

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

Illinois Commerce Commission	)	
On its Own Motion	)	
	)	Docket No. 06-0525
Consideration of the Federal Standard on	)	
Interconnection in Section 1254 of the	)	
Energy Policy Act of 2005.	)	
	)	

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**ELPC RESPONSE TO AMEREN MOTION  
FOR LEAVE TO FILE COMMENTS *INSTANTER***

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On February 15, 2008, at the culmination of a nearly one-year workshop process, Ameren filed a motion requesting an opportunity to file comments on the record in order to provide the Commission with “additional information” prior to the formal publication of an emergency rule. Ameren Motion at 3, 4. The comments attached to the motion contain Ameren’s positions regarding several “legal, policy and technical, operational, and regulatory ratemaking and ‘best practices’ issues.” *Id.* at 3.

The Illinois Administrative Procedure Act provides the relevant procedural requirements for rulemaking and states that “no action ... shall be valid” unless taken in compliance with the Act’s procedural requirements. 5 ILCS 100/5-35(b). Neither the emergency rulemaking procedures at Section 5-45 nor the general rulemaking procedures at Section 5-40 provide an opportunity for parties to lodge substantive comments on the record before other parties or members of the general



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<b>on interconnection in Section 1254 of</b>	)	
<b>the Energy Policy Act of 2005</b>	)	

**NOTICE OF FILING**

PLEASE TAKE NOTICE that on this date, February 29, 2008, I caused to be filed with the Chief Clerk of the Illinois Commerce Commission via e-docket the enclosed Response Brief of the Environmental Law & Policy Center.



Bradley D. Klein  
One of the Attorneys for the  
Environmental Law & Policy Center

**CERTIFICATE OF SERVICE**

PLEASE TAKE NOTICE that on this date, February 29, 2008, I hereby certify that I did electronically file with the Illinois Commerce Commission the foregoing Response Brief of the Environmental Law & Policy Center and electronically served the same upon the persons identified on the attached Service List.



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