

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

<b>Rock Island Clean Line LLC</b>	)	
	)	
<b>Petition for an Order granting Rock Island</b>	)	
<b>Clean Line LLC a Certificate of Public</b>	)	
<b>Convenience and Necessity pursuant to</b>	)	
<b>Section 8-406 of the Public Utilities Act as a</b>	)	<b>Docket No. 12-0560</b>
<b>Transmission Public Utility and to Construct,</b>	)	
<b>Operate and Maintain an Electric Transmission</b>	)	
<b>Line and Authorizing and Directing Rock Island</b>	)	
<b>Clean Line Pursuant to Section 8-503 of the</b>	)	
<b>Public Utilities Act to Construct an Electric</b>	)	
<b>Transmission Line.</b>	)	

**ILA RESPONSE IN SUPPORT OF FARM BUREAU’S MOTION  
TO EXTEND BRIEFS ON EXCEPTIONS DEADLINES**

The Illinois Landowners Alliance, NFP (“ILA”), pursuant to §200.190(e) of the Rules of Practice of the Illinois Commerce Commission (“Commission”), 83 Ill. Admin. Code 200.190(e), and the Administrative Law Judge’s Ruling of August 19, 2014, submits this Response in Support of the Motion to Extend Briefs on Exceptions Deadlines of the Illinois Agricultural Association (“Farm Bureau Motion”), stating as follows:

1. The notice accompanying the August 11 Proposed Order in this case set due dates of August 27 for the filing of briefs on exceptions and September 4 for reply briefs on exceptions. *Rock Island Clean Line LLC*, ICC Docket 12-0560 (Cover letter to Proposed Order, Aug. 11, 2014).

2. The Farm Bureau Motion requests extensions for the filing of Briefs on Exceptions (“BOEs”) from August 27 to September 11 (additional 15 days, or 31 days in total from the date of the Proposed Order), and for the filing of Briefs

in Reply to Exceptions (“BREs”) from September 4 to September 25 (additional 21 days, or 14 days from the extended due date of BOEs).

3. Section 200.830(a) of the Rules of Practice provides that (i) a Brief on Exceptions to a proposed order may be filed within 14 days after service of the proposed order “or such other time as is fixed” by the Hearing Examiner; and (ii) a Brief in Reply to Exceptions may be filed within 7 days after the date for filing Briefs on Exceptions “or such other time as is set by the Hearing Examiner.”  
83 Ill. Admin. Code 200.830(a).

4. This case contains a voluminous record; involves a non-traditional applicant making a request for relief based on many unique and material facts and representations; and presents several important and novel issues requiring interpretation of provisions of the Public Utilities Act.

5. The Proposed Order includes several material, some being novel, conditions to approval of the proposed project, further contributing to the uniqueness and importance of this case.

6. The Commission, the parties, and the public deserve that a full and fair record, including briefing in response to the Proposed Order, be in place and considered prior to an Order being entered.

7. The parties had little advance notice of the issuance of the Proposed Order, and counsel for the ILA thus have had inadequate time to clear work schedules in order to provide all the time required to respond adequately to the Proposed Order.

8. The cover letter to the Aug. 11 Proposed Order in this case establishing the dates for BOEs and BREs does not alter the requirement under the Rules of Practice that the BOEs must be accompanied by specific, separately-stated exceptions to the Proposed Order, 83 Ill. Admin. Code 200.830(b). The dual filing of BOEs and exceptions further adds to the work required to be compliant with the initial BOE date.

9. No deadline for a Commission Order in this case exists. Any alleged business needs the Petitioner may assert for an Order entered without the added minor delay the requested additional time would entail is outweighed by the other factors recited hereinabove.

10. Ample precedent exists in electric transmission line certificate cases for establishing additional time beyond the 14 days for BOEs and 7 days for BREs contained in Rules of Practice Section 200.830(a). For example, in Docket 06-0706 (Ameren transmission line in LaSalle County), the due date for BOEs was set at 22 days after service of the proposed Order;<sup>1</sup> and in Docket 07-0310 (ComEd transmission line in Kane and McHenry Counties), the due date for BOEs was set at 28 days after service of the proposed order<sup>2</sup>.

11. Accordingly, the ILA supports the Farm Bureau Motion and requests that the requested extensions of time therein be granted.

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<sup>1</sup> *Illinois Power Company d/b/a AmerenIP and Ameren Illinois Transmission Company*, ICC Docket 06-0706 (Cover letter to Proposed Order, Nov. 25, 2008) (Proposed Order served Nov. 25 and BOEs due Dec. 17).

<sup>2</sup> *Commonwealth Edison Company*, ICC Docket 07-0310 (Cover letter to Proposed Order, July 11, 2008; and Notice of Administrative Law Judge's Ruling, July 23, 2008) (Proposed Order served July 11 and BOEs due Aug. 8 (extended from initial due date of July 25)).

Respectfully submitted,

Illinois Landowner's Alliance, NFP

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