

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

|   |   |                |
|---|---|----------------|
| <b>Illinois Commerce Commission</b>         | : |                |
| <b>On Its Own Motion</b>                    | : |                |
|   | : |                |
| <b>v.</b>                                   | : | <b>10-0681</b> |
|   | : |                |
| <b>Mt. Carmel Public Utility Company</b>    | : |                |
|   | : |                |
|   | : |                |
| <b>Reconciliation of revenues collected</b> | : |                |
| <b>Under fuel adjustment charges with</b>   | : |                |
| <b>actual costs prudently incurred.</b>     | : |                |

**STAFF OF THE ILLINOIS COMMERCE COMMISSION'S  
BRIEF ON EXCEPTIONS**

Staff of the Illinois Commerce Commission ("Staff"), by and through its undersigned counsel, pursuant to Section 200.830 of the Illinois Commerce Commission's ("Commission" or "ICC") Rules of Practice (83 Ill. Adm. Code 200.830), respectfully submits its Brief on Exceptions in the instant proceeding.

The Commission entered an Order commencing the instant purchased fuel adjustment clause ("FAC") reconciliation proceeding versus Mt. Carmel Public Utility Company ("Mt. Carmel"), in accordance with the requirements of Section 9-220 of the Public Utilities Act ("Act"), 220 ILCS 5/1-101 et seq. The parties filed testimony, and evidence was admitted into the record at an evidentiary hearing on September 20, 2011. Mt. Carmel filed a Draft Proposed Order ("PO") with Staff's edits. The Administrative Law Judge filed a Proposed Order ("ALJPO") on November 3, 2011.

Staff has two minor edits to the ALJPO. First, at the bottom of page 2, Staff recommends that the ALJPO include language from the PO:

**Nature of Operations; Procurement Strategies; Reconciliation**

Mt. Carmel is a combination electric and gas utility serving customers in various areas of Wabash County and Lawrence County, Illinois. Mt. Carmel serves approximately 5,490 electric customers. Mt. Carmel has no generation facilities- and purchases all electric power and energy under a long term contract based on requests for proposals.

Staff believes this edit provides a clear transition to the next paragraph and better explains Mt. Carmel's activities.

Also, Staff suggests the removal of the "U" in the third full paragraph on page 3 of the ALJPO:

Forecasting methods used during the reconciliation period were described by Mt. Carmel. (*Id.* at 1.3 and 1.5) Mt. Carmel also provided a list of MISO (Midwest Independent Transmission System Operator) charges considered by Mt. Carmel to allowable fuel charges under the UFAC. (*Id.* at 1.45) Information regarding pricing was also submitted. (*Id.* at 3.1)

Staff recommends that its modifications be made to the ALJPO.

Respectfully submitted,

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Commerce Commission

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