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ILLINOIS COMMERCE COMMISSION

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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

Case No. 05-0767

2010 OCT 14 P 3:51  
ILLINOIS COMMERCE COMMISSION

MOTION BY TRI-COUNTY ELECTRIC COOPERATIVE, INC.  
REQUESTING THE ADMINISTRATIVE LAW JUDGE  
AND ILLINOIS COMMERCE COMMISSION TO TAKE ADMINISTRATIVE  
NOTICE OF CERTAIN DOCUMENTS IN THIS DOCKET

TRI-COUNTY ELECTRIC COOPERATIVE, INC. (Complainant) (Tri-County) by its attorneys, GROSBOLL, BECKER, TICE, TIPPEY & BARR, Jerry Tice of counsel, pursuant to Section 200.640 of the Illinois Commerce Commission Rules of Practice, 83 Ill Adm Code, Section 200.640, requests the Administrative Law Judge (ALJ) and the Illinois Commerce Commission (Commission) to take administrative notice of certain documents hereinafter identified and in support thereof states as follows:

1. Section 200.640(3) of the Illinois Commerce Commission Rules of Practice (83 Ill Adm Code Section 200.640(3)) authorizes the Administrative Law Judge to take administrative notice of reports, tariffs, classifications, and schedules filed with the Commission and matters which the Circuit Courts of the State of Illinois may take judicial notice (83 Ill Adm Code Section 200.640(7)). Courts of this State have authority to take judicial notice of the public records O'Laughlin v City of Chicago 28 Ill App 3d 766; 329 NE2d 528, 531-532 (1<sup>st</sup> Dist 2<sup>nd</sup> Div 1975); People vs Middleton 43 Ill App 3d 1030; 357 NE2d 1238; 2 Ill Dec 795 (1<sup>st</sup> Dist 1976); Finish Line Exp. Inc. v City of Chicago 72 Ill 2d 131; 379 NE2d 290; 19 Ill Dec 626

(1978).

2. Pursuant to Section 200.640(3)(7), Tri-County requests the Administrative Law Judge to take administrative notice of certain documents heretofore filed with the Commission and which constitute public records and have been heretofore produced by Illinois Power Company dba AmerenIP (IP) in response to data requests propounded by Tri-County of IP identified as follows:

A. The following documents produced by IP in response to Tri-County's Fifth Supplemental Data Request and attached hereto as Group Exhibit AA and which were referenced in the Electric Service Contract between Illinois Power Company and Texaco Exploration and Production, Inc. dated October 2, 1991 attached as IP Exhibit 1.3 to IP Exhibit 1 being prepared direct testimony of Michael W. Tatlock, P.E., CPQ:

(1) Ill. C.C. No. 29 entitled Illinois Power Company Schedule of Rates for Electric Services; Standard Terms and Conditions and identified as AmerenIP Nos. 001096 through 001097.

(2) Ill. C.C. No. 29 entitled Illinois Power Company Schedule of Rates for Electric Service; Service Classification 35 and identified as AmerenIP Nos. 001098 through 001104.

B. The following documents produced by IP in response to Tri-County's Fifth Data Request and attached hereto as Group Exhibit BB and referenced in the Electric Service Agreement between Illinois Power Company – Citation Oil & Gas Corporation dated December 14, 1999 attached as IP Exhibit 1.3 to IP Exhibit 1 being prepared direct testimony of Michael W. Tatlock, P.E., CPQ:

(1) Ill. C.C. No. 31 entitled Illinois Power Company Schedule of Rates for Electric Service; Service Classification 21; Large Power Service being IP No. 001141 through 001143.

C. The following documents referenced in the Electric Service Contract between

AmerenIP and Citation Oil & Gas Corporation dated December 14, 2004 attached as IP Exhibit No. 1.3 to IP Exhibit 1 being prepared direct testimony of Michael W. Tatlock, P.E., CPQ, produced as responsive to Tri-County's Fifth Supplemental Data Request and attached as Group Exhibit CC:

- (1) Ill.C.C. No. 31 entitled Illinois Power Company Schedule of Rates for Electric Service; Service Classification 24; Guaranteed Energy Large Power Service being IP No. 001149 through 001151.
- (2) Ill. C.C. No. 31 entitled Illinois Power Company Schedule of Rates for Electric Service; Standard Terms and Conditions being IP No. 001163 through 001166.

D. The following Illinois Power Company d/b/a AmerenIP rate schedules produced pursuant to Tri-County's Fifth Supplemental Data Request and attached hereto as Group Exhibit DD:

- (1) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35; 8<sup>th</sup> Revised Sheet No. 14 through 14.003 entitled Rate DS-4-Large General Delivery Service identified as IP Nos. 001167 through 001170.
- (2) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Sheet No. 29 through 29.012 entitled Rider HSS – Hourly Supply Service identified as IP No. 001171 through 001183.
- (3) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 34 through 34.011 entitled Supplemental Customer Charges identified as IP 001184 through 001195.
- (4) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet 35 through 35.002 entitled Miscellaneous Fees and Charges identified as IP No. 001196 through 001198.
- (5) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 37 through 37.007 entitled Tax Additions identified as IP No. 001199 through 001206.
- (6) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 39 through 39.004 entitled Rider TS – Transmission Service identified as IP No. 001207 through 001211.

- (7) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 40 through 40.005 entitled Rider EEA Electric Environmental Adjustment identified as IP No. 001212 through 001217.
- (8) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 43 through 43.006 entitled Rider EDR – Energy Efficiency and Demand-Response Cost Recovery identified as IP No. 001218 through 001224.
- (9) Illinois Power Company dba AmerenIP Electric Service Schedule Ill. C.C. No. 35 Revised Sheet No. 49 through 49.007 entitled Rider EUA – Electric Uncollectible Adjustment identified as IP No. 001225 through 001232.

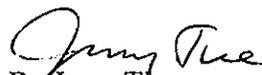
3. The foregoing described documents identified in paragraph 2 hereof are all AmerenIP rate schedules and tariffs on file with the Illinois Commerce Commission.

WHEREFORE, Tri-County Electric Cooperative, Inc., Complainant, requests the Administrative Law Judge to take administrative notice of the documents identified in paragraph 2 hereof and upon tendering the same as an Exhibit in this docket to allow the same to be included as a part of the record in this docket and for such other relief as is deemed appropriate.

Respectfully submitted,

TRI-COUNTY ELECTRIC COOPERATIVE, INC.

By GROSBOLL BECKER TICE TIPPEY & BARR

  
By Jerry Tice

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**PROOF OF SERVICE**

I, JERRY TICE, hereby certify that on the 14th day of October, 2010, I deposited in the United States mail at the post office at Petersburg, Illinois, postage fully paid, a copy of the attached hereto, addressed to the following persons at the addresses set opposite their names:

Illinois Power Company d/b/a Ameren IP  
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Jerry Tice