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ILLINOIS COMMERCE COMMISSION

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Mt. Carmel Public Utility Co.)	
)	No. 01-0525
Petition for approval of Residential Delivery)	
Services Implementation Plan under)	
220 ILCS 5/16-105.)	
)	
Mt. Carmel Public Utility Co.)	
)	No. 01-0625
Petition for Approval of Residential Delivery)	
Service Tariffs; and Modification of Sheets of)	Consolidated
Delivery Service Terms and Conditions Under)	
220 ILCS 5/16-108.)	

REPLY BRIEF OF MT. CARMEL PUBLIC UTILITY CO.

NOW COMES Mt. Carmel Public Utility Co., by and through Koger & Bramlet, P.C., its attorneys, and for its Reply Brief to the Initial Brief of the Staff of the Illinois Commerce Commission, states as follows:

I. BACKGROUND

Staff witness Dr. Eric P. Schlaf provided testimony on behalf of the Staff of the Illinois Commerce Commission in which he advocated that Mt. Carmel Public Utility Co. accept an electronic signature obtained by an ARES on a Letter of Authorization ("LOA"). Mt. Carmel Public Utility Co. while not opposing the functional aspect of the proposal, did not agree that legally it would be authorized to do so.

The Hearing Examiner at the hearing ordered both parties to file briefs in response to this single issue. Whereupon, after discussion between the parties, it was agreed that Staff would file an initial brief with Mt. Carmel Public Utility Co. to file a responsive brief thereto.

II. MT. CARMEL'S POSITION

After reading Staff's Initial Brief it appears that Staff is advocating that Mt. Carmel not be required to accept LOA's with electronic signatures due to the specific circumstances of Mt. Carmel Public Utility Co. as being distinct and in a unique position among Illinois electric utilities. Therefore, the position advocated by Dr. Schlaf is not at issue and is not being advocated at this time by Staff. Therefore, the issue of electronic versus written LOA signatures is moot for this docket.

Although Mt. Carmel does not accept Staff's legal argument set out in its Initial Brief, due to the fact that this matter is now resolved, Mt. Carmel does not make a legal argument on the issue. However, Mt. Carmel reserves the right to make argument on this point at a later time should this issue become ripe again in this or another docket or proceeding.

THEREFORE, Mt. Carmel accepts Staff's recommendation set forth in its Paragraph II C. of its Initial Brief that Mt. Carmel be exempted from any requirement to accept electronic signatures on the LOA at this time. Mt. Carmel reserves its right to make any arguments on this issue in any future proceeding and as to the merits and any other positions regarding this issue.

DATED this 21st day of December, 2001.

Respectfully submitted,

Mt. Carmel Public Utility Co.



By: _____

Eric Bramlet

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NOTICE OF FILING AND CERTIFICATE OF SERVICE

TO: See Attached Service List

PLEASE TAKE NOTICE that on the 21st day of December, 2001, Mt. Carmel Public Utility Co. caused to be filed with the Chief Clerk of the Illinois Commerce Commission by depositing in a United States Post Office Box in Mt. Carmel, Illinois, the following documents contained in an envelope properly addressed with postage fully prepaid:

Reply Brief of Mt. Carmel Public Utility Co.
Notice of Filing and Certificate of Service

DATED this 21st day of December, 2001.



Eric Bramlet, Attorney at Law

CERTIFICATE OF SERVICE

The undersigned attorney does hereby certify that he served a copy of the foregoing listed documents on behalf of Mt. Carmel Public Utility Co., upon all parties listed on the attached Service List, by electronic mail on the 21st day of December, 2001.



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