

1 APPEARANCES: (Continued)

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7 (Appearing via teleconference on
8 behalf of Illinois Power Company
9 d/b/a AmerenIP)

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WITNESS

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REDIRECT

RECROSS

None .

EXHIBITS

MARKED

ADMITTED

None .

1 MS. JOHNSON: Paula Johnson, 715 North 24th
2 Street, East St. Louis, Illinois 62205.

3 JUDGE TAPIA: Thank you. Let the record
4 reflect that there are no others wishing to enter an
5 appearance. Mr. Tomc, have you and -- Ms. Johnson,
6 have you both discussed the schedule in this case?

7 MS. JOHNSON: No, but whatever dates are
8 convenient for the respondent.

9 JUDGE TAPIA: Mr. Tomc, do you have dates --
10 oh, gosh, I didn't even bring my -- we are going to
11 take a five-minute recess and go off the record, and
12 I just have to go upstairs and get my calendar real
13 quick.

14 (Whereupon there was then had an
15 off-the-record discussion.)

16 JUDGE TAPIA: We are back on the record. Okay.
17 So, Mr. Tomc and Ms. Johnson, you were discussing the
18 schedule?

19 MS. JOHNSON: Yes.

20 MR. TOMC: Yes, Your Honor.

21 JUDGE TAPIA: Okay. And what have you come up
22 with?

1 MS. JOHNSON: July 3 -- or let's see, June 30
2 for me to -- for my submission of my statement.

3 JUDGE TAPIA: For your direct examination?

4 MS. JOHNSON: Yes.

5 JUDGE TAPIA: Is that correct, Mr. Tomc, June
6 30?

7 MR. TOMC: Yes, Your Honor, that's fine with
8 me. I believe in speaking with the complainant that
9 that would be a mailing date on the 30th.

10 MS. JOHNSON: Yes, mailing date, sorry.

11 JUDGE TAPIA: Oh, a mailing date, okay. Okay,
12 so let's get a date though. Well, to be -- let's
13 see.

14 MS. JOHNSON: To be received by the 3rd, July
15 3.

16 JUDGE TAPIA: No, we are closed on the 3rd.

17 MS. JOHNSON: The 1st or the 2nd?

18 JUDGE TAPIA: Well, let me ask you this. Have
19 you -- well, you did file the petition. I just want
20 to make sure that it is done properly because the
21 Clerk's office won't file it or actually file it
22 properly in e-Docket if all the documentation is not

1 there, you know, the service and -- you know all that
2 procedure, Ms. Johnson?

3 MS. JOHNSON: Oh, yes, ma'am.

4 JUDGE TAPIA: Okay. Just make sure to follow
5 up with the Clerk's office because they are very
6 strict in how things are submitted by mail. And if
7 it is not submitted by mail, they will call you and
8 they will hold it; they will not file it. So let's
9 say, to give you flexibility with that, let's say by
10 Monday -- or actually, Monday, July 6.

11 MS. JOHNSON: Yes, ma'am.

12 JUDGE TAPIA: Okay. And then direct
13 examination for respondent, Mr. Tomc?

14 MR. TOMC: Yes, Your Honor, Friday, July 24.

15 JUDGE TAPIA: Okay. And then rebuttal from
16 Ms. Johnson?

17 MS. JOHNSON: The following week, the 31st.

18 JUDGE TAPIA: Okay. July 31 will be for
19 rebuttal. And then should we have a status hearing
20 prior to the evidentiary hearing?

21 MS. JOHNSON: Yes, if we could, to make sure
22 everything is finalized and everything has been

1 received and all that.

2 JUDGE TAPIA: Okay. Mr. Tomc, do you have a
3 date or, Ms. Johnson, do you have a date for a status
4 hearing?

5 MS. JOHNSON: I guess about with the first week
6 of August, between maybe the 3rd and the 7th,
7 whatever is convenient for Mr. Tomc.

8 MR. TOMC: That works for me, Ms. Johnson.

9 MS. JOHNSON: Okay. Let's say the 3rd of
10 August?

11 MR. TOMC: Yes, Your Honor, that will work.

12 JUDGE TAPIA: Okay, August 3 a status hearing.
13 What time?

14 MS. JOHNSON: Ten a.m., is that okay?

15 JUDGE TAPIA: That's fine. Mr. Tomc, does that
16 fit your schedule?

17 MR. TOMC: Yes, Your Honor, 10:00 a.m. works
18 well for me.

19 JUDGE TAPIA: And then an evidentiary hearing.
20 Do you want to schedule it now or do we want to
21 schedule it at the status hearing?

22 MS. JOHNSON: Could we schedule it on the 3rd,

1 please?

2 JUDGE TAPIA: On the 3rd.

3 MS. JOHNSON: Yes, at the status hearing.

4 JUDGE TAPIA: Well, no, the evidentiary hearing
5 is when you present your witnesses. The status
6 hearing is going to be a status for what's going on,
7 if everyone is on the same page and everything has
8 been submitted. But the evidentiary hearing is the
9 actual hearing where you present your testimony, you
10 present your witnesses and any exhibits you need to
11 admit. Cross examination will be conducted on that
12 day. Do you understand, Ms. Johnson?

13 MS. JOHNSON: Yes, ma'am. Could we set that
14 date on the 3rd, when we meet on the 3rd?

15 JUDGE TAPIA: Well, I thought you said --

16 MS. JOHNSON: We can set it now.

17 JUDGE TAPIA: Oh, I understand. I am sorry.
18 You know, I am a little sick today and I am a little
19 slow. Yes, we can set the date at the status. At
20 that time we can get a date. Is that what you are
21 saying?

22 MS. JOHNSON: Yes, ma'am.

1 JUDGE TAPIA: Okay. That's fine. So this case
2 will be continued to August 3 and then at that time
3 we will set an evidentiary hearing.

4 MS. JOHNSON: Yes, ma'am.

5 JUDGE TAPIA: Okay. Anything else before I
6 summarize the schedule, Mr. Tomc?

7 MS. JOHNSON: Is he there?

8 MR. TOMC: Yes, I am, Your Honor. No, I have
9 nothing further.

10 JUDGE TAPIA: Ms. Johnson, anything before I
11 summarize the schedule?

12 MS. JOHNSON: No, not at all. I haven't got a
13 response from the -- I haven't received the
14 respondent's answer. But I am sure that will come in
15 the mail sometime today or tomorrow.

16 JUDGE TAPIA: Okay. It was filed -- now, you
17 can always get it -- well, of course, you sent Ms.
18 Johnson your answer, Mr. Tomc. But, Ms. Johnson, you
19 can always -- do you have access to the internet?

20 MS. JOHNSON: Not here at my home, but I do.

21 JUDGE TAPIA: Oh, okay. I am sure you will get
22 it soon. When did you file it, Mr. Tomc? Did you

1 file it back on the 10th?

2 MR. TOMC: I believe I filed it on the 10th,
3 Your Honor. But it should have been there by now. I
4 am looking to make sure that it didn't get lost in
5 the mail.

6 MS. JOHNSON: I haven't gotten today's mail
7 yet, so it could come today.

8 MR. TOMC: That's possible, yeah.

9 MS. JOHNSON: Because it didn't come Saturday
10 so I am sure it will come late today.

11 JUDGE TAPIA: Okay. Anyway, if you have access
12 to the internet, you can always log on to your case
13 and then go to Documents, and all the documents can
14 be printed. But you should be getting that soon.

15 MS. JOHNSON: Yes, ma'am.

16 JUDGE TAPIA: So let's go ahead and summarize
17 the schedule. The schedule this case, the direct
18 examination of the complainant will be due or filed
19 by June 6, 2009. The direct from the respondent --

20 MS. JOHNSON: July 6.

21 JUDGE TAPIA: I am sorry, July 6. And the
22 direct from the respondent will be due July 24.

1 Rebuttal will be due July 31, and then there will be
2 a status hearing on August 3 at 10:00 a.m. This case
3 then is continued until that time. At the status
4 hearing we will go ahead and set an evidentiary
5 hearing.

6 Anything else that any party would
7 like to be part of the record here today before we
8 adjourn or continue this case until August 3?

9 MS. JOHNSON: No.

10 MR. TOMC: I have nothing, Your Honor.

11 JUDGE TAPIA: Okay, thank you. Until then,
12 until, I guess, the status hearing on August 3.
13 Thank you, Mr. Tomc. Thank you, Ms. Johnson.

14 (Whereupon the hearing in this
15 matter was continued until
16 August 3, 2009, at 10:00 a.m. in
17 Springfield, Illinois.)

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