STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

AMEREN TRANSMISSION COMPANY OF ILLINOIS Petition for a Certificate of Public Convenience and Necessity, pursuant to Section 8-406.1 of the Illinois Public Utilities Act, and an Order pursuant to Section 8-503 of the Public Utilities Act, to Construct, Operate and Maintain a New High Voltage Electric Service Line and Related Facilities in the Counties of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott and Shelby, Illinois.	)	Docket No. 12-0598

RESPONSE OF TARBLE LIMESTONE ENTERPRISES TO AMEREN'S MOTION AND PROPOSED CASE MANAGEMENT ORDER

Charleston Stone Company, Van Tarble & Sons, LLC and Quality Lime Company (collectively the "Tarble Limestone Enterprises"), submit this response to Ameren Transmission Company of Illinois' Motion for Entry of a Case Management Order and Coordinated Schedule ("Ameren's Motion"), and to the proposed case management order submitted with Ameren's Motion.

The Tarble Limestone Enterprises either own land on which limestone quarrying activities are conducted and which property lies within the primary route identified by Ameren for its proposed 345 kV line, conduct quarrying operations on that land or both. These parties have limited and specific concerns with respect to Ameren's motion and proposed case management order.

I. Parties Whose Property Lies Within The Identified Alternative Route Should Not Be Given A Special And Additional Opportunity To File Testimony In This Case.

In the prehearing conference held in this matter on December 3, 2012, the Administrative Law Judges indicated that landowners whose property was identified in Intervenor Witness' Testimony as preferred alternative routes to the Intervenor Witness' property should be given the opportunity to respond to the Intervenor Witness' Testimony. The witness who testifies on behalf of the Tarble Limestone Enterprises in all likelihood will provide testimony and facts demonstrating that the proposed Ameren transmission line should be located on the Alternate Route, and not the Primary Route in Coles and Clark County.

Landowners whose property is located in the path of the Alternate Route received the same notice as the landowners whose property is in the path of the Primary Route. Landowners whose property is in the path of the Primary Route or Alternate Route should not be given any special right to file rebuttal testimony, but rather should be expected to intervene to protect their interests and file testimony at the same time as everyone else.

II. Number Of Rounds Of Testimony

Most major utility cases have five rounds of testimony, which allows Intervenors to respond to Company testimony in the form of rebuttal testimony. The Tarble Limestone Enterprises prefer the standard five rounds of testimony. To the extent the Administrative Law Judges are inclined to give property owners who have not yet intervened the right to file rebuttal testimony to Intervenor property owners' testimony, if there are five rounds of testimony, the property owners who are not yet parties to the proceeding should be required to file their testimony at the same time Ameren files its rebuttal testimony. That way, the Intervenors who timely intervened could respond in their rebuttal testimony.

If the Administrative Law Judges elect to proceed with fewer rounds of testimony, then it should be four rounds of testimony, consisting of the following:

1. Ameren Opening Testimony
2. Intervenors' Opening Testimony
3. Opening Testimony Of Landowners Whose Property Is Not On The Primary Or Alternate Routes
4. Rebuttal Testimony Of Ameren And Of Intervenors To Other Landowners' Testimony

III. <u>Discovery</u>

In Subsection 2.A of its Proposed Case Management Order attached to its Motion, Ameren provided that it would have ten days to respond to data requests between the time of filing of Intervenors' Opening Testimony and Ameren's Surrebuttal Testimony, but that Staff and Intervenors would be required to respond within seven days to data requests during that period. With all due respect, it is Ameren and its fellow utilities who successfully lobbied the General Assembly for short statutory deadlines for Commission action in this type of proceeding. Ameren is not entitled to any special consideration not available to other parties because there is a short statutory deadline. Ameren should be held to the same discovery deadlines as every other party in this proceeding. If the Staff and Intervenors have seven days to respond to data requests, then Ameren also should be required to respond within the seven day deadline applicable to every other party.

IV. Conclusion

For all the reasons set forth above, the Tarble Limestone Enterprises request that the Administrative Law Judges schedule testimony as set forth above, and that the same discovery deadlines apply to all parties rather than giving Ameren special consideration.

Respectfully submitted,

Dated: December 10, 2012

TARBLE LIMESTONE ENTERPRISES

/s/ Edward R. Gower
Edward R. Gower
One of Their Attorneys

Edward R. Gower
Hinshaw & Culbertson LLP
400 South Ninth Street
Suite 200
Springfield, IL 62701
217-528-7375
egower@hinshawlaw.com

Adam Guetzow
Hinshaw & Culbertson LLP
222 N. LaSalle St.
Suite 300
Chicago, IL 60601-1081
312-704-3129
aguetzow@hinshawlaw.com