

**STATE OF ILLINOIS**  
**ILLINOIS COMMERCE COMMISSION**

COMMONWEALTH EDISON COMPANY	:	
	:	No. 11-0289
Petition to determine the applicability of	:	
Section 16-125(e) liability to events caused	:	
by the July 23, 2010 storm systems	:	

**COMMONWEALTH EDISON COMPANY’S MOTION  
FOR PERMISSION TO FILE PANEL TESTIMONY**

Commonwealth Edison Company (“ComEd”), pursuant to Section 200.190 of the Rules and Practice of the Illinois Commerce Commission (the “Commission”) and other applicable law, respectfully moves the Administrative Law Judge (“ALJ”) for permission to file panel testimony in this proceeding. In support of this Motion, ComEd states as follows:

1. On March 24, 2011, ComEd filed a petition to determine the applicability of Section 16-125(e) liability to events caused by two storm fronts that moved through ComEd’s service territory on July 23-24, 2011 (“July 23 Storm Systems”) (“Petition”). A status hearing was held on April 28, 2011 at which the ALJ set ComEd’s direct testimony due date as June 15, 2011.

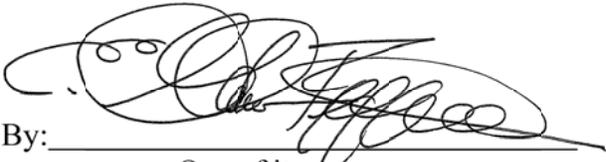
2. To support its Petition, ComEd presents four witnesses. Two witnesses, William J. Gannon and John Mehrtens (ComEd Ex. 2.0), support the design, construction and maintenance of ComEd’s electric distribution system. In particular, Mr. Gannon testifies regarding the design of ComEd’s electric distribution system and Mr. Mehrtens testifies concerning the construction and maintenance of the system.

3. Messrs. Gannon and Mehrtens rely upon many of the very same standards and ComEd procedures to reach their conclusions. For example, many of the same standards

governing the construction of a facility also speak to its condition and the stresses it must withstand during its life. In order to avoid duplicative testimony and given the close relationship of the design of the electric distribution system and its construction and maintenance, ComEd prepared direct testimony for Messrs. Gannon and Mehrtens as a panel.

4. ComEd respectfully requests that it be granted permission to file direct panel testimony for Messrs. Gannon and Mehrtens. Staff has not been prejudiced. Further, the record will not contain duplicative testimony.

WHEREFORE, ComEd respectfully requests that it be granted permission to panel testimony as described above in this proceeding.

<p>Dated: June 15, 2011</p>	<p>Respectfully submitted, COMMONWEALTH EDISON COMPANY</p>  <p>By: _____ One of its Attorneys</p>
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