STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

| Corn Belt Energy Corporation and | : | |
| Illinois Power Company d/b/a | : | |
| AmerenIP | : | |
| Joint Petition for Approval of | : | 07-0404 |
| Requests to Serve Pursuant to | : | |
| Section 7 of the Service Area | : | |
| Agreements between Corn Belt | : | |
| Energy Corporation and Illinois | : | |
| Power Company, d/b/a Ameren IP. | : | |

ORDER

By the Commission:

Background; Relief Sought

In this proceeding, Corn Belt Energy Corporation (“Corn Belt”) and Illinois Power Company d/b/a AmerenIP (“AmerenIP”) filed a verified joint petition with the Illinois Commerce Commission (“Commission”), therein seeking approval of four “requests to serve” made pursuant to the terms of two Service Area Agreements that were previously approved by the Commission pursuant to Section 6 of the Electric Supplier Act, 220 ILCS 30/1 et seq.

AmerenIP is a public utility within the meaning of the Public Utilities Act, 220 ILCS 5/1-101 et seq. Corn Belt is an electric cooperative within the meaning of Section 3.4 of the Electric Supplier Act. Both companies are electric suppliers within the meaning of Section 3.5 of the Electric Supplier Act.

By way of background, in Docket ESA 136, the Commission granted approval, pursuant to Section 6 of the Electric Supplier Act, of a Service Area Agreement between AmerenIP and Corn Belt (1970 Agreement”). The 1970 Agreement established territorial boundaries and defined and delineated the service areas in which each party is entitled to furnish electric service in Bureau, Henry, Kendall, Knox, LaSalle, Marshall, Putnam and Stark Counties, Illinois.

Thereafter, Docket No. ESA 156, the Commission granted approval of another Service Area Agreement between AmerenIP and Corn Belt (1973 Agreement”). The 1973 Agreement established territorial boundaries and defined and delineated the service areas in
which each party is entitled to furnish electric service in DeWitt, Livingston, Macon, McLean, Piatt, Tazewell and Woodford Counties, Illinois.

Section 7 of the 1970 Agreement provides as follows:

If either party should request the other to furnish electric service to a customer who the requesting party is entitled to serve by virtue of this Agreement and the other party does render such service, this Agreement shall not thereby be voided but shall otherwise remain in full force and effect.

Somewhat similar language is contained in the 1973 Agreement.

In the instant proceeding, AmerenIP and Corn Belt seek approval of four requests to serve made pursuant to Section 7 of the two Agreements. AmerenIP received three letters from customers located in the service area of AmerenIP as established by the Agreements, each requesting that Corn Belt be permitted to provide service to a new single family residence and associated outbuildings pursuant to Section 7 of the Agreements. Copies of the letters are attached to the Petition as Joint Petition Exhibits A-1, A-2 and A-3.

AmerenIP has agreed to release the customers to Corn Belt under certain terms and conditions, and Corn Belt has agreed to provide service to the premises subject to said terms and conditions. AmerenIP does not forego its rights, future or otherwise, to serve the property, as allowed under the 1970 and 1973 Agreements, except for the right to provide, up and including, but not to exceed, 400 amp, 240 volt, single phase service to three new single family residences and associated outbuildings; nor will the requests modify the Agreements or the exclusive service territories defined and delineated in said Agreements. Copies of the executed Electric Supplier Customer Information and Release Forms sent by AmerenIP to Corn Belt are attached to the Petition as Joint Petition Exhibits B-1, B-2 and B-3.

With respect to the fourth location, Corn Belt received a letter from a customer located in the service area of Corn Belt as established by the 1973 Agreement, requesting that AmerenIP be permitted to provide service to a motel pursuant to Section 7 of the 1973 Agreement. A copy of the letter is attached to the Petition as Joint Petition Exhibit A-4.

Corn Belt has agreed to release the customer to AmerenIP under certain terms and
conditions, and AmerenIP has agreed to provide service to the premises subject to said terms and conditions. Corn Belt does not forego its rights, future or otherwise, to serve the property, as allowed under the 1973 Agreement, except for the right to provide, up and including, but not to exceed, 800 amp, 208 volt, three phase service, and 200 amp, 240 volt, single phase service, to the motel, nor will the requests modify the 1973 Agreement or the exclusive service territories defined and delineated in said Agreement. Copies of the executed Request for Service sent by Corn Belt to AmerenIP is attached to the Petition as Joint Petition Exhibit B-4.

Corn Belt and AmerenIP assert that approving the requests will tend to increase the efficiency of the parties in rendering electric service to the public and will avoid the duplication of facilities and minimize disputes between the parties.

Commission Conclusions, Findings and Ordering Paragraphs

Having reviewed the joint petition and supporting documentation, the Commission finds that approval of the requests to serve made pursuant to Section 7 of the 1970 and 1973 Agreements will “avoid duplication of facilities and . . . minimize disputes between electric suppliers which may result in inconvenience and diminished efficiency in electric service to the public . . .” within the meaning of Section 2 of the Electric Supplier Act. Further, these requests are consistent with the terms of the 1970 and 1973 Agreements.

Subject to the conditions set forth below, the four requests to serve made pursuant to Section 7 of the 1970 and 1973 Agreements are reasonable and in the public interest; they should be approved as hereinafter set forth.

The Commission, having considered the record herein, is of the opinion and finds that:

1) AmerenIP is an Illinois corporation engaged in the transmission, sale and distribution of electricity to the public in Illinois, and is a public utility within the meaning of the Public Utilities Act and an electric supplier within the meaning of the Electric Supplier Act;

2) Corn Belt is an Illinois not-for-profit corporation organized on a cooperative basis for the purpose of furnishing and distributing electric energy, and is an electric supplier within the meaning of the Electric Supplier Act;

3) the Commission has jurisdiction over the parties and subject matter in this proceeding;

4) the facts recited and conclusions reached in the prefatory portion of this order
hereinabove are hereby adopted as findings;

5) the four requests to serve made pursuant to Section 7 of the 1970 and 1973 Agreements are reasonable and in the public interest, and should be approved as hereinafter set forth.

IT IS THEREFORE ORDERED that AmerenIP and Corn Belt are hereby authorized to enter into and carry out the terms of the four requests to serve as proposed in their Joint Petition in this proceeding, subject to the conditions set forth in the Customer Information and Release Forms.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is subject to the Administrative Review Law.

By order of the Commission this 15th day of August, 2007.

(SIGNED) CHARLES E. BOX

Chairman