

ORIGINAL

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ILLINOIS COMMERCE COMMISSION**

STATE OF ILLINOIS
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COMMISSION

2013 JUL -5 | A 10:48

COMMONWEALTH EDISON COMPANY : CHIEF CLERK'S OFFICE
Annual formula rate update and revenue : Doc. No. 13-0318
requirement reconciliation under :
Section 16-108.5 of the Public Utilities Act :

**THE UNITED STATES DEPARTMENT OF ENERGY'S
REQUEST FOR LEAVE TO INTERVENE AND
TO PERMIT ITS COUNSEL TO APPEAR PRO HAC VICE**

COMES NOW the United States Department of Energy ("DOE"), pursuant to Illinois Commerce Commission ("the Commission") Rule 200.200 and on behalf of its Argonne and Fermi National Laboratories and other Federal Executive Agencies ("FEA") who are Commonwealth Edison Company ("the Company") customers, respectfully asks the Commission to grant this petition to intervene, and this request to permit DOE counsel to appear *pro hac vice* as per Commission Rule 200.90(a), in the above-captioned proceeding. DOE seeks to represent FEA's consumer interests herein, pursuant to authority delegated to it by the General Services Administration as per § 210(a) (4) of the Federal Property and Administrative Services Act of 1949, as amended. (40 U.S.C. § 481(a) (4))

DOE and other FEAs are substantial users of electricity distribution services within the Company's service territory, and have direct and substantial interests in this matter which are not represented by any other party herein, and will be substantially affected by any Commission decision in this matter. DOE's Fermi National Accelerator Laboratory and Argonne National Laboratory take delivery service under the Company's Rate RDS -Retail Delivery Service at rates for the High Voltage Delivery Class ("HV"), which are applicable to customers served by conductors entering retail customers' premises at or above 69 kilovolts ("kV"). The U.S. Navy's Naval Station Great Lakes also takes delivery service at HV rates.

DOE agrees to accept service by electronic means, as provided in Commission Rule 200.1050, and accepts the record and the procedural schedule established to date herein.

Pursuant to Illinois Supreme Court Rule 707 and the Commission's Rule 200.90(a), the Department requests permission for Steven Porter to appear *pro hac vice* in the above-captioned proceeding. Mr. Porter, who is DOE Assistant General Counsel for Electricity and Fossil Energy, has more than thirty years experience in practice before public utility regulatory entities, is a member in good standing of the Bar of the State of Texas, and is not disqualified from appearing in any Texas Court. Rule XIX of the Rules Governing Admission to the Bar of Texas permits visiting attorneys to practice before its courts in similar situations.

The following persons are designated to receive service in this proceeding:

Steven Porter
Assistant General Counsel
for Electricity and Fossil Energy
1000 Independence Avenue SW
Washington DC 20585
steven.porter@hq.doe.gov
telephone: (202) 586-4219
facsimile: (202) 586-4116

Dwight Etheridge
Exeter Associates
10480 Little Patuxent Pkwy. Suite 300
Columbia MD 21004
detheridge@exeterassociates.com
telephone: (410) 992-7500
facsimile: (410) 992-3445

WHEREFORE, DOE respectfully requests that the Commission:

- (1) grant this verified petition to intervene, and become a party to the above-styled proceeding for the purpose of producing evidence and cross-examining witnesses, with the right to file briefs and pleadings, and participate in oral argument before the Commission;
- (2) grant this request to permit Steven Porter to appear *pro hac vice* herein.

Respectfully submitted,



Arthur Perry Bruder
Attorney for
United States Department of Energy
Office of the General Counsel
United States Department of Energy
1000 Independence Avenue SW
Washington, DC 20585
telephone: (202) 586-3209
facsimile: (202) 586-4116

DATED: July 3, 2013

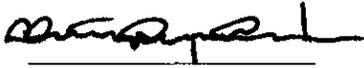
VERIFICATION

DISTRICT OF COLUMBIA) ss

Arthur Perry Bruder, being duly sworn, deposes and says that he:

(1) is an attorney with the United States Department of Energy and duly authorized to execute this request for leave to intervene and be permitted to appear *pro hac vice*;

(2) has knowledge of the facts stated in the foregoing document, and hereby states that the matters set forth therein are true to his best knowledge, information, and belief.



Arthur Perry Bruder

Subscribed and sworn to before me this 3d day of July, 2013



Notary Public

My commission expires 6/30/14

CINDY LUCKETT CUNNINGHAM
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires June 30, 2014

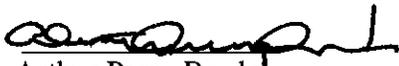
NOTICE OF FILING AND CERTIFICATE OF SERVICE

I, Arthur Perry Bruder, hereby certify that, on July 3, 2013, I:

(1) sent the original copy of the foregoing United States Department of Energy Petition to Intervene and Request to Permit Counsel to Appear *pro hac vice* ("the foregoing petition"), together with this Notice of Filing and Certificate of Service, via overnight mail service, to Ms. Elizabeth Rolando, Chief Clerk, Illinois Commerce Commission;

(2) sent copies of the foregoing petition, together with this Notice of Filing and Certificate of Service, via overnight mail service, to each of the Administrative Law Judges in Doc. No. 13-0318;

(3) transmitted the foregoing petition via electronic service upon all of the persons identified on the Commission's service list for this proceeding.



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Dated: July 3, 2013