

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois)	
)	
Petition for a Certificate of Public Convenience)	No. 12-0598
and Necessity, pursuant to Section 8-406.1 of the)	
Illinois Public Utilities Act, and an Order pursuant)	
To Section 8-503of 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.)	

**RESPONSE TO APPLICATION FOR REHEARING
OF AMEREN TRANSMISSION COMPANY OF ILLINOIS**

COMES NOW William M. Fiesler, individually and as the executor of the estate of Jennie E. Fiesler, Gas & Electric Service Co., Inc., Beverly C. McDonald, Be Mac Farms, Inc., Paula Cooley, Patricia C. McDonald, Steven A. McDonald, David A. McDonald, Juanita M. Rutherford, individually and as the executor of the estate of Glenn C. Rutherford, Dwight Ridgley, L.Sue Ridgley, William White, Roger White, LaVerne White, Alan White, Dale Karl, Larry Karl, Gladys Curry, Victoria Hood, Holly Hood Villaire, Donna Hood Pointer, Jacqueline Calamello, David Sheets, Ron Evans, Marge Evans, Steve Weber, Mountain View Ranch, L.L.C., Karen Monfre (hereinafter referred to as the Macon County Property Owners), by their attorneys, Bolen, Robinson & Ellis, LLP, and for their Response to Application for Rehearing of Ameren Transmission Company of Illinois, state as follows:

1. Ameren Transmission Company of Illinois, Inc. (ATXI), filed a timely application for rehearing of the Commission's August 20, 2013, Order in this matter.

2. Section 200.880 of Title 83 of the Illinois Administrative Code, which governs applications for rehearings, states that "[t]he application shall state the reasons therefore and shall contain a brief statement of proposed additional evidence, if any, **and an explanation why such evidence was not previously adduced.**" 83 Ill.Admin.Code 200.880 (emphasis added).

3. ATXI's Application for Rehearing must be denied because it contains no explanation why the evidence it proposes to submit was not previously adduced. An Application for Rehearing serves the same purpose as a motion to reconsider, and "[a] motion to reconsider 'should not be allowed in the absence of a reasonable explanation of why [the new evidence] was not available at the time of the original hearing.'" *Hartzog v. Martinez*, 372 Ill.App.3d 515, 522 (1st Dist. 2007)(Quoting *Delgatto v. Brandon Associates, Ltd.*, 131 Ill.2d 183, 195 (1989)).

WHEREFORE the Macon County Property Owners pray that the Application for Rehearing of Ameren Transmission Company of Illinois be denied.

DATED this 23rd day of September, 2013

By: /s Christopher M. Ellis
Christopher M. Ellis
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PROOF OF SERVICE

I, Christopher M. Ellis, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for Jennie E. Fiesler, Gas & Electric Service Co., Inc., Beverly C. McDonald, Be Mac Farms, Inc., Paula Cooley, Patricia C. McDonald, Steven A. McDonald, David A. McDonald, Juanita M. Rutherford, individually and as the executor of the estate of Glenn C. Rutherford, Dwight Ridgley, William White, Roger White, LaVerne White, Alan White, Dale Karl, Larry Karl, Gladys Curry, Victoria Hood, Holly Hood Villaire, Donna Hood Pointer, Jacqueline Calamello, David Sheets, Ron Evans, Marge Evans, Steve Weber, Mountain View Ranch, L.L.C., Karen Monfre (hereinafter referred to as the Macon County Property Owners), herewith certify that I did on the 23rd day of September, 2013, electronically file with the Illinois Commerce Commission, a Response to Application for Rehearing of Ameren Transmission Company of Illinois, and electronically served same upon the persons identified on the Commission's official service list.

/s Christopher M. Ellis
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