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ILLINOIS COMMERCE COMMISSION**

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STATE OF ILLINOIS COMMISSION
ILLINOIS COMMERCE COMMISSION

2013 JUN -4 A 11:47

401 NORTH WABASH VENTURE LLC, :
 :
 Complainant, :
 :
 vs. :
 :
 COMMONWEALTH EDISON COMPANY, :
 :
 Respondent. :

CHIEF CLERK'S OFFICE

No. 12-0111

COMPLAINANT'S UNOPPOSED AMENDED MOTION TO EXTEND THE TIME TO FILE EXCEPTIONS TO THE PROPOSED ORDER DATED MAY 24, 2013

COMES NOW Complainant, 401 North Wabash Venture, LLC, by and through its attorneys, Walker Wilcox Matousek LLP and for its Amended Motion to Extend the Time to File Exceptions to the Proposed Order Dated May 24, 2013, states as follows:

1. The Complainant, 401 North Wabash Venture LLC ("Venture") filed this proceeding against Commonwealth Edison Company ("ComEd") for erroneous charges. On March 13, 2013, ComEd filed a Motion to Dismiss Venture's Complaint with Prejudice.

2. Thereafter, on Friday, May 24, 2013, the Administrative Law Judge ("ALJ"), D. Ethan Kimbrel, issued a Proposed Order dismissing Venture's Complaint without prejudice (the "Proposed Order"). The Proposed Order further provided that all briefs on exceptions be filed by June 7, 2013 and all reply briefs on exceptions be filed June 14, 2013.

3. Venture respectfully requests a short extension to file its brief on exceptions to the Proposed Order because of prior work commitments and a family vacation. Venture's counsel, Neil Holmen was in Indianapolis the week of May 27, 2013 for expert witness depositions and was unable to prepare any response to the Proposed Order. Mr. Holmen is also out of town the week of June 3, 2013 for a family vacation. Mr. Holmen is the attorney intimately familiar with

the facts and issues of this case and his input is needed to file the brief on exceptions to the Proposed Order.

4. Given these conflicts, Venture respectfully requests that it be given until June 20, 2013 to file its brief on exceptions to the Proposed Order. To accommodate ComEd, Venture requests that all reply briefs on exceptions to the Proposed Order be extended to July 12, 2013.

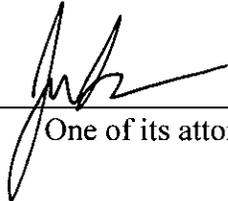
5. Counsel for Venture has conferred in good faith with ComEd's counsel regarding this motion and the requested extensions, and counsel for ComEd has no objection to the motion and the proposed extensions.

6. No party to this action will be prejudiced by the requested extensions and counsel for Venture does not expect delays in preparing this matter for hearing.

WHEREFORE, 401 North Wabash Venture, LLC, respectfully requests that it be given until June 20, 2013 to file its brief on exceptions to the Proposed Order and that ComEd be allowed until July 12, 2013 to file a reply brief on the exceptions.

Respectfully submitted,

401 NORTH WABASH VENTURE, LLC

By:  _____
One of its attorneys

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **Amended Motion for Extension** addressed to each of the parties indicated below in the manner indicated below on this 3rd day of June, 2013:

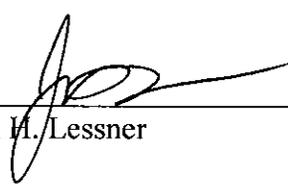
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