

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

AMEREN ILLINOIS COMPANY            )  
d/b/a Ameren Illinois                )  
  )  
          and                                )     No. \_\_\_\_\_  
  )  
EGYPTIAN ELECTRIC                    )  
COOPERATIVE ASSOCIATION         )

**STIPULATED MOTION FOR A PAPER HEARING**

AMEREN ILLINOIS COMPANY d/b/a Ameren Illinois (“Ameren Illinois”) and EGYPTIAN ELECTRIC COOPERATIVE ASSOCIATION (“EECA”) hereby seek leave to conduct the above-captioned proceedings as a Paper Hearing pursuant to 83 Ill. Admin. Code §200.525. In support of this request, the parties state as follows:

1. The parties have filed a Joint Petition pursuant to Sections 2 and 6 of the Electric Supplier Act, seeking approval of a service area agreement defining and delineating, as between themselves, one or more service areas in which each such contracting supplier shall be entitled to furnish service.

2. The Rules of Practice of the Illinois Commerce Commission permit the parties and Staff participating in a proceeding to stipulate to the waiver of a hearing and to the resolution of the matter based solely on the written pleadings and affidavits in a process described as a Paper Hearing. 83 Ill. Admin. Code §200.525(a). Such a stipulation may be filed at any time prior to the date the Administrative Law Judge marks the case Heard and Taken. 83 Ill. Admin. Code §200.525(d). The stipulation is subject to the approval of all parties, Staff and the Administrative Law Judge. 83 Ill. Admin. Code §200.525(b).

3. The parties agree that a Paper Hearing would be an efficient means of resolving the Joint Petition, as it appears there are no areas of controversy.

4. Attached hereto and marked for identification purposes as Joint Stipulation Exhibit "A" ("Stipulation") is the Stipulation to be signed by the Staff member in the event one is assigned to this Docket prior to the preparation of an Order for the Illinois Commerce Commission's consideration. In the event no Staff member is assigned, both signatories to this Stipulation expressly waive the necessity of having Staff review the Joint Petition and/or file a Staff Stipulation.

5. An Affidavit supporting the Stipulation and Exhibits is attached hereto and marked for identification purposes as Joint Stipulation Exhibit "B".

6. The parties have prepared and circulated a Draft Order, attached hereto as Joint Stipulation Exhibit "C".

WHEREFORE, the parties request that this proceeding be conducted as a Paper Hearing and that an Order substantially similar to the Draft Order attached as Joint Stipulation Exhibit "C" be entered.

**AMEREN ILLINOIS COMPANY**  
d/b/a Ameren Illinois

By:  \_\_\_\_\_

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**EGYPTIAN ELECTRIC**  
**COOPERATIVE ASSOCIATION**

By:  \_\_\_\_\_

**BARRETT, TWOMEY, BROOM**  
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**Joint Stipulation Exhibit "A"**

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

AMEREN ILLINOIS COMPANY )  
d/b/a Ameren Illinois )

and )

EGYPTIAN ELECTRIC )  
COOPERATIVE ASSOCIATION )

No. \_\_\_\_\_

**STIPULATION**

The Staff of the Illinois Commerce Commission (the "Staff"), hereby stipulates to the attached Stipulated Motion for a Paper Hearing ("Motion") pursuant to 83 Ill. Admin. Code §200.525.

The Staff recommends that an Order substantially in the form of Joint Stipulation Exhibit "C" be entered in this proceeding.

Assigned Staff Member:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Division  
of the Illinois Commerce Commission

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Joint Stipulation Exhibit "B"

VERIFICATION

STATE OF ILLINOIS )  
 )  
COUNTY OF Randolph ) SS.

I, JAMES B. Riddle, as Chief Executive Officer of Egyptian Electric Cooperative Association, have read the foregoing Motion filed in the above cause and know the content thereof and the same is true and correct to the best of my knowledge, information and belief.



James B. Riddle

SUBSCRIBED and SWORN to before me this 11<sup>th</sup> day of July, 2014.

Julie G. Loesing

VERIFICATION

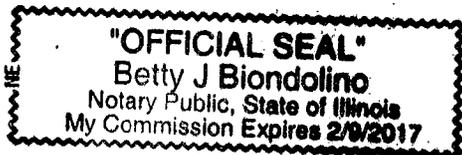
STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) SS.

I, B. TODD MASTEN, as Wholesale Delivery and Service Area Consultant for Ameren Illinois Company, have read the foregoing Motion filed in the above cause, on behalf of Ameren Illinois Company d/b/a Ameren Illinois, and know the content thereof and the same is true and correct to the best of my knowledge, information and belief.

B. Todd Masten  
B. TODD MASTEN

SUBSCRIBED and SWORN to before me this 14<sup>th</sup> day of July, 2014.

Betty J. Biondolino



STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

AMEREN ILLINOIS COMPANY	)	
d/b/a Ameren Illinois	)	
	)	
and	)	No. _____
	)	
EGYPTIAN ELECTRIC	)	
COOPERATIVE ASSOCIATION	)	

**DRAFT ORDER**

By the Commission:

**Procedural History, Background and Relief Sought**

On July 16, 2014, Ameren Illinois Company d/b/a Ameren Illinois (“Ameren Illinois”) and Egyptian Electric Cooperative Association (“EECA”) filed a Joint Petition with the Illinois Commerce Commission (“Commission”), pursuant to Sections 2 and 6 of the Electric Supplier Act (“ESA”), 220 ILCS 30/1 *et seq.*, seeking approval of a Service Area Agreement, dated July 11, 2014 (the “Service Area Agreement”). Ameren Illinois and EECA are both electric suppliers as defined in Section 3.5 of the ESA. Staff participated in this docket by reviewing the Joint Petition, Service Area Agreement, and exhibits filed by the Petitioners. Staff filed a Stipulation that it had no objection to the entry of an Order consistent with the Joint Petition and associated Joint Petition Exhibit “1”. The Administrative Law Judge (“ALJ”) waived hearing in this matter. A Proposed Order was served on the parties. No party involved in this proceeding filed a Brief on Exceptions to the Proposed Order.

Ameren Illinois and EECA provide electric service to customers in certain areas in Franklin, Jackson, Johnson, Union, and Williamson counties. Ameren Illinois' customers, premises, and locations in these areas were previously served by its predecessor Central Illinois Public Service Company. In 1969, EECA and Ameren Illinois, by and through its predecessor Central Illinois Public Service Company, entered into a service area agreement covering these areas in Jackson, Johnson, Union, and Williamson counties (the "1969 Agreement"). The Commission approved the 1969 Agreement on April 9, 1969 pursuant to its authority under the ESA in Docket No. ESA 98. The 1969 Agreement was subsequently amended on three occasions with Commission approval in Docket No. ESA 216, Docket No. ESA 227, and Docket No. 93-0434. EECA and Ameren Illinois also provide electric service to customers in certain areas in Monroe, Perry, Randolph, St. Clair, and Washington counties. Ameren Illinois' customers, premises, and locations in these areas were previously served by its predecessor Illinois Power Company. Prior to this proceeding, the parties had not entered into a service area agreement for these areas in Monroe, Perry, Randolph, St. Clair, and Washington counties.

On July 11, 2014, Petitioners entered into the Service Area Agreement, defining and delineating, as between themselves, the service areas where each party shall be the exclusive provider of electric delivery service in Franklin, Jackson, Johnson, Monroe, Perry, Randolph, St. Clair, Union, Washington and Williamson counties. The Service Area Agreement, if approved, will supersede and replace the 1969 Agreement, and further establish uniform rights and delineate the service areas, as between the parties, for the ten counties where they both provide electric service. The Service Area

Agreement was attached to the Joint Petition as Joint Petition Exhibit 1. Attached to the Service Area Agreement in Appendix A are 107 maps which show the service areas covered under the Service Area Agreement.

Petitioners enter into the Service Area Agreement as part of a settlement of two territorial disputes pending before the Commission. The first, docketed as Docket No. 11-0375, concerns a dispute as to electric service rights to a customer in Perry County. EECA provides electric service to this customer, and Ameren Illinois disputes that EECA has this right. The second, docketed as Docket No. 12-0190, concerns a dispute as to electric service rights to a customer in Williamson County. Ameren Illinois provides electric service to this customer, and EECA disputes that Ameren Illinois has this right. The parties submit that approval of the Service Area Agreement by the Commission will resolve these disputes with each supplier retaining the right to provide electric service to its existing customer. The parties further submit that the Service Area Agreement will not change the electric supplier of any existing customer within the service areas defined and delineated on Appendix A and Appendix B to the Service Area Agreement.

Petitioners seek the Commission's consent and approval of the Service Area Agreement. Petitioners submit that approval of the Service Area Agreement will increase the efficiency of Petitioners in rendering electric service to the public, avoid duplication of facilities, and will minimize disputes between Petitioners.

### **Commission Conclusions, Findings and Ordering Paragraphs**

Having reviewed the Joint Petition and attachments, the Commission finds its consent and approval of the Service Area Agreement is in the public interest, and that this Joint Petition should be granted.

The Commission, having considered the record herein, is of the opinion and finds that:

1. Ameren Illinois and EECA are electric suppliers within the meaning of the ESA;
2. The Commission has jurisdiction over Petitioners and the subject matter in this proceeding;
3. The facts recited and conclusions reached in the prefatory portion of this Order hereinabove are hereby adopted as findings herein; and
4. Pursuant to Sections 2 and 6 of the ESA, the Service Area Agreement between Petitioners appears reasonable and in the public interest and should be approved.

IT IS THEREFORE ORDERED that, pursuant to Sections 2 and 6 of the ESA, Petitioners are hereby authorized to enter into and carry out the terms of the Service Area Agreement, attached to the Joint Petition as Joint Petition Exhibit 1, and that the Service Area Agreement shall supersede and replace the 1969 Agreement and its amendments.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Admin. Code §200.880, this Order is final, and it is not subject to the Administrative Review Law.

By Order of the Commission on this \_\_\_\_ day of \_\_\_\_\_, 2014.

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