

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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

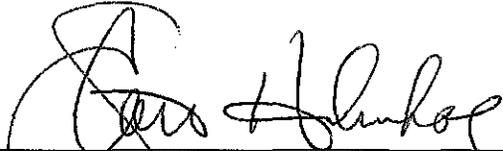
AFFIDAVIT OF SCOTT C. HELMHOLZ

Affiant, Scott C. Helmholz, hereby asserts the following:

1. I am over the age of 21 and have personal knowledge of the subject matter in this affidavit.
2. I am lead counsel for Illinois Power Company d/b/a AmerenIP ("AmerenIP") in this case.
3. I contacted TCEC's counsel, Jerry Tice, on March 22, 2010 and April 5, 2010 to see whether Mr. Tice would consent to admit Mr. Forney's deposition into the record. I also raised this issue during a conference call with Mr. Tice and the Administrative Law Judge on April 5, 2010. Mr. Tice did not object to admitting Mr. Forney's deposition and agreed that the deposition could "come in" the record. See a true and accurate copy of my notes that I took during these calls attached hereto as Exhibit A.

AFFIANT FURTHER SAYETH NOT.

Dated this 4 day of October, 2010.



Scott C. Helmholz

Subscribed and sworn to before me, a Notary Public, on this 14th day of October,
2010.



Notary Public

My Commission Expires:

