

OFFICIAL FILE  
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

THE BUILDING OWNERS AND MANAGERS  
ASSOCIATION OF CHICAGO

Appellant,

v.

ILLINOIS COMMERCE COMMISSION; COM-  
MONWEALTH EDISON COMPANY; PEOPLES  
ENERGY SERVICE CORPORATION;  
CENTRAL ILLINOIS LIGHT COMPANY; PEOPLE  
OF COOK COUNTY; PEOPLE OF THE STATE OF  
ILLINOIS; ILLINOIS POWER COMPANY; BLACK-  
HAWK ENERGY SERVICES, LLC; MIDAMERICAN  
ENERGY COMPANY; U.S. DEPARTMENT OF  
ENERGY; CITIZENS UTILITY BOARD; METRO-  
POLITAN WATER RECLAMATION DISTRICT;  
CHICAGO AREA CUSTOMER COALITION;  
AMEREN CIPS AND AMEREN UE;  
TRIZEC PROPERTIES, INC; NATIONAL ENERGY  
MARKETERS ASSOCIATION; AES NEW ENERGY,  
INC; METROPOLITAN CHICAGO HEALTHCARE  
COUNCIL; THE CITY OF CHICAGO  
MIDWEST LLC; PEOPLE OF ILLINOIS;  
CATERPILLAR, INC; ABBOTT LABORATORIES,  
INC.; FORD MOTOR COMPANY; A. FINKL &  
SONS CO; DAIMLER CHRYSLER CORPORATION;  
MODERN DROP FORGE COMPANY;  
and GENERAL MOTORS CORPORATION

Appellees.

Petition for review of  
November 14, 2002  
Order of the Illinois  
Commerce Commission  
in Docket No. 02-0479

RECEIVED  
FEB 07 2003

ILLINOIS COMMERCE COMMISSION  
CHIEF CLERK'S OFFICE

NOTICE OF APPEAL

TO: Elizabeth Rolando, Chief Clerk  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701

THE ILLINOIS COMMERCE COMMISSION IS HEREBY NOTIFIED that, the Building Owners and Managers Association of Chicago ("BOMA"), as Respondent in the proceeding titled: Commonwealth Edison Company - Petition for Declaration of Service Currently Provided under Rate 6L to 3 MW And Greater Customers As A Competitive Service Pursuant To Section 16-113 Of The Illinois Public Utilities Act And Approval of Related Tariff Amendments, docketed as No. 02-0479, has been adversely affected by the Order entered by the Illinois Commerce Commission in said Docket No. 02-0479 on November 14, 2002. Accordingly, BOMA herewith gives notice of its appeal of said Order and of the filing of a Petition for Review of said Order, pursuant to the provisions of Section 10-201 of the Illinois Public Utilities Act (220 ILCS 5/10-201) and state further:

1. On December 17, 2002, BOMA duly filed with the Illinois Commerce Commission an Application for Rehearing of the November 14, 2002 Order, service of which Order was made on Appellees on December 17, 2002.

2. The Illinois Commerce Commission failed to grant or deny said Application for Rehearing within the 20 day statutory period provided by Section 10-113 of the Public Utilities Act (220 ILCS 5/10-113) and said Application is presumed to have been denied and finally disposed of and an order to that effect deemed to have been served on January 6, 2003; and the Commission has failed to take any further action on said Application for Rehearing pursuant to the provisions of said Section 10-113 of the Public Utilities Act of Illinois.

WHEREFORE, BOMA, is appealing the November 14, 2002 Order of the Illinois Commerce Commission in Docket No. 02-0479 to the Illinois Appellate Court, First District, for the purpose of having the reasonableness and lawfulness of same inquired into and determined.

DATED this 5th day of February, 2003.

The Building Owners and Managers Association of  
Chicago



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Springfield, Illinois, 62701, on behalf of the Building Owners and Managers Association of Chicago (“BOMA”), a party in Docket No. 02-0479. A copy of the Notice of Appeal is hereby served upon you, pursuant to the provisions of Section 10-201 of the Illinois Public Utilities Act. (220 ILCS 5/10-201).

DATED this 5th day of February, 2003.

The Building Owners and Managers Association of Chicago



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STATE OF ILLINOIS :  
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COUNTY OF COOK :

PROOF OF SERVICE

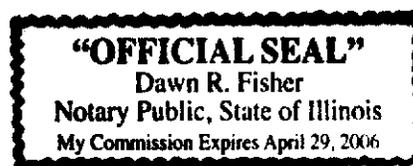
I, Michael Munson, being an attorney admitted to practice in the State of Illinois, and one of the attorneys for the Building Owners and Managers Association of Chicago, do hereby certify that I did on the 5th day of February, 2003, did file the foregoing Notice of Filing of Notice of Appeal in the office of said Clerk of the Illinois Commerce Commission by mailing a copy of same with the Clerk of the Illinois Commerce Commission at the Springfield, Illinois office of the Commission and on the Clerk of the First District Appellate Court and on the parties in interest by depositing same in the United States Mail in Chicago, Illinois, 60606, addressed as shown on the attached service list, with postage fully prepaid thereon.

The Building Owners and Managers Association of Chicago



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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 5th day of February, 2003.

  
NOTARY PUBLIC

COMMONWEALTH EDISON COMPANY  
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