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OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

ORIGINAL

CHIEF CLERK'S OFFICE
2011 FEB 17 A 9:07
ILLINOIS COMMERCE COMMISSION

February 16, 2011

VIA FEDEX

Elizabeth A. Rolando
Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Re: Proof of Publication – Section 451.30(a) Requirement, Docket No. 11-0108

Dear Ms. Rolando:

On behalf of Texas Retail Energy, LLC ("TRE") and pursuant to 83 Illinois Administrative Code § 451.30, attached please find an original and two (2) copies of a proof of publication from the Official State Newspaper, The Breeze-Courier, showing that notice of TRE's application for certification as an Alternative Retail Electric Supplier ("ARES") in Illinois was published on February 10, 2011. TRE submits that it has complied with the requirement under § 451.30 that publication of notice of an ARES application be filed within ten (10) days of the filing of the ARES application. TRE received The Breeze-Courier's proof of publication of this notice via U.S. Mail on February 14, 2011.

Section 452.30 also requires that a proof of publication of an ARES application be filed within the Commission within five (5) days of the date of publication. Accordingly, proof of publication of notice of TRE's ARES application was due on February 15, 2010. Due to administrative error and reliance on the filing instructions published by the Commission and available at http://www.icc.illinois.gov/downloads/public/en/WEB%20Instr%20Form%20for%20ARES%20Applicants.doc, which do not set forth the five-day rule for publication, we are filing this proof of publication one day late. We apologize for this error, and respectfully ask that the Commission accept this filing one day late.[1]

[1] Section 200.70 of the Commission's Rule of Practice provides that filings with the Commission that are "transmitted by a private express courier service, shall be deemed filed with or received by the Commission upon delivery to the courier service." Because this filing is being conveyed by private express courier, this filing will be deemed filed today.

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Illinois Commerce Commission
February 16, 2011

Pursuant to a telephone call today with Phil Hardis of the Commission, we have also provided a copy of this cover letter and proof of publication via email to Mr. Hardis and the administrative law judge, Lisa M. Tapia, in the hopes that our error has not created a hardship for the Commission.

Should you have any questions about this filing, please contact me at (202) 862-2215.

Very truly yours,

Tory Lauterbach

TL

217. Legals

LEGAL NOTICE

On February 2, 2011, **Texas Retail Energy, LLC** filed an application with the Illinois Commerce Commission to become an Alternative Retail Electric Supplier in the State of Illinois. **Texas Retail Energy, LLC** is applying under Subpart E of the Commission's rules on certification of Alternative Retail Electric Suppliers (83 Ill. Admin. Code 451) to serve electric load to Texas Retail Energy, LLC's affiliates throughout Illinois.

2/10/2011

BREEZE PRINTING COMPANY

A Corporation organized and existing under and by virtue of the laws of the State of Illinois does HEREBY CERTIFY, that it is the publisher

OF THE

Breeze-Courier

That said BREEZE-COURIER is a secular newspaper and has been published daily in the City of Taylorville, County of Christian and State of Illinois, continuously for more than six months prior to, on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said County and State.

That a notice, of which the annexed printed slip is a true copy, was published 1 times in said Breeze-Courier namely once each week for 1 successive weeks, and that the first publication of said notice as aforesaid was made in said newspaper dated and published on the 10 day of February, A.D. 2011 and the last publication thereof was made in said newspaper dated and published on the 10 day of February, A.D. 2011

IN WITNESS WHEREOF, the undersigned, the said BREEZE PRINTING COMPANY has caused this certificate to be signed by MARYLEE COOPER RASAR, its President, this 10 day of February, A.D. 2011

BREEZE PRINTING COMPANY

By Marylee Rasar, President.

(Publication Fee $ 5.60)