

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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COMMERCE COMMISSION

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CHIEF CLERK'S OFFICE

ILLINOIS COMMERCE COMMISSION)
ON ITS OWN MOTION)
)
VS.)
)
LAKE COUNTY GRADING COMPANY, LLC,)
)
Determination of Liability under the)
Illinois Underground Utility Facilities)
Damage Prevention Act)

03-0347

ANSWER

Now comes Lake County Grading by its attorneys, RAY & GLICK, LTD. by Bogdan Martinovich, and in answer to the order initiating this proceeding states as follows:

(1) Lake County Grading admits that JULIE is a statewide on-call notice system.

(2) Lake County Grading admits that Commonwealth Edison is a public utility, but has insufficient knowledge to admit or deny the remaining allegations of paragraph 2 of the "order".

(3) Lake County Grading denies that it failed to provide notice of excavation along Route 21 as alleged.

(4) Lake County Grading admits that it came into contact with an underground wire, but has insufficient knowledge to admit or deny the remaining allegations.

(5) Lake County Grading denies that it failed to provide notice of excavation as alleged.

Lake County Grading submits that it fully complied with Section 4 of the Act.

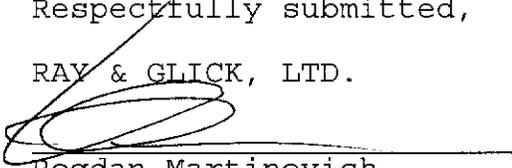
The remaining allegations of the "order" are not allegations of fact and are a mere recitation of procedural history; and to the extent Lake County Grading did not participate, Lake County Grading has no knowledge and makes no answer thereto.

Lake County Grading objects to the staff report of May 12, 2003 being made part of the record hereto as the document is hearsay.

WHEREFORE Lake County Grading respectfully prays that there be a finding that it did not violate the Act and that these proceedings against it be dismissed.

Respectfully submitted,

RAY & GLICK, LTD.



Bogdan Martinovich

Bogdan Martinovich
RAY & GLICK, LTD.
P.O. Box 400
Libertyville, Il 60048
847-970-3845
Attorney Registration Number: 01783998

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

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Amended PROOF OF SERVICE

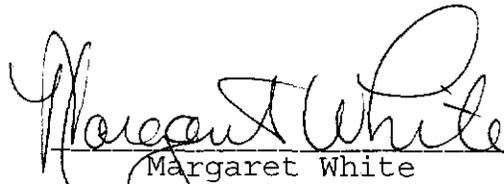
Margaret White, being first duly sworn on oath, deposes and states that she served the above and foregoing Verified Answer on:

Mr. Steve Matrisch
Illinois Commerce Commission
Office of General Counsel
527 East Capitol Avenue
Springfield, IL 62701

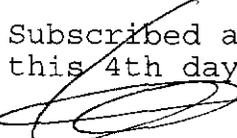
Mr. Richard Favoriti
Illinois Commerce Commission
Office of General Counsel
160 N. LaSalle Street, Suite C-800
Chicago, IL 60601

Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

by placing a true and correct copy of same in an envelope, properly addressed as shown above and that she sealed said envelope and placed sufficient postage thereon, and deposited same in the Federal Express Drop Box at Libertyville, Illinois at 5:00 p.m. on the 4th day of June, 2003.


Margaret White

Subscribed and sworn to before me
this 4th day of June, 2003.


Notary Public, State of Illinois

