

BEFORE THE
ILLINOIS COMMERCE COMMISSION

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3 SILVERLEAF RESORTS, INC.,) DOCKET NO.
d/b/a RESORT UTILITIES) 01-0827
4)
Application for a Certificate of)
5 Public Convenience and Necessity)
to provide sanitary sewer service)
6 in LaSalle County, Mission)
Township, Illinois, and to)
7 construct, own, operate and)
maintain necessary sewer and)
8 sanitary sewer treatment)
facilities in connection with the)
9 provision of such service,)
pursuant to Section 8-406 of the)
10 Illinois Public Utilities Act.)

Springfield, Illinois
June 5, 2002

Met, pursuant to notice, at 10:00 A.M.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MS. KARA K. GIBNEY
Mayer, Brown, Rowe & Maw
190 South La Salle Street
Chicago, Illinois 60603

(Appearing on behalf of the Applicant via
teleconference)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter, CSR License #084-002710

1 APPEARANCES: (Cont'd)

2 MS. JANIS E. VON QUALEN
3 MR. STEVEN MATRISCH
4 527 East Capitol Avenue
5 Springfield, Illinois 62701

6 (Appearing on behalf of the Staff of the
7 Illinois Commerce Commission)

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(None)

EXHIBITSMARKEDADMITTED

(None)

PROCEEDINGS

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2 JUDGE JONES: Good morning. I call for hearing
3 Docket Number 01-0827, Silverleaf Resorts, Inc.,
4 d/b/a Resort utilities, application for a
5 certificate of public convenience and necessity to
6 provide sanitary sewer service in Macomb, Illinois.

7 At this time may he have the appearances
8 orally for the record, first on behalf of Applicant
9 Silverleaf Resorts, Inc.

10 MS. GIBNEY: Kara K. Gibney with Mayer, Brown,
11 Rowe and Maw, 190 S. LaSalle, Chicago, Illinois
12 60603.

13 MS. VON QUALEN: Janis VonQualen and Steven
14 Matrisch on behalf of the Staff of the Illinois
15 Commerce Commission, 527 East Capitol Avenue,
16 Springfield, Illinois 62701.

17 JUDGE JONES: Thank you. Are there any other
18 appearances for the record? Let the record show
19 there are not. Ms. Gibney is participating by
20 telephone this morning.

21 At this time for purposes of conducting an
22 off-the-record discussion regarding the status of

1 this case, we hereby go off the record.

2 (Whereupon there was

3 then had an

4 off-the-record

5 discussion.)

6 Back on the record. Let the record show
7 there was an off-the-record discussion for the
8 purposes indicated. There were a number of areas
9 that were the subject of that discussion. It was
10 noted that the most recent filing that has come in
11 was a suggested order from Silverleaf Resort, Inc.
12 Prior to that there was a motion to withdraw the
13 petition, followed by a Staff response, and the
14 stipulation of facts was presented prior to that.

15 During the off-the-record discussion there
16 were, I believe, three areas that were discussed.
17 One involved the corporate relationship between
18 Silverleaf Resorts, Inc., and the other entities
19 which are identified in the pleadings. That
20 information does not need to be provided in writing.
21 We will be looking for that information at a status
22 hearing to be conducted on the 18th of this month at

1 1:30 p.m. That information may be provided by
2 counsel at that time. If counsel chooses to present
3 that information by some other means, I mean, that's
4 an option also.

5 Another area discussed was the question of
6 obtaining some additional information regarding how
7 some of the various options available to the public
8 work at Fox River Resort. The filings indicate
9 there are, for example, 174 time share units, 191 RV
10 camp sites and 18 cabins. So there would be some
11 additional information to be obtained with respect
12 to how those various arrangements are intended to
13 work. There will be a witness made available by the
14 Applicant to answer questions with respect to those
15 areas.

16 A third area discussed regards the proposed
17 water system at Fox River Resort. There is some
18 mention of that in various filings that had been
19 made by the company to date. The petition does not
20 request any relief with respect to the water
21 operations. In any event, there would be an update
22 or status report provided at the status on the 18th

1 with respect to the water system. Questions as to
2 whether the system is in place or when it is
3 intended to be operating, how the billing will be
4 done, what the plans are in terms of Commission
5 certification or no certification, are all open
6 questions at this time. In any event, that issue
7 will be revisited at the status on the 18th. Again,
8 no filings are required in the meantime and none are
9 prohibited by this scheduling done today. But none
10 are being required between now and the status
11 hearing with respect to that issue either. That
12 status hearing will be at 1:30 on June 18.

13 I think that essentially covers what we
14 discussed during the off-the-record conference. Do
15 the parties have anything else they would like to
16 indicate for the record at this time before we
17 conclude the status hearing today?

18 MS. VON QUALEN: Staff had mentioned that as
19 far as the order that was filed by the company last
20 week, Staff would have some changes that we have
21 been talking to the company about. But we aren't
22 going to take any further action about that until

1 after our next status hearing.

2 JUDGE JONES: Thank you. Anything else?

3 MS. GIBNEY: No.

4 JUDGE JONES: Let the record show today's
5 status is over. This hearing is continued to a
6 status hearing at June 18 at 1:30 p.m.

7 (Whereupon the hearing
8 in this matter was
9 continued until June 18,
10 2002, at 1:30 p.m. in
11 Springfield, Illinois.)

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