

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

Docket No. 14-0709

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

WINDY CITY ENERGY, INC.,)
Complainant,)
)
vs.)
)
NORTHERN ILLINOIS GAS COMPANY,)
d/b/a Nicor Gas Company,)
Respondent.)

2016 MAY 12 A 10:39

CHIEF CLERK'S OFFICE
Docket No. 14-0709

VERIFIED APPLICATION FOR DEPOSITION SUBPOENAS

Now Comes Windy City Energy, Inc., by and through its attorney, Vincent S. Cook, and pursuant to section 200.280 of the Commission's Rules of Practice, respectfully requests the Administrative Law Judge issue the attached Deposition Subpoenas compelling the appearance of the deponents for the purpose of taking their respective depositions.

The Subpoenas are directed to the following two individuals, both of whom are employees of Northern Illinois Gas Company (Nicor):

Mary Lou Grzenia
Manager, Customer Select & Gas Transportation
3S134 Volintine Farm Road
Batavia, IL 60510

Robert DePriest
Natural Gas Transportation
1515 N. Courtland Drive
Arlington Heights, IL 60004

The addresses of the Deponents were provided by one of the attorneys for Nicor. A copy of this application for Deposition Subpoenas and the proposed Subpoenas will be served upon the individuals and the attorneys for Nicor.

In Support of the request for issuance of these Deposition Subpoenas, Windy City Energy Inc., states as follows:

1. Counsel for Windy City Energy Inc., was previously granted approval to have Deposition Subpoenas issued to three individual deponents, but discovery was subsequently stayed.
2. Windy City Energy Inc. now needs to proceed with depositions with respect to the remaining Count of its First Amended Complaint.

3. The two (2) individuals sought to be deposed are knowledgeable and experienced NICOR employees with unique information regarding Rider 13 Suppliers, like Windy City, and calculation of deposit amounts for supplier pools.
4. Windy City Energy cannot effectively obtain the information from other sources.
5. Windy Energy knows no other way of obtaining that information it needs other than Depositing these employees.
6. Northern Illinois Gas Company is a party to this proceeding.
7. The issuance of these Deposition Subpoenas and the taking of the Depositions will advance the proceeding.
8. Upon issuance of the Subpoenas, Windy City Energy Inc. will serve the Subpoenas on the individual deponents with the proper payment of the witness statutory Appearance fees.

WHEREFORE, Windy City Energy Inc., respectfully requests the Administrative Law Judge issue the attached Deposition Subpoenas for service.

Respectfully Submitted,

WINDY CITY ENERGY INC.

BY:



VINCENT S. COOK

One of the attorneys for
Windy City Energy Inc.

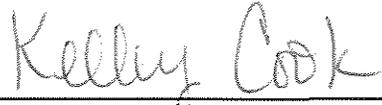
VERIFICATION

I, Vincent S. Cook, being first duly sworn on oath, deposes and state that I am one of the attorneys for Windy City Energy Inc. in this proceeding; that I have personal knowledge of the issues in this proceeding; that the information sought from the Deponents in the requested Subpoenas is sought by the parties in an attempt to resolve the instant dispute; seeks information which is not available from any other source; and the Subpoenas are requested in good faith, and not for the purpose of harassment or delay.

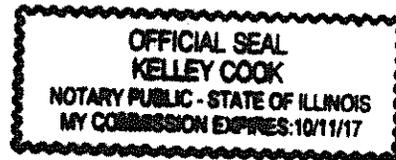


VINCENT S. COOK

SUBSCRIBED and SWORN to before me this 9th day of May, 2016.



Notary Public



LAW OFFICE OF VINCENT S COOK
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Aurora, IL 60506
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STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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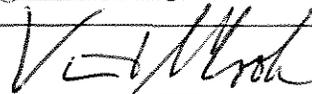
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NOTICE OF FILING AND CERTIFICATE OF SERVICE

Take note that on May 9, 2016, Windy City Energy Inc., by one of its attorneys, Vincent S. Cook, mailed to be filed its Verified Application For Deposition Subpoenas in the above captioned proceeding with Elizabeth Rolando, Chief Clerk of the Illinois Commerce Commission via regular mail. Furthermore, I, Vincent S. Cook, hereby certify that a copy of the Verified Application For Deposition Subpoenas, the two Subpoenas and this Notice of Filing were served upon the service list in Docket No. 14-0709 by email and/or US Postal Service on May 9, 2016.

<p>Paul Padrón Esp Kreuzer Cores LLP 400 S. County Farm Road, Suite 200 Wheaton, IL 60187 Office: (630) 871-1002 Email: ppadron@ekclawfirm.com</p>	<p>Honorable Terrence Hilliard Administrative Law Judge Illinois Commerce Commission 160 N. LaSalle St., Ste. C-800 Chicago, IL 60601-3104 E-Mail: thilliard@icc.illinois.gov</p>
<p>John E. Rooney, Anne W. Mitchell & Maris J. Jager Attys. for Respondent Rooney Rippie & Ratnaswamy LLP 350 W. Hubbard St., Ste. 600 Chicago, IL 60654 * mailto:john.rooney@r3law.com mailto:anne.mitchell@r3law.com mailto:maris.jager@r3law.com mona.gava@r3law.com</p>	<p>Lewis Binswanger Northern Illinois Gas Company d/b/a Nicor Gas Company 1844 Ferry Rd. Naperville, IL 60563-9600 * mailto:ibinswan@aglresources.com Mark Maple, Assistant to ALJ mmaple@icc.illinois.gov</p>



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