

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

ROCK ISLAND CLEAN LINE, LLC	)	
	)	
Petition for an Order granting	)	
Rock Island Clean Line LLC a	)	
Certificate of Public Convenience and	)	Docket No. 12-0560
Necessity Pursuant to Section 8-406 of	)	
The Public Utilities Act as a Transmission	)	
Public Utility and to Construct, Operate	)	
And Maintain an electric Transmission	)	
Line and Authorizing and Directing	)	
Rock Island pursuant to Section 8-503 of	)	
The Public Utilities Act to construct an	)	
Electric Transmission Line.	)	

**APPLICATION FOR REHEARING OF THE ILLINOIS AGRICULTURAL  
ASSOCIATION a/k/a THE ILLINOIS FARM BUREAU**

NOW COMES the ILLINOIS AGRICULTURAL ASSOCIATION a/k/a the Illinois Farm Bureau (“Farm Bureau”), by and through its attorneys, Brown, Hay & Stephens, LLP, and pursuant to Section 10-113 of the Illinois Public Utilities Act (220 ILC 5/10-113) and Title 83, Section 200.880 of the Illinois Administrative Code (83 Ill. Adm. Code 200.880), submit this Application for Rehearing of the Illinois Commerce Commission’s (“Commission”) November 26, 2014 Final Order entered herein. In support of this Application, the Farm Bureau hereby states as follows:

**INTRODUCTION**

1. The Commission entered and served its Final Order herein on November 26, 2014 (“Final Order”).
2. The Final Order constitutes an “order on the merits” within the meaning of 83 Ill. Adm. Code 200.880(a), and this Application is filed within 30 days of service of the Final Order, as required by Section 200.880(a).

## ARGUMENT

### **A. The certificate is invalid if Rock Island seeks cost allocation from FERC.**

3. The first issue requiring rehearing is whether Rock Island Clean Line, LLC's ("Rock Island") certificate is valid if it seeks cost allocation from FERC. The Farm Bureau's position is that Rock Island's certificate should not be valid in this scenario, consistent with Chairman Doug Scott's statement at the Commission's November 25, 2014 Bench Session. Summarizing the Commission's planned revisions to its conclusions related to §8-406(B) of the Proposed Order, Chairman Scott stated as follows:

In addition, the edits make a finding on the "lease cost" issue, which the Order previously did not directly address. The edits make clear that if Rock Island is short of funds for the project and goes to FERC to recover the remainder of the cost of construction from ratepayers, that their certificate is no longer valid and that they will need to come back to the Commission for additional authority on that basis.

ICC Bench Session Transcript, November 25, 2014, p. 9.

4. A comparison draft of the Commission's conclusions related to §8-406(B) showing the changes made to the Proposed Order in the Final Order is attached hereto as Exhibit A. It clearly shows that the edits do not match Chairman Scott's statements – absent is language making clear that Rock Island's certificate is invalid if seeks cost allocation through FERC. Without this language explicitly in place, the Commission runs into unnecessary jurisdictional and enforceability issues with the certificate. The Commission should rehear this issue.

### **B. The Commission should rehear all issues related to §8-406(B).**

5. Second, the Commission should rehear all issues related to §8-406(B) given the negative

impact the Commission's Final Order is already having on Illinois consumers.

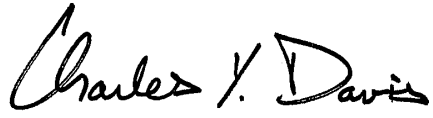
6. Since the beginning of this case, the Farm Bureau's position has been that there is no evidence that provides any assurance that Rock Island, or its parent company or sister companies are anything more than non-utility new entrants to the market with a business plan, formulated and run by novices, who have never built or operated transmission lines. In addition, there is also nothing in the record to establish that Illinois consumers need the Project as required by statute, that the Project will make the market more competitive, that customers, generators, or financing will ever exist, or that the Project will definitely be built. Moreover, the Project might not even be approved by the Public Utilities Commission in Iowa, potentially putting the Illinois portion of the Project indefinitely on hold.
7. Despite the uncertainties presented by this Project, the Commission wrongfully approved Rock Island's certificate, creating an immediate impediment to other transmission projects which very may well benefit Illinois consumers, the market, and the reliability of the electric system.
8. As detailed in the testimony attached hereto as Exhibits B and C of ICC Staff Senior Electrical Engineer Greg Rockrohr in Docket Nos. 14-0494 (MidAmerican Energy Company) and 14-0514 (Ameren Transmission Company of Illinois), the Commission's Final Order is having an immediate effect on other transmission projects.
9. Rockrohr's testimony draws into doubt whether the two new proposed transmission projects are needed, or whether they are necessary to promote the development of an effectively competitive electricity market that operates efficiently, are equitable to all customers, and are the least cost means of satisfying those objectives given the Final

Order entered herein giving the “green light” to Rock Island.

10. Although one would expect that Rock Island’s decision to enter the transmission business in Illinois would have an effect on the other transmission companies and their plans in the state, it should not be to the consumers’ detriment.
11. As multiple intervenors have pointed out in this docket that Rock Island’s failure to produce a needs analysis from PJM and/or MISO hurts all of the stakeholders, it seems like this problem could have easily been avoided. The absence of this global analysis produces increased unpredictability and either slows or jeopardizes other legitimate transmission projects. This risk to the consumers could have easily been prevented.
12. As stated above, the uncertainties presented by the Project are numerous and the transmission line may never be built. Now, other potentially viable and successful transmission projects will have to wait on the sidelines to see if Rock Island can get its act together by, among other things, finding money, qualified employees, suppliers, and numerous regulatory approvals. None of this benefits Illinois consumers, the market, or the reliability of the electric system. Instead, it puts everything at greater risk.
13. For these reasons, the Commission should rehear the evidence in this docket related to §8-406(B).

**WHEREFORE**, the ILLINOIS AGRICULTURAL ASSOCIATION a/k/a the Illinois Farm Bureau, respectfully requests that the Commission enter an Order approving this Application by ordering a rehearing on the issues detailed herein, and for such other and further relief as may be just and proper.

**ILLINOIS AGRICULTURAL ASSOCIATION  
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The undersigned certifies that a copy of the foregoing instrument was served upon:

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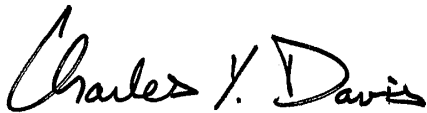
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via electronic transmission on this 26<sup>th</sup> day of December, 2014.

  
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