

ROWLAND & MOORE LLP

ELECTRIC AND GAS CASES

Work on behalf of the Retail Energy Supply Association (RESA) (2006 to the present)

Rowland & Moore is the Illinois counsel for this association of retail energy suppliers. Our work for RESA consists of monitoring Illinois energy activities and presenting RESA's positions in Illinois proceedings. Issues addressed on behalf of RESA over the past several years include Advanced Metering Infrastructure and Smart Grid investment and cost recovery, purchase of receivables and utility consolidate billing, allocation of costs between utility customers and retail energy supply customers, net metering and electric procurement by public utilities and the Illinois Power Agency.

Peoples Gas Light and Coke Co., North Shore Gas Co. ICC Docket No. 07-0241 (2008).

Following up on the Peoples Gas and North Shore merger case below, Rowland & Moore represented a group of companies that provide competitive gas service to small commercial and residential customers of these gas utilities. As a result of a combination of negotiation and litigation in these rate proceedings, Rowland & Moore obtained changes to the companies' program for those customers, ("Choices for You") that reduced customer costs and gave suppliers more flexibility in providing their services.

Peoples Gas Light and Coke Co., North Shore Gas Co. ICC Docket No. 06-0540 (2006).

Rowland & Moore represented a group of companies (Dominion Retail, Inc., Interstate Gas Supply of Illinois, Inc., US Energy Savings Corporation, MxEnergy Inc., and Direct Energy Services, LLC), all of which provide competitive gas service to small commercial and residential customers of these gas utilities. In this ICC proceeding for approval of the purchase of those companies by WPS Resources, Rowland & Moore negotiated several changes to those companies program for those customers, ("Choices for You") that streamline the program. The agreement provided for later negotiations and for litigation of remaining issues in the rate cases that followed this approval docket.

Northern Illinois Gas Co., ICC Docket No. 04-0779 (2006).

Rowland & Moore represented Dominion Resources, Inc., a provider of competitive gas service to small industrial and residential customers in this gas utility rate case. The ICC accepted most of the recommendations of Rowland & Moore to streamline the program for those customers and to provide Dominion Resources, Inc. with more flexibility to use gas storage for its own customers.

Northern Illinois Gas Co., ICC Docket No. 04-0779 (2006).

Adding to its previous success on this issue, Rowland & Moore forced this gas utility to create a new rate classification that drastically reduced the gas cost of the grain dryer association members represented by Rowland & Moore.

Illinois Power Co., ICC Docket No. 04-0476 (2005).

Following up on its previous successful representation of grain dryers, Rowland & Moore forced Illinois

Power Co. to create a new rate classification that drastically reduced the gas cost of the grain dryer association members represented by Rowland & Moore.

Lower Electric LLC, ICC Docket No. 04-0118 (2004).

Rowland & Moore represented Lower Electric in its request for a license to provide electric service as an Alternative Retail Electric Service (ARES) provider. This order broke the logjam that has prevented independent power marketers from operating in the state. Prior to the ICC ruling, all twelve of the existing companies certified to be an ARES were either public utilities or affiliates of public utilities. Rowland & Moore convinced the ICC to revisit its interpretation of an Appellate Court order that had prevented independent power marketers from meeting reciprocity requirements in the Illinois Public Utilities Act. Subsequent to this case, Rowland & Moore obtained ARES license for numerous independent power marketers.

Central Illinois Light Co., Union Electric and Central Illinois Public Service Co. ICC Docket Nos. 02-0837, 03-0008, 03-0009 (2003).

Arguing that grain elevators that dry grain in the Fall months contribute to neither summer nor winter peak demand, Rowland & Moore forced these three utilities to create an entirely new rate classification, drastically reducing the gas cost of the grain dryer association members represented by Rowland & Moore.

***People Ex. rel Hartigan v. Illinois Commerce Commission*, 117 Ill. 2d 120 (1987) and *People Ex. rel Hartigan v. Illinois Commerce Commission*, 148 Ill. App. 3d 168, 578 N.E.2d 46 (1991).**

The Illinois Supreme Court directed the ICC to comply with the requirement in the Public Utilities Act that it conduct an audit of new power plant construction costs.

***Business and Professional People for the Public Interest, v. Illinois Commerce Commission*, 146 Ill. 2d 175, 585 N.E.2d 1032 (1991).**

The Illinois Supreme Court reversed an ICC decision to allow rates to reflect all of Edison's nuclear plants, even though some were not used and useful to customers. As a result of this case and *Hartigan* below, Edison eventually agreed to refund in excess of \$1 billion dollars to ratepayers and reduce customer rates by \$300 million.

***Business and Professional People for the Public Interest, v. Illinois Commerce Commission*, 136 Ill. 2d 192, 555 N.E.2d 693 (1989).**

The Illinois Supreme Court reversed an ICC decision approving a settlement between the utility and the staff, forcing the rate case that resulted in *BPI* below.

***Commonwealth Edison Company v. Illinois Commerce Commission*, 180 Ill. App. 3d 899, 536 N.E. 2d 724 (1st Dist. 1988, appeal denied, 126 Ill.2d 557, 541 N.E.2d 1105 (1989).**

The Illinois Appellate Court reversed ICC decision modifying residential customers' rate design ruling there was no basis for the decision.