE	Connected KW	MAX. Operating KW	Mode
1	10 HP truck loading pump	7.5	7.5	I
FLARE STACK				
1	10 HP Air Blower	7.5	7.5	C
PLANT INSTRUMENT AIR SYSTEM				
1	15 HP air compressor /dryer A unit	11.2	11.2	I
2	15 HP air compressor/dryer B unit	11.2		S
PLANT LIGHTING				
1	Outdoor Floodlighting	8	8	I
2	Indoor Lighting (pump & SR bldgs)	2	2	I
CONTROL ROOM				
1	HVAC System	15	15	C
2	PLC & computer workstation	8	8	C
3	Auxiliary equipment	5	5	C
4	Lighting	1.9	1.9	C
PLANT DRAIN WATER SYSTEM				
1	15 HP Sump pump	11.2	11.2	I
SOUTH BATTERY VRU				
1	7.5 HP Rotary gas compressor motor	5.6	5.6	C
2	1 HP Liquid transfer pump	0.8	0.8	I
CONTINGENCY				
	TOTAL	801.9 KW	681.4 KW	

NOTES

C = Continuous mode
S = Standby mode
I = Intermittent mode

CONCLUSIONS

1. Estimated Total Connected Load = 801.9 KW
2. Estimated Operating Load = 483.7 (minimum) to 681.4 KW (maximum)
3. Estimated Average Operating Load = 583 KW

CLF (4/18/05)



Brown, Hay & Stephens, LLP
LEGAL COUNSEL

205 S. Fifth Street
Suite 700
P O Box 2459
Springfield, Illinois 62705
TEL 217 544 8491
FAX 217 544 9609
www.bhslaw.com

Elliott M. Hedin, Attorney
ehedin@bhslaw.com
Direct Extension 299
Direct Facsimile 241-3111

August 22, 2007

**Via Facsimile: 632-5189
and United States First Class Mail**

Jerry Tice, Esq.
Grosboll, Becker Tice & Tippey
101 E. Douglas Street
Petersburg, IL 62675

**Re: Tri-County Electric Cooperative v. Illinois Power Company
d/b/a AmerenIP, Docket No: 05-0767**

Dear Jerry:

In response to your letter of August 15, 2007, I provide the following attachment, which David G. Tockstein emailed to me recently. As we have stated previously, the records of the testing do not exist. I believe Mr. Tockstein's email provides the information you requested in your August 15, 2007 correspondence.

If you require any additional information, please contact me at your earliest convenience.

Very truly yours,

Elliott M. Hedin

EMH/crs
Enclosure

8/22/2007\crsF:\WORD\ELIOTT\AMEREN\TCEC\Ticeltr0\82207.doc



I have attached the memo which references the voltage flicker calculation I performed back in 2005. As stated in the memo, I had to make some assumptions to perform the evaluation. I don't know exactly what I did at the time, however if I was to analyze the scenario today I would use the following assumptions:

- Motor Size = 100 hp
- NEMA code = G
- Across the line starting
- Only one motor starting at a time
- System Impedance at point of interconnection: R = 12.61 % and X = 64.28%
- Motor starting is less than once per hour

The purpose of performing a flicker calculation is to ensure that the addition of equipment such as welders, mining shovels, rock crushers and large motors (when starting) will not cause objectionable voltage flicker to our other customers. From the data above one can calculate the % voltage fluctuation that starting the 100 hp motor would cause. Using the assumptions above we can calculate an approximate .41% voltage fluctuation. IEEE Std 519-1992 section 10.5 offers a curve that can be used as a guide for flicker limits. Extrapolating the curve shown in IEEE 519 shows an allowable % voltage fluctuation of approximately 5%. The flicker that we calculated (.41%) is less than 10% of this limit.

GROSBOLL BECKER TICE & TIPPEY
ATTORNEYS AT LAW

HOMER J. TICE
KEVIN D. TIPPEY
DENISE BARR - ASSOCIATE
ELDON H. BECKER - RETIRED

JOHN L. KNUPPEL (1923-1986)
JOHN E. GROSBOLL (1918-2002)

101 EAST DOUGLAS STREET
PETERSBURG, ILLINOIS 62675

Telephone: 217/632-2282
Facsimile: 217/632-5189

Other Office Locations
P.O. Box 21
Virginia, Illinois 62691
Telephone: (217)452-3061
Facsimile: (217) 452-7836

April 30, 2007

Mr. Elliot Hedin
Brown, Hay & Stephens, LLP
205 South Fifth Street
Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

Re: Tri-County Electric Cooperative, Inc. v. AmerenIP
05-0767 (Citation)

Dear Elliot:

In reviewing IP's Answer to Tri-County's additional discovery request and my Letters of February 22, 2007 and March 6, 2007, I note the following:

1. As to Work Order #26936 (Exhibit C), some of the pages are not legible. Will you see if clearer copies can be provided or we will make arrangement for Bob Dew or Tri County personnel to personally view the unclear pages.
2. IP has not provided the records of the tests IP performed to see if the Texas Substation would handle startup voltage for Citation gas plant motors.
3. I confirm we do have the starting notices for the Texas Substation. I do not know if all have been provided.
4. IP has not indicated its has located or even searched for the Property Accounting file for the Texas Substation.
5. Arrangement should be made for Bob Dew or Tri-County personnel to examine IP's Marketing Representative Commercial Correspondence file regarding the Texas Substation.

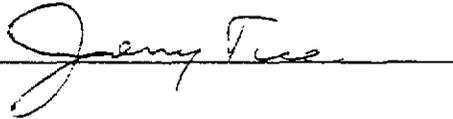
6. IP has provided in its April 19, 2007 response to Tri-County's Data Requests of February 22, and March 6, 2007 documents identified as a "print index" and corresponding diagrams of the Texas Substation. However, IP states it cannot find any of the 49 drawings of the Texas Substation as referenced in paragraph 4 of my February 22, 2007 letter and as referenced in the Texas Substation documents IP has already provided. I understand such drawings are basic records for a substation. Therefore, it is hard to believe that there are no drawings of the Texas Substation. If our engineer advises the print index and corresponding diagrams meet this request, then I will consider the request answered. If not, Tri- County will ask for permission to personally inspect all the files relating to the Texas Substation.

7. Tri County Data Request No. 15 (d) and (e) asks for the KWH charges and "revenue" for the Citation gas plant. Since IP claims it only has bills for the Salem Unit as a whole, the revenue information on the bills should not be redacted. Particularly since we have signed an Agreement regarding confidential information.

Sincerely,

GROSBOLL, BECKER, TICE & TIPPEY

By

A handwritten signature in cursive script, appearing to read "Jerry Tice", is written over a horizontal line.

HJT/dv
Enclosure

GROSBOLL BECKER TICE & TIPPEY
ATTORNEYS AT LAW

HOMER J. TICE
KEVIN D. TIPPEY
DENISE BARR - ASSOCIATE
ELDON H. BECKER - RETIRED

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Facsimile: 217/632-5189

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Virginia, Illinois 62691
Telephone: (217)452-3061
Facsimile: (217) 452-7836

May 1, 2007

Mr. Elliott Hedin
Brown, Hay & Stephens, LLP
205 South Fifth Street
Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

FACSIMILE: 217/241-3111

Re: Tri-County Electric Cooperative, Inc. v. AmerenIP
05-0767 (Citation)

Dear Elliott:

After our conversation at the Illinois Commerce Commission status hearing in the above matter on Tuesday, May 1, 2007, I recalled that there were four other matters that we need to agree on regarding discovery. Those matters are:

1. I need an agreement from you that you will furnish the power bills without redacting the revenue/charges information from the same.
2. I must have a confirmation that IP has either found the Property Accounting file for the Texas Substation or after diligent search it cannot be located.
3. You need to furnish the interconnection study and result thereof performed by IP as a result of the November 2, 2006 request of Citation Oil to establish a 1280 KW gas powered generator in parallel with the 12.5 kV power feeder (south circuit) from the Texas Substation for use with regard to the Salem oil field and/or gas plant. In addition, I request that you furnish all communications between IP and Citation Oil with respect to this study together with all estimates as to the cost thereof including the amount of KW power that will be obtained from IP for use in the gas plant and the feeder wells and how much will be used from the gas powered 1280 KW Citation generator. I assume that study has been accomplished and decisions made with regard to the same. If not, I would make this a continuing request so that

these documents are provided as they become available throughout the above proceeding.

4. The Tri-County engineer has informed me that he has never received all the records with regard to the performance of the tests by IP to see if the Texas Substation could handle the startup voltage for the Citation gas plant motors. All we have are emails from IP to Citation concluding that the Texas Substation could handle the startup voltage of the Citation gas plant motors. However, copies and documentation of the actual study done and by whom it was performed have not been provided. Therefore, please provide the same.

I assume that all of the above will be provided within the 21 day time period agreed upon by the parties at the May 1, 2007 status hearing. If not, please advise promptly.

The above items are in addition to those items that were discussed and a resolution agreed to during the status hearing on May 1, 2007. Those matters are:

A. You will review the documents that consist of the Work Order #26936 to see if you have more legible copies of certain pages. To the extent you do not have more legible copies than those furnished as Exhibit C to your April 19, 2007 discovery response, I would request that the Tri-County engineer either be allowed to view the originals or obtain copies direct from Jeff Moore of IP who you advise is the engineer in charge of those documents. I would appreciate you furnishing Mr. Moore's address and phone number or other contact information so that I may provide it directly to Tri-County's engineer, Bob Dew. In that way, they may be able to resolve this matter much more quickly by direct contact with each other.

B. If we have direct contact between Bob Dew and Jeff Moore it should be possible for Bob Dew to examine IP's Marketing Representative Commercial Correspondence file regarding the Texas Substation. You have only provided one document from that file and contend that nothing else in the file is relevant. Tri-County does not have to accept that self-serving assumption on IP's part and I request that Bob Dew be allowed to personally examine that file as well as the Property Accounting file should it be located.

C. Tri-County reserves the right to review all of the aforementioned files identified in our March 6, 2007 letter regarding the Texas substation should it be necessary in order to provide clarification of issues raised by the material IP has provided from those files. In particular, I would note that IP has provided the print index and diagrams of drawings for the Texas Substation. However, IP has also advised Tri-County that it cannot find the 49 drawings relating to the period 1952 through 1974 for the Texas Substation. Those drawings were noted in the computer generated material furnished to Tri-County regarding the Texas Substation. If those drawings are included in the print diagrams furnished with your April 19, 2007 discover response, then that will conclude that issue. If not, Tri-County will request the right to inspect the files pertaining to the Texas Substation.

Hopefully, your client will agree to allow Jeff Moore and Bob Dew to converse directly with each other regarding these questions that pertain to the Texas Substation. Please advise.

Sincerely,

GROSBOLL, BECKER, TICE & TIPPEY

By *Jerry Tice*

HJT/cac
Enclosure

GROSBOLL BECKER TICE & TIPPEY
ATTORNEYS AT LAW

HOMER J. TICE
KEVIN D. TIPPEY
DENISE BARR - ASSOCIATE
ELDON H. BECKER - RETIRED

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Facsimile: 217/632-5189

Other Office Locations
P.O. Box 21
Virginia, Illinois 62691
Telephone: (217)452-3061
Facsimile: (217) 452-7836

August 15, 2007

Mr. Elliott Hedin
Brown, Hay & Stephens, LLP
205 South Fifth Street
Suite 700
P.O. Box 2459
Springfield, IL 62705-2459

Re: Tri-County Electric Cooperative, Inc. v. AmerenIP
05-0767 (Citation Oil)

Dear Elliott:

As a result of our discovery phone conference of July 25, 2007, it is my understanding IP has agreed to provide the following:

A. Information used by engineer David G. Tockstein and/or others to check the additional load to the IP system created by the connection of Citation's new gas plant to IP's system. The attached April 20, 2005 communication notes the testing was done but you have said no records of the testing exist. Conversations with the engineers in the above call indicate the testing engineers, in order to test the 69k V line feeding the Texas substation and transformers in the substation for voltage disturbances, used and/or created:

1. A testing model;
2. A spread sheet or sheets of values and/or results with inputs to the spread sheets:
 - a. We understand that IP determined the impedance (restrictions) of the electric distribution system from the gas plant to the Texas substation. There are several miles of line between the gas plant and IP's Texas substation that would have to be included in the test.

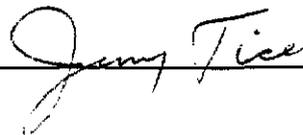
3. Utilized starting voltages and horse powers for Citation's electric motors:
 - a. How were these determined?
 - b. Provide the size and type of motor (horse power size, voltage, start up voltage, and code letter on each motor).
4. Made certain assumptions:
 - a. Need listing of all assumptions used to make the evaluation.
5. Used performance criteria (we understand this to be the then current IEEE curve):
 - a. We want written verification of the criteria used.
6. An AmerenIP voltage flicker curve was used for an approximation:
 - a. We have not been provided the "curve". Was it the IEEE curve?
7. The only information IP provided on the voltage flicker analysis is the attached e-mails and Citation motor load estimates:
 - a. How were the Citation motor load estimates incorporated in David Tocksteins' analysis?

Elliott IP's response regarding the flicker test has, to say the least, been minimal and very incomplete. It is not possible to perform such a study based on information provided by IP to date. To gather the necessary information, create the testing model and perform the test would normally take an engineer the better part of a day. Thus there is substantial information IP must yet provide.

Sincerely,

GROSBOLL, BECKER, TICE & TIPPEY

By



HJT/dv

cc: Marcia Scott
Robert Dew