

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Commonwealth Edison Company)	Docket 10-0138
Proposal to establish Rider PORCB)	
(Purchase of Receivables with Consolidated Billing))	
And to Revise Other Related Tariffs)	

THE ILLINOIS COMPETITIVE ENERGY ASSOCIATION AND THE
RETAIL ENERGY SUPPLY ASSOCIATION
REPLY TO BRIEFS ON EXCEPTIONS ON REHEARING

I. INTRODUCTION

On July 19, 2011, the Administrative Law Judge (“ALJ”) served her Proposed Order (“ALJPO”) in this rehearing proceeding. On July 26, 2011, the Illinois Competitive Energy Association (“ICEA”)¹ and the Retail Energy Supply Association (“RESA”)² filed a Joint

¹ ICEA’s members include Ameren Energy Marketing Company; Champion Energy Services, LLC; Constellation Energy Resources, LLC; Direct Energy Services, LLC; Exelon Energy Company; FirstEnergy Solutions Corp.; Integrys Energy Solutions, Inc.; MC Squared Energy Services, LLC; Midwest Generation; EMB-Edison Mission Solutions, LLC; Nordic Energy Solutions, LLC; and Reliant Energy Northeast, LLC

² RESA’s members include: Champion Energy Services, LLC; ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energetix, Inc.; Energy Plus Holdings, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; MC Squared Energy Services, LLC; Mint Energy, LLC; MXenergy; NextEra Energy Services; Noble Americas Energy Solutions LLC; PPL EnergyPlus, LLC; Reliant Energy Northeast LLC and TriEagle Energy, L.P.. The comments expressed in this filing represent the position of RESA as an organization but may not represent the views of any particular member of RESA.

Brief on Exceptions (“BOE”) to the ALJPO BOEs were also filed by Commonwealth Edison Company (“ComEd”), Dominion Retail, Inc. (“Dominion”) and the Staff of the Illinois Commerce Commission (“Commission Staff” or Staff”). ICEA and RESA hereby respond to the BOEs filed by each of these other parties.

With respect to the only issue in this proceeding—whether to reverse the Commission’s decision in the Amendatory Orders to utilize a single, blended uncollectibles rate for residential and non-residential customers—ComEd recommends that this decision should be reversed and the Commission, on rehearing, should revert to its earlier decision as was set out in the December 15, 2010 Order (“Commission’s Final Order”) for this proceeding to utilize separate uncollectible rates for residential and eligible non-residential customers. ComEd BOE at 1-2 . The Commission Staff still maintains neutrality on the main issue, but rejects all of analysis in support of the Proposed Order’s conclusion that a single rate is both required by law and correct as a policy. Instead, Staff attempts to draft a proposed substitute analysis for the ALJPO’s conclusion if the Commission was to consider a blended uncollectibles rate. Staff BOE at 2. Dominion supports continuation of a single uncollectible rate and, as such, raises only one, albeit erroneous, exception to the ALJPO. Dominion. BOE at 1-2 .

II. SUMMARY OF POSITION

ComEd’s analysis of the flaws of the ALJPO is both correct and consistent with the analyses contained in the BOE filed by ICEA and RESA. The Commission is *not* legally required to retain the single uncollectible rate and, if anything, a complete analysis of the relevant law indicates that separate rates for residential and non-residential customers should be adopted. Further, policy considerations derived on the basis of settled regulatory principles, strongly support the adoption of separate rates in this particular proceeding.

Dominion's sole proposed exception—revising the ALJPO to add a finding that rejects RESA's claim that a single rate will discourage use of Rider PORCB-- is without merit. This, we submit, was demonstrated with detail, in the Brief on Exceptions filed by ICEA and RESA.

The Commission Staff correctly rejects the ALJPO's analyses which are set out to support the continuation of a single uncollectible rate. In most respects the Commission Staff's rejection of these analyses is consistent with the positions taken by ICEA and RESA in their BOE. Unlike ICEA and RESA, however, the Commission Staff does not stop there. Instead, it attempts to prop up the ALJPO's conclusion with a bottom-to-top analysis that is based on matters that ICEA and RESA demonstrated to be incorrect in their BOE.

ICEA and RESA have already shown, in their joint BOE, that the legal and policy arguments supporting the continuation of a single uncollectible rate are erroneous and that, correspondingly, the legal and policy arguments supporting separate uncollectible rates are correct. We will not rehash all of these arguments in this Reply to BOEs. Rather, ICEA and RESA will succinctly address and reply to the exceptions of Dominion and Staff, with specific references to our BOE

III. REPLY TO COMED

ICEA and RESA agree with ComEd that the ALJPO is based on both erroneous conclusions of law and poor policy considerations. ComEd is correct that, contrary to the ALJPO, Section 16-118 (c) of the Public Utilities Act does not require the Commission to impose a single, blended rate for both residential and non-residential customers. ComEd BOE, at 5-7; *See* ICEA/RESA BOE at 9-11. ICEA and RESA also agree with ComEd that the General Assembly has decided that certain non-residential customers (namely those with a demand less

than 400 kW) are to benefit from a purchase of receivables program. ComEd BOE, at 3-5; *See* ICEA/RESA BOE at pages 11-16. Finally, ICEA and RESA agree with ComEd that there is no evidence on rehearing to support the ALJPO's conclusion that a single, blended uncollectible rate is in the best interests of Illinoisans. To the contrary, the evidence on rehearing supports a return to separate uncollectible rates for residential and non-residential customers. ComEd BOE at 7-10; *See* ICEA/RESA BOE at 16-25. Among the many errors in the ALJPO, ICEA and RESA particularly and strongly agree with ComEd that the Commission's acceptance of ComEd's proposed \$0.50 charge per bill to recover start-up costs for Rider PORCB does not provide any support for the unrelated issue of the appropriateness of a single uncollectible rate. ComEd BOE at 8-9; *See* ICEA/RESA BOE at 20-21. In the end, ICEA and RESA agree with ComEd that, in these premises, the Commission should reverse its decision to utilize a single uncollectible rate and, in doing so direct ComEd to reinstitute the separate rates for residential and non-residential customers.

IV. REPLY TO DOMINION

Dominion offers a single exception to the ALJPO, claiming that the Commission can safely find that RESA's position, *i.e.*, that continuation of a single uncollectible rate will discourage RESs from enrolling non-residential customers in Rider PORCB, is not supported by ComEd's experience through April, 2011.³ Dominion's position has already been completely refuted by ICEA and RESA's BOE which demonstrated that ComEd's experience through May 31, 2011, the most recent information available, shows a startling difference between residential and non-residential participation in Rider PORCB. The most recent information available at rehearing, demonstrates that the use of a single uncollectible rate has discouraged the enrollment

³ It is not clear why Dominion is referring to ComEd's experience through April, 2011, when ComEd's experience through May, 2011 is contained in the record of this proceeding.

of non-residential customers under Rider PORCB. This is so because, as of May 31, 2011, there were 21,276 residential customers taking service from a RES and 19,359, or 91%, of those customers were taking service under Rider PORCB. In contrast, as of May 31, 2011, there were 63,823 eligible (Watt Hour Delivery, Small Load Delivery, and Medium Load Delivery) non-residential customers taking service from a RES, but only 1,738, or 2.7%, were taking service under Rider PORCB. *See* ICEA/RESA BOE at 24-25. As such, Dominion's exception lacks merit.

V. RESPONSE TO COMMISSION STAFF

It is important to note and keep in mind that, as Staff itself emphasizes, it did *not take a position* on the main issue in this proceeding. Staff BOE at 2. It is clear too, that Staff it is still not making a recommendation on the ultimate issue in this matter. *Id.* This ultimate issue is, as Staff says, "whether the Commission should adopt blended or separate uncollectible rates." In keeping with its position of neutrality, Staff is not taking an "exception" per se to the Proposed Order's conclusion to continue use of a blended uncollectible rate. *Id.*

But, at the same time, Staff itself has serious concerns of the ALJPO's analysis of the issue at hand. As such, Staff is offering exceptions and language that, it says, might support the ultimate conclusion of a blended uncollectible rate as ultimately provided for in the ALJPO. *Id.* While Staff has done much work in attempting to support an end by changing the analysis to support a given conclusion, ICEA and RESA are compelled to note, in the first instance, that backwards this way is a difficult task. And, in the second instance, as ICEA and RESA assert that Staff's arguments and language - being offered in an attempt to remedy the ALJPO's substantively flawed analysis - ultimately suffer from many of the same infirmities that infect the Proposed Order. To be sure, Staff itself recognizes that its arguments and language is in need of

fair review and challenge by the parties and for this reason has labeled its suggestions as “exceptions.” *Id* at 3.

At the outset, it is important to note that, similar to ICEA and RESA exceptions, Staff rejects the PO’s analysis in critical respects, to wit:

First, Staff correctly rejects the ALJPO’s analysis that Section 16-118 (c) requires that a single uncollectible rate be utilized because this subsection utilizes the word “rate” rather than “rates”. (Staff BOE at 3-7) ICEA and RESA agree with the Commission Staff that the ALJPO is wrong on this issue. *See* ICEA/RESA BOE at 9-11.

Second, having decided that there is no legal basis for requiring a single uncollectible rate, the Commission Staff further, and appropriately, rejects the ALJPO’s conclusion that no party on rehearing demonstrated that the difference between the single rate and separate rates is material. Staff BOE at 7-10. ICEA and RESA agree with the Commission Staff that the ALJPO is wrong on this matter, as well. *See* ICEA/RESA BOE at 16-19.

Third, Staff rejects the ALJPO’s basic philosophy that the Illinois General Assembly intended Section 16-118 (c) to promote competition solely for the benefit of residential customers. Staff BOE at 11-12. In this regard, Staff correctly states that residential interests should not be seen as always overriding non-residential interests. Staff BOE at 11. ICEA and RESA agree (as does ComEd) and we maintain it is clear that the law at hand, i.e., Section 16-118 (c), was intended to benefit both residential customers and non-residential customers having a demand less than 400 kW. By its very terms, this governing law expresses *no policy or other attribute* for the favoring of one at the expense of the other. *See* ICEA/RESA BOE at 11-16.

All of the above shows obvious agreement between the Commission Staff and ICEA and RESA on many of the critical legal and policy issues in this proceeding. Nevertheless, in an attempt to maintain neutrality, Staff does not come to the opposite result or to any independently-derived result at all. After essentially gutting all of the ALJPO's analysis and findings in support of a single uncollectible rate (as indeed it must do) the Commission Staff only offers possible replacement language for the Commission such that it would some basis on which to consider a blended uncollectible rate. Staff BOE at 2. ICEA and RESA maintain, however, that despite its extraordinary efforts in these premises, the Commission Staff's proposed analyses and language, in support of a single rate, suffer from infirmities similar to those set out in the ALJPO.

First, and in an attempt to work with the ALJPO's conclusion, the Commission Staff would add language to the ALJPO observing Dominion to correctly point out that the blending of separate uncollectible factors within the residential and non-residential segments has been previously approved by the Commission. Staff BOE at 9. But, ICEA and RESA submit, this additional language is contrary to the record where such a claim was refuted by ComEd. Notably, ComEd's evidence on this rehearing demonstrates that the Commission has approved, on several occasions, most recently in its May 24, 2011 Order in Ill. C. C. Docket 10-0467, the separate uncollectible factors set forth in Rider UF (which is the basis for the separate uncollectible rates proposed by ComEd Rider PORCB and utilized pursuant to the Commission's final order in this proceeding) for use and application to all customers taking fixed-price supply service under ComEd's Rate BES, Basic Electric Service. As of April 2011, approximately 98% of all customers eligible to be enrolled by a RES in Rider PORCB (nearly 3.8 million customers in total) have been and currently are subject to the application of these bad debt rates to their fixed-price supply charges from ComEd. Therefore, ComEd's proposed approach to recovering

bad debt risk from RESs in this proceeding *is consistent with* the rate design in effect for nearly all of ComEd's customers today. ComEd Ex. 13.0 at. 2-3. As such, Staff's attempt to fix the ALJPO on this basis, fails.

Second, and in another attempt to support the ALJPO's conclusion, the Commission Staff would add language to the ALJPO noting that the Commission approved a single uncollectible rate for Ameren Illinois. Staff BOE at 9. But, the Commission's decision in the Ameren case provides no support for the decision that the Commission is required to make in this proceeding. In the Ameren POR/UCB docket, an Ameren witness provided testimony that AIU wanted its discount rate to reasonably compare with those that it used in other jurisdictions and, for this reason, proposed a single discount rate. No party contested Ameren's proposal. While the single discount rate supported by Ameren for its POR/UCB may be reasonable for Ameren, it begs the questions whether a single discount rate is reasonable for ComEd when ComEd's residential uncollectible rate is almost twice as high as the rate for non-residential customers. Ameren neither provided nor supported separate discount rates in its POR/UCB docket—anticipated revenues for applicable residential and non-residential customers were combined and compared against total uncollectible costs. In contrast, ComEd provided substantial evidence that warrants separate uncollectible rates for POR for these rate classes. RESA Ex. 1.0 on rehearing, at 9-10. Moreover, the Commission's Final Order itself noted that use of separate uncollectible rates for ComEd is beneficial in that it would allow comparison with the different method utilized by Ameren. Final Order at 25. In short, the particular, identifiable and defining circumstances in Ameren are much different from the circumstances present in this proceeding. Generally, different circumstances will require different result. Hence, a reliance on Ameren to support the ALJPO's conclusion in these premises, is not correct.

Third, and in yet another attempt to build some reason for the ALJPO's conclusion, the Commission Staff would suggest that the Commission's acceptance of a \$0.50 per bill charge to recover Rider PORCB implementation and administrative costs can be considered to support a single uncollectible rate. Staff BOE at 9. Staff, however, does not support the proposed language it offers on this point with any argument or real analysis on brief. As such, it is only attempting to, in some way, work around and make more palatable, the ALJPO's conclusion. To be sure, the entire premise of mixing and mismatching the 50 cent start-up and implementation charge with the uncollectible rates was demonstrated to be erroneous by ICEA and RESA in their BOE. We emphasize here again that, the Commission's acceptance of ComEd's proposal to recover implementation and administrative costs through a fixed 50 cent per bill charge does not have *any bearing* on whether a single or separate uncollectible rates should be used in Rider PORCB. The Commission adopted use of the 50 cent per bill fixed charge after a careful analysis (*See* Final Order, at 24-25) and upon evidence supporting a finding that the 50 cent charge reflected the actual costs of *providing the bill* - which has absolutely no relationship to the *amount of the actual bill* itself—it does not vary with usage. As such, what the ALJPO started with this line of a mixing analysis and what Staff attempts to cure, is unsupportable, and similar to what the ALJPO itself does, would undermine precisely what the Commission's own Amendatory Order has already determined. Consistent with this reasoning, regulatory cost causation principles support the use of the distinctly different 50 cent per bill charge to recover implementation and administrative costs and the use of separate uncollectible rates for residential and non-residential customers to recover the bad debt risk associated with each class. *See* ICEA/RESA BOE at 20-21. One is, and should be treated wholly independent and with no reflection of the other.

Fourth, and still owing to its concern of the ALJPO's deficiencies in favoring a blended uncollectibles rate, Staff offers replacement language for this particular ALJPO conclusion that generally notes the years of competitive non-residential activity prior to PORCB and the very recent competitive residential activity based, at least partly, on the availability of PORCB. Staff BOE at 12. As such, Staff sets out language to the effect that, only recently have residential customers been able to choose service from a RES, and the availability of PORCB is at least partly responsible for this. *Id.* Further, and being compelled to admit that the receivables of non-residential customers are equally eligible for PORCB service, Staff proposes language stating that, much more competitive activity has occurred in "the non-residential" market over the last several years. *Id.* ICEA and RESA are not clear whether Staff is referring to the whole of the "non-residential" market or to the non-residential customers as defined in Section 16-118 (c). Commission orders, however, must be precise. Nor has Staff provided facts or meaningful arguments in support of these statements. It is unfair and legally unsustainable for the Commission to draw conclusions on the basis of facts not in evidence. It is also unfair for parties to be presented with proposed substantive substitute language without the necessary accompanying arguments that explain and support the replacement language being offered, most often with citations to the law or the record. Aside from this, the proposed rationale is incomplete and unbalanced even for its purposes given that it fails take account of, discuss, or explain away all the serious policy arguments or the law that, in their own respective ways, ComEd, ICEA/RESA challenge the ALJPO for ignoring. For all these reason, Staff's substitute language is unavailable to properly support the ALJPO's conclusion.

Finally, and apparently recognizing the weakness of the ALJPO despite all of its efforts, Staff would have the Commission consider adding language to the ALJPO stating that the

Commission is not adverse to revisiting the issue of separate uncollectible rates in the future. Staff BOE at 12. In doing so, however, the Commission Staff does not recommend a timeline for such revisiting. Both the law, and the whole of the record in this rehearing, contradicts the ALJPO's use of a single uncollectible rate for residential and non-residential customers. An illusory promise to fix this mistake at some undetermined time in the future is no substitute for getting it right at the start (which, indeed, the Commission's Final Order did)

ICEA and RESA submit that the Commission made the correct decision on this issue in its Final Order; the preponderance of record evidence in this case, as well as the law supports adopting separate discount rates for residential and non-residential customers under 400 kW in demand. Since making its decision in December 2010, the Commission has, through its Amendatory Orders, reversed its December decision. The rapidly-evolving retail electric market needs certainty whether the unjustified subsidy implicit in a blended uncollectible rate will continue to discourage RES suppliers serving non-residential customers under ComEd's Rider PORCB. The reality is that revisiting this decision at a future point in time provides scant comfort for suppliers and other stakeholders that have worked hard for this utility-provided RES service which has as its purpose the elimination of unjustified and duplicative charges, only to be faced with unjustified subsidies through a blended uncollectible rate. ICEA and RESA urge the Commission to make the only decision that is supported by the whole of the instant record, and by the overwhelming number of case participants, and that is grounded on both law and sound public policy. That decision, being called-for in these premises, is to approve ComEd's use of separate uncollectible rates. To this end, the Commission should, on this rehearing, reverse the decision in its Amendatory Orders and direct ComEd to utilize separate uncollectible rates in Rider PORCB.

In total, ICEA and RES understand that Staff has been neutral throughout this proceeding and yet, in light of the ALJPO's erroneous analysis and findings, feels compelled to give the Commission something of a viable analysis for a result that it does not necessarily endorse. With all respect for its extraordinary efforts, this is a difficult task and as ICEA and RESA have here demonstrated, Staff's attempted reworking of the ALJPO's analysis cannot overcome its many defects.

VI. FINAL CONSIDERATIONS

In the instant situation, where ComEd, ICEA, RESA, and even Staff (who has remained neutral throughout this proceeding on rehearing) have all shown that the ALJPO's analyses and findings on both the record and the law are seriously flawed, the Commission should have grave concern and seriously question the correctness of the ultimate conclusion reached on the basis on such analyses. For their part, ICEA and RESA respectfully submit that the Commission will be led to the correct conclusion for this proceeding with a full and orderly assessment of law,, fact, circumstance and argument, all informed by reasoned judgment. There is much in the exceptions briefs and the replies to exceptions briefs of all the parties (including Staff) for the Commission to consider as it begins the decision-making process.

Here, ICEA and RESA would suggest to the Commission that one of the most important things in an agency order is to frame the issues of the case correctly and in a neutral fashion. The Commission will observe that the ALJO fails to set out the main issue on rehearing in such a way. For its part, Staff solidly recognizes that the only issue here is "whether the Commission should adopt blended or separate uncollectible rate(s). While Staff is absolutely correct in stating the issue, it has not made this necessary correction to the ALJPO, nor aligned the parties'

legal and policy arguments thereunder so as to provide meaningful guidance to the Commission in its decision-making. The exceptions language provided by ICEA and RESA does serve this important function.

Further, ComEd, ICEA and RESA have provided the Commission with solid legal interpretive authority on the law. The Commission will find from a study of these legal resources that the ALPO does not. With respect to Dominion, the Commission will observe that it is wrong on the law to the limited extent that Dominion even relies on its governing provisions. Staff also believes, correctly, that the way that the ALJPO does define “rate” is unsupportable in terms of context and cautions the Commission further that adoption of the singular term “rate” will make it harder for the Commission to defend its decision on appeal wherein Dominion is challenging the Final Order’s adoption of the 50 cent cost recovery charge.

In reviewing the law, the Commission will see for itself that, as ComEd, RESA and ICEA have all pointed out, the General Assembly simply and directly expressed that the POR program benefit only “residential retail customers and non-residential customers with a non-coincident peak demand of less than 400 kilowatts.” 220 ILCS 16-118 (c). At the same time, the Commission will note that the General Assembly indicated no policy or intent (either express or implied) in terms of favoring one at the expense of the other. (While the ALPO does indicate that no preference is provided for under the law, it wrongfully relies on subsection (a) and not subsection (c) for this finding. Staff omits correcting this legal error).

Further, the Commission need observe that, in their respective BOEs, ComEd, ICEA and RESA have all explained why the 50 cent charge, already determined to be appropriate for a specific outside purpose, i.e., start-up and implementation costs, has not. and should not have any

bearing on the sole and precise issue in this proceeding. These parties reference the Commission's own language in support of their positions and explain that the ALJPO's misapplication of that charge in these stand-alone premises undermines, if not eviscerates, the Commission's prior determination of the distinct purpose and support for that charge. See Final Order, at 24-25. Notably too, in in certain of its proposed Exceptions language, Staff itself recognizes that there are two separate and distinct components being established. Staff BOE at 6. One of these, Staff explains, concerns the recovery of the utility's "historical bad debt experience," and this, Staff goes on to rightly say, is the issue for the instant rehearing. The other, Staff notes in reference to the 50 cent charge, is intended to recover the utility's reasonable start-up costs and administrative costs. *Id.* In all these respects, the Commission is effectively shown that by virtue of their very nature, these components are unique and not interchangeable nor should one be considered to undermine the intents, purposes or elements of the other.

Just as well there are traditional regulatory principles that come into play and these are set out in ICEA and RESA's individual testimony and briefs, and in their joint brief on exceptions. The ALJPO pays no attention to these policy arguments and Staff likewise omits discussion. The Commission is urged not to follow their lead. Traditional regulatory principles of cost causation and subsidy are highly relevant to the issue at hand and well inform the Commission's decision-making process. To be sure, these principles are grounded in notions of fairness.

Policy cannot be created, or executed, on the basis of mere whim or inclination. In both instances, it must be rooted on a solid legal and factual foundation. At some level, the ALJPO knew this as it attempted to hinge its policy of favoring residential over small customers both on the policy statement in subsection (a) of Section 16-118 and the fact that there are more

residential customers than small commercial customers. Staff however, and rightly so, cautions the Commission against having the interests of residential customers trump the interests of non-residential customers on the simple basis that there are more residential customers in the utility's area. Staff BOE at 11. ICEA and RESA agree that such a "majority wins" approach is neither correct nor legally sustainable. Moreover, while the ICEA/RESA BOE shows that the policy statement in subsection (a), legally cannot be used for the broad purpose that the ALJPO suggests, our arguments further show this Commission that it may properly observe that, while not governing in these premises, nothing in this policy statement is inconsistent with what the General Assembly set out in the pertinent and governing law for this proceeding, i.e., subsection (c) of Section 16-118. It bears repeating this subsection (c) provides for both residential customers *and* small commercial to benefit equally, without distinction or difference, from POR. If the Commission were to seek further corroboration of the policy of equal and unencumbered treatment expressed in Section 16-118 (c) to inform the exercise of its discretion, ICEA and RESA, in their exceptions brief, direct its attention to Section 20-102 (c) of the Act wherein the General Assembly flatly found that, "[a] competitive market does not yet exist for residential and small commercial customers." 220 ILCS 5/20-102 (c). To be sure, a plain reading of this statute will show the Commission that the General Assembly has, in two separate sentences, expressed a policy of equal concern for both residential *and* small commercial customers. *Id.* It is this policy that the General Assembly repeated in enacting the substantive provisions of Section 16-118 (c). that govern this proceeding *Id.* *It is this policy, on fair and equal terms and in light of all the relevant and particular circumstances, that the Commission should implement in this proceeding.*

In sum, it is the Commission's full and comprehensive review of the law, the testimony, and the whole of the parties' arguments at all stages of briefing, that will inform and guide its ultimate decision. It is respectfully urged that the Commission follow closely the intents of the law and sound regulatory principles when exercising its discretion on the issue at hand.

VII. CONCLUSION

For all the reasons set out in their Brief on Exceptions and in this Reply to Exceptions, ICEA and RESA respectfully request the Illinois Commerce Commission to reject the ALJPO and to enter an Order on Rehearing that: (1) reverses the decision in the Amendatory Order for this proceeding; and (2) directs ComEd to utilize separate uncollectible rates in Rider PORCB.

Respectfully submitted,

Eve J. Moran /s/ Eve J. Moran

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Respectfully submitted,

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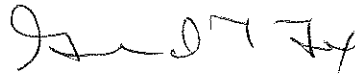
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NOTICE OF FILING

Please take note that on August 1, 2011, I caused to be filed via e-docket with the Chief Clerk of the Illinois Commerce Commission, the attached Reply of the Illinois Competitive Energy Association and the Retail Energy Supply Association to Briefs on Exceptions On Rehearing in this proceeding.

Dated: August 1, 2011



/s/GERARD T. FOX

Gerard T. Fox

CERTIFICATE OF SERVICE

I, Gerard T. Fox, certify that I served copies of the foregoing Reply of the Illinois Competitive Energy Association Retail Energy Supply Association to Briefs On Exceptions on Rehearing, upon the parties on the service list maintained on the Illinois Commerce Commission's eDocket system for the instant docket via electronic delivery on August 1, 2011.



/s/ GERARD T. FOX

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