

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**IN RE ENBRIDGE PIPELINES)
(ILLINOIS) LLC,)
)
) **07-0446**
)
**Petition pursuant to Section 8-503, 8-509,)
15-101 and 15-401 of the Public Utilities Act)
for a certificate by pipeline, and for entry of)
an order authorizing and directing construction)
and operation of a petroleum pipeline and)
requesting authority to exercise eminent domain)****

**MOTION FOR EXTENSION OF TIME
AND CONTINUANCE OF HEARING**

NOW COME the various Intervenors known as “Pliura Intervenors”. by and through their counsel, Thomas J. Pliura, M.D., J.D., P.C., and pursuant to Section 200.190 of the Rules of Practice (83 Ill. ADM. Code 200.190), respectfully move for an Order of Extension of Time to conduct additional discovery and a postponement of the hearing currently scheduled for April 30 and May 1, 2008, and furthermore request expedited treatment of this motion. In support of this motion, Pliura Intervenors respectfully state as follows:

1. On March 10, 2008, the Staff of the Illinois Commerce Commission filed a Verified Motion to Stay these proceedings based upon the contents of the Enbridge and ExxonMobile Pipeline Company filing with the Federal Energy Regulatory Commission (“FERC”) regarding plans to construct an extension of the pipeline being considered in the current docket, which extension has been identified as the “Texas Access Pipeline”. Numerous inconsistencies between the two filings were pointed out by the Staff, as well as issues raised regarding the relationship of these pipelines with the pipeline proposed between Superior, Wisconsin and Pontiac,

- Illinois (“Southern Access Expansion”), earlier considered by the Illinois Commerce Commission, Docket No. 06-0470. Various Intervenors filed motions in support of the Staff motion raising similar concerns.
2. On March 25, 2008, an Order of the Hon. Administrative Law Judge denied the Staff’s request for stay generally pending the Enbridge Application for consideration of the Texas Access Pipeline. The Court, however, noted that the purpose and use of the proposed Pontiac to Patoka Pipeline (“Southern Access Extension”) is relevant to the issues to be considered in this proceeding, as is the relationship between the proposed Southern Access Expansion and the Texas Access Pipeline.
 3. On February 27, 2008 Intervenors, Pleasant Murphy and the Village of Downs, sought production of documents from ExxonMobile Pipeline Company, a non-party to these proceedings, to further discover the relationship between the proposed Southern Access Extension and the Texas Access Pipeline. ExxonMobile filed an objection to the request.
 4. On April 1, 2008 the Hon. Administrative Law Judge denied Intervenors’ Application for Issuance of Subpoena *Duces Tecum*. In so ruling, the Administrative Law Judge once again noted that the relationship between the Texas Access Pipeline and Southern Access Extension are relevant issues to be addressed in these proceedings.
 5. The Hon. Administrative Law Judge further indicated that parties to these proceedings should be entitled to a reasonable opportunity to explore and address the relationship between these pipelines, if so requested.
 6. In order to adequately explore and clarify the relationship between the Texas Access Pipeline, the Southern Access Extension and the Southern Access Expansion

Pipelines through additional discovery and pleadings, Pliura Intervenors seek a modification to the current docket schedule. Pliura Intervenors further seek a postponement and rescheduling of the hearing currently set for April 30 through May 1, 2008, as inadequate time is available to address these issues before the scheduled hearing date.

7. Pliura Intervenors therefore propose that this Court grant the relief sought by Pliura Intervenors herein and that a pre-hearing conference be promptly scheduled in order to address the resetting of the docket schedule and a hearing date.

WHEREFORE, by reason of the forgoing, Pliura Intervenors respectfully request that Intervenors be granted an extension of time in which to propound discovery and address the relationship between the Texas Access Pipeline, the Southern Access Extension and the Southern Access Expansion Pipelines and for a postponement of the hearing in these proceedings currently scheduled for April 30 through May 1, with appropriate modification to the docket for the rescheduling of the preceding deadlines and hearing date.

Respectfully,



Thomas J. Pliura
Attorney for Pliura Intervenors

Thomas J. Pliura
Attorney at Law
P.O. Box 130
Le Roy, IL 61752
Ph. (309) 962-2299
Fax: (309)962-4646
Email: tom.pliura@zchart.com

PROOF OF SERVICE

The undersigned certifies that on this 2nd day of April, 2008, he served a copy of the foregoing document upon counsel of record for the parties via electronic mail.



Thomas J. Pliura

Thomas J. Pliura
Attorney at Law
P.O. Box 130
Le Roy, IL 61752
Ph. (309) 962-2299
Fax: (309)962-4646
Email: tom.pliura@zchart.com