



ILLINOIS COMMERCE COMMISSION

February 1, 2013

Illinois Commerce Commission	:	
On Its Own Motion	:	
	:	13-0034
Phase 2 of the initial approvals of	:	
FutureGen Industrial Alliance, Inc.	:	SERVED ELECTRONICALLY

NOTICE OF ADMINISTRATIVE LAW JUDGE’S PROCEDURAL RULING

TO ALL PARTIES OF INTEREST:

Notice is hereby given of the following procedural ruling by the Administrative Law Judge:

The Initiating Order directed that parties submit issue lists and appropriate docket timeframes. Pursuant thereto, filings were made on January 30, 2013 by the following: Illinois Power Agency (“IPA”); Ameren Illinois Company d/b/a Ameren Illinois (“Ameren Illinois”); Staff of the Illinois Commerce Commission (“Staff”); FutureGen Industrial Alliance, Inc. (“FutureGen”); Commonwealth Edison Company (“ComEd”); and the Illinois Competitive Energy Association (“ICEA”).

All the filers submitted issue lists.

All the filers also submitted suggested docket timeframes, except for the ICEA. The suggested schedules submitted by ComEd, Ameren and Staff are essentially the same.

In its suggested schedule, the IPA recommends that “FutureGen circulates a Word version of the Sourcing Agreement attached to its Reply Brief on Exceptions in ICC Docket No. 12-0544, as modified by the Commission’s Final Order (if at all) as soon as possible (Suggested date: 2/6/13).” This recommendation appears to be an appropriate means of advancing the proceeding and it is approved.

Staff, ComEd and Ameren Illinois recommend that “Responses to Issues List[s] with optional redline to any Sourcing Agreement Drafts (Redlines are to the 11/21/2012 Sourcing Agreement attached to FutureGen’s BOE in Docket No. 12-0544)” be filed on February 11, 2013. This recommendation appears to be an appropriate means of advancing the proceeding and it is approved.

In its filing, FutureGen proposes that it submit an “estimate of pre-approved capital costs” on February 19, 2013. The suggestion is approved.

All the suggested docket timeframes include one or more workshops to be conducted in February, primarily to openly discuss issues and to narrow or reduce contested issues. It appears that workshops would be helpful in clarifying and potentially resolving issues. Accordingly, workshops shall be held on February 20 and February 27, 2013 as proposed by Staff, ComEd and Ameren Illinois, or on such other dates and locations as are agreeable to Parties. The first workshop should also be used to attempt to resolve any remaining differences over proposed scheduling; prior to that, Parties are encouraged to work with each other to attempt to resolve any such differences. The Administrative Law Judge will not preside over, or participant in, these workshops.

The above-referenced filings shall be made with the Commission, and shall be served on other Parties and on the Administrative Law Judge.

Further rulings will be issued either before or after the workshops, as appropriate.

Sincerely,

Elizabeth A. Rolando
Chief Clerk

EAR:ikb
Administrative Law Judge Jones

cc: Mr. Zuraski – Policy

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