

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

AQUA ILLINOIS, INC.)	
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)	
Petition for Temporary and Permanent Certificates)	Docket No. 11-_____
of Public Convenience and Necessity to Construct,)	
Operate and Maintain Water and Wastewater)	
Systems under Section 8-406 of the Public Utilities)	
Act.)	

VERIFIED PETITION

Aqua Illinois, Inc. (“Aqua” or the “Company”) hereby requests, pursuant to Section 8-406 of the Illinois Public Utilities Act (the “Act”), 220 ILCS 5/8-406, that the Illinois Commerce Commission (the “Commission”) issue both temporary and permanent Certificates of Public Convenience and Necessity (“Temporary Certificate” and “Permanent Certificate,” respectively) authorizing Aqua to construct, operate and maintain a water distribution system and wastewater collection system, and in connection therewith, transact a public utility business in an area of Will County which is contiguous to areas for which the Company was previously granted a Certificate of Public Convenience and Necessity (“Certificate”). In connection with its request for a Temporary Certificate, Aqua respectfully asks that this Petition be reviewed on an expedited basis for the reasons discussed more fully herein. In support of its Petition, Aqua states as follows:

BACKGROUND

1. Aqua provides water and sewer utility service to the public in certain areas of Will, Kankakee, Vermillion, Boone, Knox, Lake, Champaign, Cook and Dekalb Counties in the State of Illinois. It is a public utility within the meaning of the Act, 220 ILCS 5/3-105.
2. In Docket Nos. 84-0116, 88-0060, 94-0461, and 98-0340 the Commission

granted Aqua Certificates to provide water distribution and wastewater collection service to customers residing in areas of Will County (the “Original Certificated Area”). The boundaries of the Original Certificated Area are shown on Exhibit A. Aqua currently has pending before the Commission, in Docket 06-0655, a petition to further expand the University Park certificated area, as also shown on Exhibit A.

3. In order to serve its customers in the Original Certificated Area, Aqua caused to be constructed sewer mains along Ridgeland Avenue (the “Ridgeland Mains”) within the Original Certificated Area. The Original Certificated Area and the Ridgeland Mains are adjacent to an area of Will County situated in Monee Township which is not currently served by Aqua (the “Expanded Area”). The boundaries of the Expanded Area are shown on Exhibit A. A legal description of the Expanded Area is attached as Exhibit B. The majority of the Expanded Area is within the corporate limits of the Village of Monee (“Monee”).

4. Aqua has been asked to provide immediate wastewater collection service to the Expanded Area. Specifically, BC Development owns two commercial buildings in the Expanded Area which house a variety of commercial tenants. BC Development and its commercial tenants have daily sanitary requirements which are currently being served on a “pump and haul” basis by Monee. Monee has requested that Aqua relieve this burden, and that it take “any and all available actions to expedite certificating” the Expanded Area so that Aqua can serve BC Development’s sanitary sewer demands. (A copy of Monee’s March 29, 2011 letter to Aqua requesting expedited certificating of the Expanded Area is attached as Exhibit C.) BC Development is considering constructing additional commercial buildings if and when Aqua is able to provide sewer service in the area. Further, certain other commercial entities in the Expanded Area utilize septic fields for sewer service. These commercial

entities may also seek to receive sewer service from Aqua once a Certificate becomes effective and Aqua can provide service in the area. Aqua anticipates that it also may be required to serve the water and wastewater needs of other future customers as the Expanded Area is developed.

5. Currently, with the exception of Monee, no other utility provider in the Expanded Area is able to provide the requisite sanitary service. As indicated on Exhibit C, Monee has request that Aqua provide sewer service in the Expanded Area. Monee presently provides water service in its corporate limits within the Expanded Area, but does not object to Aqua obtaining a water Certificate for the Expanded Area.

6. The Ridgeland Mains are adjacent to the Expanded Area on the west side of Ridgeland Avenue. BC Development is located on the east side of Ridgeland Avenue. In order to serve BC Development and the Expanded Area, and to respond to Monee's request, Aqua will allow BC Development to connect to the Ridgeland Mains.

**TEMPORARY CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY**

7. Section 8-406(e) of the Act authorizes the Commission to issue a temporary certificate without notice or a hearing in cases of emergency:

The Commission may issue a temporary certificate which shall remain in force not to exceed one year in cases of emergency, to assure maintenance of adequate service or to serve particular customers, without notice or hearing, pending the determination of an application for a certificate

220 ILCS 5/8-406(e).

8. As stated, a particular customer within the Expanded Area, BC Development, as well as its commercial tenants, have immediate daily sanitary demands which are currently being served by Monee. Monee, however, has requested that Aqua undertake on an expedited

basis whatever action is necessary to relieve Monee of that burden and to assume serving BC Development's wastewater collection needs. For this reason, an emergency exists requiring Aqua to immediately provide service to BC Development and its commercial tenants, as contemplated by Section 8-406(e) of the Act.

9. Other than Monee, which has requested that Aqua provide sewer service in the Expanded Area, no other utility provider in the Expanded Area is able or willing to provide the requisite sewer service. In addition, no municipal corporation or other entity owns a wastewater collection system within a reasonable proximity to the Expanded Area, or is able to render sewer utility service to the Expanded Area. As required by 83 Illinois Administrative Code § 200.150(b), a copy of this Petition will be served on each municipality located partly or wholly within the Expanded Area, or with a corporate boundary that is within one and one-half miles of the Expanded Area. A list of such municipalities is included on the Certificate of Service accompanying this Petition.

10. Under the Temporary Certificate, Aqua proposes that the rates for sewer service be those currently in effect (or as modified) in Aqua's University Park Division.

11. In light of the above considerations, and pursuant to Section 8-406(e) of the Act, Aqua thus respectfully requests that the Commission enter an order issuing a Temporary Certificate which authorizes Aqua to construct, operate and maintain a wastewater collection system in the Expanded Area so that Aqua can expeditiously undertake connection of the Ridgeland Mains to BC Development's facilities pending the Commission's ruling on Aqua's request for a Permanent Certificate.

12. Given the emergency need to provide sanitary service to BC Development and Monee's request that such service be provided on an expedited basis, Aqua requests that an

interim order authorizing a Temporary Certificate be granted within 45 days of the filing of this Petition.

**PERMANENT CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY**

13. Section 8-406 of the Act authorizes the Commission to grant a utility a Certificate to allow the utility to construct, operate and maintain utility services and transact a public utility business within a particular area. 220 ILCS 5/8-406(a)-(b). BC Development requires immediate wastewater service and, as discussed above, other commercial entities on septic systems may take service from Aqua. Aqua also expects future development by BC Development and possibly others to occur in the Expanded Area. The Expanded Area, including BC Development and any future customers residing in the Expanded Area, will therefore require wastewater services on a permanent basis.

14. Within those portions of the Expanded Area within Monee's corporate boundaries, Monee provides water service. However, as indicated in Attachment C, Monee has asked Aqua to take "any and all action" to obtain a Certificate for the Expanded Area. Monee does not object to Aqua obtaining a water Certificate in the Expanded Area. Circumstances may arise under which Monee and/or future customers request that Aqua provide water service in the Expanded Area in the future. Under the circumstances set forth in this Petition, Aqua therefore believes grant of water Certificate is appropriate now, in order to avoid future administrative costs should water service be requested from Aqua in the Expanded Area.

15. Construction of connections, main extensions and/or other facilities is necessary to provide adequate, reliable and efficient service to BC Development and any future customers in the Expanded Area. The cost Aqua will incur to construct facilities, as needed, will be the least-cost means of satisfying the water and wastewater service needs of those customers.

Moreover, Aqua's investment in water and wastewater facilities necessary to serve the Expanded Area will be reasonable and in accordance with the applicable rules, regulations and policies of the Commission.

16. Aqua is capable of efficiently managing and supervising any necessary construction processes, and it will take sufficient action to assure that any construction and supervision thereof are adequate and efficient.

17. Aqua has the technical, financial and managerial ability to construct, operate and maintain a public water supply and distribution system and a sewage treatment and collection system for the Expanded Area without adverse financial consequences for existing customers. The provision of public water and sewer service in the Expanded Area will impose no financial burden on either Aqua or its existing customers. Rather, existing customers will experience benefits from growth of the Aqua system as common costs are spread over a larger customer base. Additionally, once Aqua has connected the Ridgeland Mains to BC Development's facilities, Aqua will immediately begin to collect revenues from that customer.

WATER AND SEWER FACILITIES FOR THE EXPANDED AREA

18. The facilities necessary to extend service to BC Development and any future customers in the Expanded Area will consist of mains, connections and other facilities necessary to meet service requirements. Any main extensions will be constructed pursuant to Aqua's Rules, Regulations and Conditions of Service (Water), Section 29 (ILL. C.C. No. 47, Sec. 1, Original Sheet Nos. 32-33), and Aqua's Rules, Regulations and Conditions of Service (Sewer), Section XI (ILL. C. C. No. 48, Sec. 1, Original Sheet Nos. 28-30), regarding mains (the "Standard Mains Rules").

19. In acquiring rights-of-way from private land owners, Aqua will follow the provisions of Part 300 of the Commission’s Rules (83 Ill. Admin. Code, Part 300.) At present, however, a need for acquisition of rights-of-way from private landowners is not anticipated.

ACCOUNTING ENTRIES

20. In accordance with Commission policy and the Uniform System of Accounts for Water Utilities (83 Ill. Admin. Code, Part 605, Accounting Instruction 17), Aqua proposes to record the original cost of all water and wastewater facilities for the Expanded Area in the applicable Utility Plant In Service accounts (Account 101—for water and sewer service, separately). The Company proposes to record any contributions or deposits for the facilities as contributions in Account 271—Contributions in Aid of Construction.

DEPRECIATION RATES

21. For the Expanded Area, Aqua proposes to use the depreciation rates for the University Park Division, as now in effect or as subsequently revised.

APPLICATION OF RATES IN EXPANDED AREA

22. In the Original Certificated Area, Aqua currently charges for water service and wastewater service the rates set forth in the tariffs of the University Park Division. (Ill. C.C. No. 47, Section No. 4, Sheet Nos. 1-21 (water service); Ill. C.C. No. 48, Section No. 3, Sheet Nos. 1-10 (wastewater service)). Aqua proposes to apply these same rates (as now in effect or as such rates may be subsequently modified by Order of the Commission) throughout the Expanded Area. In addition, all other applicable water and wastewater charges for the University Park Division would apply to service within the Expanded Area, including, but not limited to, public and private fire protection charges, returned check charges, late-payment fees and State and

municipal add-on taxes or fees.

WHEREFORE, Aqua Illinois, Inc. respectfully requests that the Commission: (1) enter an interim order, within 45 days of the filing of this Petition, issuing a Temporary Certificate of Public Convenience and Necessity which authorizes Aqua to construct, operate and maintain a wastewater collection system in the Expanded Area on a temporary, emergency basis not to exceed a period of one year; and (2) that the Commission enter a final order: (a) issuing a permanent Certificate of Public Convenience and Necessity which authorizes Aqua to construct, operate and maintain a water distribution system and a wastewater collection system, and in connection therewith transact a public utility business, in the Expanded Area on a permanent basis; (b) approving the accounting entries proposed herein to record the appropriate original cost of water and sewer facilities in the Expanded Area; (c) approving the proposed water and sewer depreciation rates; (d) approving the rates proposed for water and sewer service in the Expanded Area; and (e) granting such other relief as is necessary and consistent with the above.

Respectfully submitted,

AQUA ILLINOIS, INC.

By: /s/ Albert D. Sturtevant

One of their Attorneys

Albert D. Sturtevant
Anne M. Zehr
CARPENTER LIPPS & LELAND, LLP
22 West Washington Street, Suite 1500
Chicago, Illinois 60602
Telephone: (312) 854-8032
Facsimile: (614) 365-9145
sturtevant@carpenterlipps.com
zehr@carpenterlipps.com

STATE OF ILLINOIS)

COUNTY OF KANKAKEE)

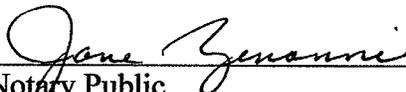
VERIFICATION

I, Craig L. Blanchette, certify that: (i) I am Vice President and Regional Manager of Aqua Illinois, Inc.; (ii) I have read the attached Petition; (iii) I am familiar with the facts stated therein; and (iv) the facts stated therein are true and correct to the best of my knowledge.



Craig L. Blanchette
Vice President and Regional Manager of Aqua Illinois, Inc.

SUBSCRIBED AND SWORN to before
me this 25TH day of APRIL, 2011.


Notary Public