

**Docket No:** 11-0709  
**Bench Date:** 03/06/13  
**Deadline:** N/A

**MEMORANDUM**

---

**TO:** The Commission

**FROM:** D. Ethan Kimbrel, Administrative Law Judge

**DATE:** February 19, 2013

**SUBJECT:** Illinois Commerce Commission  
On Its Own Motion  
-vs-  
Utilitech, Inc.  
  
Citation for failure to file compliance recertification report.

**RECOMMENDATION:** Staff's motion to dismiss should be granted.

---

The Illinois Commerce Commission ("Commission") entered a Citation Order initiating the instant proceeding against Utilitech, Inc. ("Respondent") for failing to file its annual Compliance Recertification Report ("Report"). The Citation Order was served on Respondent directing it to appear at the offices of the Commission on September 19, 2012 to show cause why its Certificate of Service Authority should not be revoked. Respondent did not appear. Counsel for Commission Staff ("Staff") recommended that Respondent's certificate be revoked for failure to file its Report. The Administrative Law Judge marked the matter "heard and taken".

Following the hearing, Respondent contacted Staff to state that it had filed the Report for 2010 on or about November 10, 2011. Staff confirmed the filing and on February 13, 2013 filed a motion to dismiss this action against Respondent stating that the underlying basis for this proceeding has been satisfied.

Accordingly, I recommend that the Commission grant Staff's motion to dismiss.

DK:fs