

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

WOLF CARBON SOLUTIONS US LLC)
)
APPLICATION PURSUANT TO THE CARBON)
DIOXIDE TRANSPORTATION AND)
SEQUESTRATION ACT (220 ILCS 75/1 *et. seq.*)
FOR A CERTIFICAATE OF AUTHORITY TO)
CONSTRUCT AND OPERATE A CARBON)
DIOXIDE PIPELINE AND WHEN)
NECESSARY TO TAKE INTERESTS IN)
PROPERTY AS PROVIDED BY THE LAW OF)
EMINENT DOMAIN)

Docket No. 23-0475

VERIFIED PETITION TO INTERVENE

The City of Peoria, Illinois (“City”) pursuant to 83 Ill. Adm. Code §200.200 petitions the Illinois Commerce Commission (the “Commission”) for permission to intervene in the above-captioned proceeding and participate in this matter as a full and active party. In support of this petition, the city states as follows:

1. The City is a home-rule municipal corporation duly organized under and existing by the laws of the State of Illinois.
2. The City operates a professional, full-time Fire Department (“Fire Department”) with over 180 commissioned suppression personnel. The Fire Department provides fire suppression, rescue, emergency medical service and hazardous material mitigation throughout the 50 square miles of the City.
3. The Fire Department provides fire suppression, rescue, emergency medical service and hazardous material mitigation beyond the City limits pursuant to its mutual aid agreements with other jurisdictions and as a member of the Mutual Aid Box Alarm System (“MABAS”).

4. MABAS, in partnership with the Illinois Emergency Management Agency, is a state-wide mutual aid response system for fire, emergency medical services and specialized incident operational teams.

5. The Fire Department operates two specialize incident response teams, Hazardous Material and Technical Rescue and deploys upon request when needed by MABAS.

6. For any response that would be needed in Peoria County for Hazardous Materials, the Fire Department would be the first to respond. (Map of Illinois Mutual aid Box Alarm System Hazardous Material Team Location attached hereto as Exhibit A). There is a Hazardous Materials Team in Rock Island County but none in Henry County or Stark County creating the potential for the Fire Department to have initial response obligations to the two counties along the proposed route between Rock Island County and Peoria County. A major or complex incident involving extended resources anywhere along the proposed pipeline would include a response from multiple Hazardous Materials Teams. Therefore, the Peoria Fire Department could then be responding anywhere along the proposed pipeline route.

7. For any response that would be needed in Peoria County for Technical Rescue, the City's Fire Department would be the first to respond. There are no Technical Rescue Teams in Henry, Stark or Knox Counties. This could result in the Fire Department having initial response obligations in a large stretch of the proposed route between Rock Island County and Peoria County. A major or complex incident involving extended resources anywhere along the proposed pipeline would include a response from multiple Technical Rescue Teams. Therefore, the Peoria Fire Department could then be responding anywhere along the proposed pipeline route.

8. On June 16, 2023, Wolf Carbon Solutions US LLC ("WCSUS" or "Wolf") initiated this proceeding by filing an Application for Certificate of Authority pursuant to the Carbon Dioxide

Transportation and Sequestration Act (“CO2 Act). 220 ILCS 75/1 *et. seq.* Included in its request, Wolf seeks an Order authorizing the design, construction, and operation of an Illinois pipeline and appurtenant facilities (“Mt. Simon Hub”). Wolf also seeks authorization to take and acquire easements and interest in private property in a manner provided for by eminent domain, as provided in Section 75/20(i) of the CO2 Act.

9. Wolf did not identify the City of Peoria as an entity whose property rights and/or facilities may be affected by the proposed route. However, the City of Peoria has a direct interest in the subject matter of this proceeding as its Fire Department would likely be called to respond to any incident on the pipeline within Peoria County.

10. Copies of pleadings, notices and correspondence in this proceeding should be sent to the following address:

Chrissie L. Kapustka
Deputy Corporation Counsel
City of Peoria
419 Fulton Street, Room 403
Peoria, Illinois 61602
Phone: 309-494-8590
Email: ckapustka@peoriagov.org

11. The City agrees to accept the status of the record as it exists at the time of its intervention and to accept service by electronic means as provided for in Section 200.1050 of the Commission’s Rules of Practice. (83 Ill. Adm. Code 200.1050).

12. The City’s interest in the subject matter of this case cannot be adequately represented by any other party.

13. This Petition to Intervene will not delay these proceedings.

WHEREFORE, the City of Peoria respectfully requests that the Illinois Commerce Commission enters an Order for Leave to Intervene and the City have the ability to participate as an active party.

Respectfully Submitted,
City of Peoria

By: /s/ Chrissie L. Kapustka

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VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this Verified Petition to Intervene of the City of Peoria in Docket No. 23-0475 are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verify believes the same to be true.

DocuSigned by:

Patrick Ulrich

4B1F3DF869874EB

F. Patrick Ulrich
City Manager

CERTIFICATE OF SERVICE

I, Chrissie L. Kapustka, do hereby certify that I caused a true and accurate copy of the Verified Petition to Intervene on behalf of the City of Peoria to be served by electronic means to the parties listed on the Illinois Commerce Commission's e-docket service list for this docket as of this 11th day of July, 2023.

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*Active

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