## STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

WOLF CARBON SOLUTIONS US LLC,	)	
	)	
Application Pursuant to the Carbon Dioxide	)	
Transportation and Sequestration Act (220 ILCS	)	Docket No. 23-0475
75/1 et seq.) for a Certificate 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.	)	

## **PETITION TO INTERVENE**

NOW COMES Intervenor, ROCK ISLAND COUNTY, ILLINOIS ("Rock Island County"), by and through State's Attorney, Dora Villarreal, and Assistant State's Attorney, Jacob A. Mellinger and pursuant to Section 200.200 of the Rules Practice of the Illinois Commerce Commission ("Commission"), 83 ILL. ADM. CODE 200.200, respectfully petitions the Commission for leave to intervene and participate in this matter, and in support of its Petition to Intervene, hereby states as follows:

- 1. Wolf Carbon Solutions US LLC ("Petitioner") is asking the Commission for a Certificate of Authority pursuant to the Carbon Dioxide Transportation and Sequestration Act ("CO2 Act") (220 ILCS 75/1 et seq.). Petitioner is also seeking an order authorizing it to construct and operate a pipeline system in Illinois, and if and when necessary, to take and acquire easements and interest in private property through the exercise of eminent domain, as provided in Section 75/20(i) of the CO2 Act.
- 2. Petitioner is proposing to construct the pipeline through the counties of Rock Island, Henry, Knox, Stark, Peoria, Tazewell, Logan, DeWitt, and Macon Counties.
- 3. Petitioner's proposed pipeline will span the northern area of Rock Island County.

  Presumably, Petitioner's pipeline will cross many roads and other improvements operated by Rock Island County that may be impacted thereby. Rock Island County, along

with other units of local governments within the County, provides emergency responders to events occurring within the County.

- 4. Pursuant to Section 20(b) of the CO2 Act, the Commission is to consider whether the proposed pipeline is consistent with the public interest, public benefit, and legislative purpose of the CO2 Act when considering Petitioner's Application for Certificate of Authority. The CO2 Act specifically provides that the Commission is to consider evidence of the proposed pipeline's impact upon the economy, infrastructure, and public safety presented by local government units that will be affected by the proposed pipeline route. 220 ILCS 75/20(b)(8)(A).
- 5. As a unit of local government that will be impacted by Petitioner's proposed pipeline, Rock Island County is therefore interested in the subject matter of this proceeding as it will be affected by any order entered by the Commission.
  - 6. No other party is able to adequately protect the interests of Rock Island County.
- 7. Rock Island County agrees to accept service by electronic means as provided in Section 200.1050 of the Commission's Rule of Practice, 83 Ill. Adm. Code 200.1050.
  - 8. Rock Island County intervention will not cause delay.
- 9. Copies of all pleadings, notices, correspondence, and other documents in this docket should be sent to the undersigned attorneys:

Jacob A. Mellinger
Rock Island County State's Attorney
1317 3<sup>rd</sup> Ave, 2<sup>nd</sup> Floor
Rock Island, IL 61201
mellingerj@rockislandcountyil.gov

Patricia Castro
Rock Island County State's Attorney
1317 3<sup>rd</sup> Ave, 2<sup>nd</sup> Floor
Rock Island, IL 61201
Castrop@rockislandcountyil.gov

Austin Carlson
Rock Island County State's Attorney
1317 3<sup>rd</sup> Ave, 2<sup>nd</sup> Floor
Rock Island, IL 61201
Carlsona@rockislandcountyil.gov

10. Pending a ruling on this Petition for Leave to Intervene, Rock Island County respectfully requests that the Administrative Law Judge permit it to participate in this proceeding.

WHEREFORE, Intervenor, ROCK ISLAND COUNTY, ILLINOIS, hereby respectfully requests that the Commission grant it leave to intervene and participate as a party in this proceeding.

ROCK ISLAND COUNTY, ILLINOIS, Intervenor

By: /s/Jacob A. Mellinger

Jacob A. Mellinger

Jacob A. Mellinger
ARDC# 6336376
Assistant State's Attorney
Rock Island County State's Attorney's Office
1317 3<sup>rd</sup> Avenue, 2<sup>nd</sup> Floor
Rock Island IL 61201
P: (309) 558-3249
F: (309) 558-3244
mellingerj@rockislandcountyil.gov

## **VERIFICATION**

STATE OF ILLINOIS	)
	) SS
COUNTY OF ROCK ISLAND	)

I, Jacob A. Mellinger, certify that: (i) I am an attorney for Rock Island County, Illinois; (ii) I have read the forgoing Petition to Intervene; (iii) I am familiar with the facts stated therein; and (iv) the facts are true and correct to the best of my knowledge, information and belief.

Jacob A. Mellinger

SUBSCRIBED AND SWORN to before me this 24 day of October, 2023

OFFICIAL SEAL
JACLYN K. CLAERHOUT
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 19-22-2017

Notary Public

## **PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing instrument was served upon:

Christine Baranowski Ouska Senior Legal Analyst Exelon Business Services Company Three Lincoln Centre, 04-SE-042 Oak Brook Terrace, IL 60181 E-Mail: christine.ouska@exeloncorp.com

Ashley A. Bukowski Office of General Counsel Illinois Commerce Commission 527 E. Capitol Ave. Springfield, IL 62701 E-Mail: ashley.bukowski@illinois.gov

Kenneth M. Florey
Atty. for Katherine M. Miller Trustee
Robbins, Schwartz, Nicholas, Lifton &
Taylor, Ltd.
550 Warrenville Rd., Ste. 460
Lisle, IL 60532
E-Mail: kflorey@robbins-schwartz.com

Daniel L. Hamilton Atty. for Peoria County Brown Hay & Stephens, LLP PO Box 2459 205 S. Fifth St., Ste. 700 Springfield, IL 62705 E-Mail: dhamilton@bhslaw.com

Leslie D. Haynes
Administrative Law Judge
Illinois Commerce Commission
N. LaSalle St., Ste. C-800
Chicago, IL 60601
E-Mail: leslie.haynes@illinois.gov

Richard Bernet
Assistant General Counsel
Commonwealth Edison Company
10 S. Dearborn St., 52nd Fl.
Chicago, IL 60603
E-Mail: richard.bernet@exeloncorp.com

Charles Y. Davis
Atty. for Peoria County
Brown Hay & Stephens, LLP
PO Box 2459
205 S. Fifth St., Ste. 1000
Springfield, IL 62705
EMail: cdavis@bhslaw.com

Lucas J. Hall Atty. for Peoria County Brown Hay & Stephens LLP PO Box 2459 205 S. Fifth St., Ste. 1000 Springfield, IL 62705 E-Mail: lhall@bhslaw.com

Laura A. Harmon Asst. General Counsel Office of General Counsel Illinois Agricultural Association 1701 Towanda Ave. Bloomington, IL 61701 E-Mail: <u>lharmon@ilfb.org</u>

Michael P. Holly
Tazewell County State's Attorney Office
342 Court St.
Pekin, IL 61554
E-Mail: mholly@tazewell-il.gov

Benjamin Jacobi
Atty. for Wolf Carbon Solutions US LLC
Polsinelli PC
150 N. Riverside Plz., Ste. 3000
Chicago, IL 60606 E-Mail:
bjacobi@polsinelli.com

Chrissie L. Kapustka
Interim Corporation Counsel
City of Peoria
419 Fulton St., Ste. 403
Peoria, IL 61602
E-Mail: ckapustka@peoriagov.org

Thomas Kost
Landowner
2104 Big Island Pkwy.
Milan, IL 61624
E-Mail: tntkost@sbcglobal.net

Lauren B. McQueen
Atty. for Citizens Against Predatory Pipelines
Meyer Capel, A Professional Corporation
306 W. Church St.
Champaign, IL 61820
E-Mail: <a href="mailto:lmcqueen@meyercapel.com">lmcqueen@meyercapel.com</a>

Jonathan L. Phillips
Atty. for Kost Landowners
Phillips & Bathke, P.C.
4541 N. Prospect Rd., Ste. 300A
Peoria Heights, IL 61616 EMail: <u>ilap@pb-iplaw.com</u>

Nicole Roth
Administrative Law Judge
Illinois Commerce Commission
527 E. Capitol Ave.
Springfield, IL 62701
E-Mail: nicole.roth2@illinois.gov

Brett Seagle Case Manager Andrea Jakubas
Office of General Counsel
Illinois Commerce Commission
4. N. LaSalle, Ste. C-800
Chicago, IL 60601
E-Mail: andrea.jakubas@illinois.gov

Christine Kost
Landowner
2104 Big Island Pkwy.
Milan, IL 61624
E-Mail: tntkost@sbcglobal.net

Michelle McCarty
Paralegal
Commonwealth Edison Company
10 S. Dearborn St., 52nd Fl.
Chicago, IL 60603
E-Mail: michelle.mccarty@comed.com

Joseph D. Murphy
Atty. for Citizens Against Predatory Pipelines
Meyer Capel, a Professional Corporation
306 W. Church St.
PO Box 6750
Champaign, IL 61826-6750 EMail: jmurphy@meyercapel.com

Sean Pluta
Atty. for Wolf Carbon Solutions US LLC
Polsinelli PC
150 N. Riverside Plz., Ste.
3000 Chicago, IL 60606 EMail: spluta@polsinelli.com

Emma D. Salustro Assistant General Counsel Commonwealth Edison Company 10 S. Dearborn St., 52nd. Fl. Chicago, IL 60603 E-Mail: emma.salustro@comed.com

Bridget A. Sheehan Office of General Counsel Illinois Commerce Commission 527 E. Capitol Avenue Springfield, IL 62701 E-Mail: brett.seagle@illinois.gov Monica Singh Office of General Counsel Illinois Commerce Commission 160 N. LaSalle St., Ste. C800 Chicago, IL 60601

E-Mail: monica.singh@illinois.gov

David Streicker Atty. for Wolf Carbon Solutions US LLC Polsinelli PC 150 N. Riverside Plz., Ste. 3000 Chicago, IL 60606 E-Mail: dstreicker@polsinelli.com

Garrett W. Thalgott Office of General Counsel Illinois Agricultural Association 1701 Towanda Ave. Bloomington, IL 61702-2901 E-Mail: gthalgott@ilfb.org

Illinois Commerce Commission 160 N. LaSalle St., Ste. C-800 Chicago, IL 60601

E-Mail: bridget.sheehan@illinois.gov

M. Neal Smith Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. 550 Warrenville Rd., Ste. 460 Lisle, IL 60532 E-Mail: nsmith@robbins-schwartz.com

Logan J. Sweeney Robbins Schwartz Nicholas Lifton & Taylor, Ltd. 550 Warrenville Rd., Ste. 460 Lisle, IL 60532 E-Mail: lsweeney@robbins-schwartz.com

via electronic transmission on this 24<sup>th</sup> day of October, 2023.

/s/ Jacob A. Mellinger