

**ORIGINAL**  
ILLINOIS COMMERCE  
COMMISSION

2012 AUG 29 12:44  
CHIEF CLERK'S OFFICE

**HEARTLAND RECYCLING, LLC,** )  
 )  
Complainant, )  
 )  
v. )  
 )  
**COMMONWEALTH EDISON COMPANY,** )  
 )  
Respondent. )

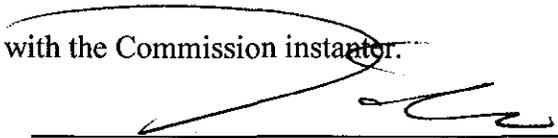
**No.: 12 - 0343**

**MOTION FOR LEAVE TO FILE HEARTLAND RECYCLING, LLC'S**  
**SUR REPLY TO COMED'S REPLY**

Heartland Recycling, LLC ("Heartland"), submits to the Illinois Commerce Commission ("Commission") this MOTION FOR LEAVE TO FILE HEARTLAND RECYCLING, LLC'S SUR REPLY TO COMED'S ("ComEd") REPLY, stating, in support, as follows:

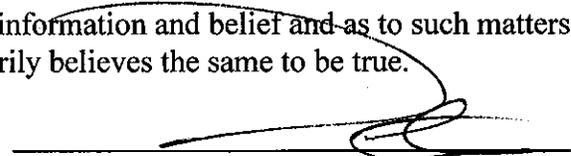
1. ComEd's Reply raises material which should be fully addressed by each of the parties to this matter.
2. Heartland's Sur Reply presents a balanced view of *Sheffler v Commonwealth Edison Company*, 2011 Ill. 110166, which is essential to an appropriate resolution of the issues addressed by the parties herein. (A copy of the Sur Reply is attached hereto)

**WHEREFORE**, Complainant Heartland Recycling LLC, respectfully prays for entry of a order granting it leave to file its Sur Reply with the Commission instantor.

  
\_\_\_\_\_  
Sidney Abelski, Attorney for Complainant

**CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he/she verily believes the same to be true.

  
\_\_\_\_\_  
Sidney Abelski, Attorney for Complainant.

ABELSKI & ASSOCIATES, LTD.  
180 N. Michigan Avenue  
Suite 1800  
Chicago, IL 60601  
312/236-7553  
Attorney No.: 11693

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

HEARTLAND RECYCLING, LLC,

v.

COMMONWEALTH EDISON COMPANY.

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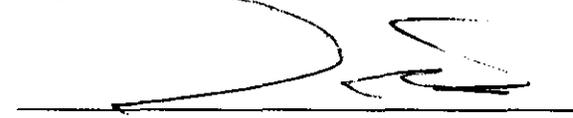
NOTICE OF FILING

To: Elizabeth Rolando, Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

All Parties on the Attached Service List

Please take note that on Tuesday, August 28, 2012, the undersigned has caused to be filed with Docket Clerk of the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701, Complainant Heartland's Motion for Leave to File Heartland Recycling, LLC, Sur Reply To ComEd, copy of which are hereby served upon you.

Respectfully submitted, .



Sidney Abelski.

ABELSKI & ASSOCIATES, LTD.  
180 N. Michigan Avenue  
Suite 1800  
Chicago, IL 60601  
(312) 236-7553  
Attorney No.: 11693

**CERTIFICATE AND AFFIDAVIT OF DELIVERY**  
**(PERSONALLY, BY MAIL OR BY FAX)**

The undersigned hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109 that the above notice and any attached pleadings were:

1.   X   personally delivered on Tuesday, August 28, 2012, to John Riley, Administrative Law Judge, ICC, to all addressee(s) set forth above;
  
2.   X   placed in the U.S. mail at 180 N. Michigan Avenue, Chicago, IL 60601, with first class postage prepaid and directed to the parties at the addresses set forth above (at) (before) 5:00 p.m. on Tuesday, August 28, 2012.
  
3.        transmission by FAX at        m., FAX transmission from 312/236-5071, 180 N. Michigan Avenue, Chicago, IL 60601 and the number of pages transmitted was       . The FAX transmission was sent to all of the above addressee(s) at their FAX number set forth after the name of said addressee(s).

  
\_\_\_\_\_

ABELSKI & ASSOCIATES, LTD.  
180 N. Michigan Avenue  
Suite 1800  
Chicago, IL 60601  
(312) 236-7553  
Attorney No.: 11693

**ILLINOIS COMMERCE COMMISSION**  
**DOCKET NO, 12-0343**  
**SERVICE LIST**

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527 East Capitol Avenue  
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