Nos. 131026 and 131032

IN THE
SUPREME COURT OF ILLINOIS

CONCERNED CITIZENS & PROPERTY OWNERS, et al.,

Respondents-Appellees,

v.

ILLINOIS COMMERCE COMMISSION; and GRAIN BELT EXPRESS LLC,

Petitioners-Appellants.

On Appeal from the Appellate Court of Illinois, Fifth Judicial District, Appeal No. 5-23-0271,

There Heard On Appeal from the Illinois Commerce Commission, ICC Docket No. 22-0499

BRIEF OF *AMICUS CURIAE* CLEAN GRID ALLIANCE AND AMERICAN CLEAN POWER ASSOCIATION IN SUPPORT OF PETITIONER GRAIN BELT EXPRESS LLC

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POINTS AND AUTHORITIES

INTERESTS OF THE AMICUS CURIAE

Clean Grid Alliance ("CGA") is a 501 (c)(3) corporation organized and existing under the laws of the state of Minnesota. CGA is dedicated to renewable energy's fair access to the electric transmission system and market and advancing clean energy policy goals in a nine-state region in the Upper Midwest.[1] Its members are comprised of utility-scale wind, solar, and energy storage developers, environmental organizations, public interest groups, renewable energy experts, clean energy advocates, and businesses providing goods and services to the renewable energy industry, some of whom are headquartered, have offices in or provide services within Illinois and the markets that will be served by Petitioner Grain Belt Express LLC ("GBX"). Clean Grid Alliance supported approval of the CPCN for GBX in front of the Illinois Commerce Commission in docket number 22-0499. As an intervenor, CGA sponsored testimony in that docket on the need and benefits of the project.

American Clean Power Association ("ACP") is a non-profit 501(c)(6) organization incorporated under the laws of the District of Columbia. ACP is a national trade association representing a range of member companies with a common interest in encouraging the deployment and expansion of wind, solar, energy storage, and electric transmission in the United States,

[1] Clean Grid Alliance's footprint includes Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, South Dakota, and Wisconsin.

including project developers, project owners and operators, financiers, utilities, marketers and customers. Many ACP members are active market participants, or are developing clean energy projects, in Illinois and the regions of the country that GBX will connect.

CGA and ACP have a significant interest in this appeal because transmission is critical infrastructure for increasing renewable energy development and deployment. GBX's project will be capable of delivering 2,500 megawatts of power from renewable energy projects in Kansas to the Sullivan/Breed substation of American Electric Power Company in Sullivan County, Indiana (which is interconnected with the PJM Interconnection, LLC ("PJM") transmission grid) and delivering up to 2,500 megawatts of power from the same renewable energy projects in Kansas to an interconnection point in Missouri (which is interconnected into the Midwest Independent System Operator, Inc. ("MISO")). This additional transmission capacity (and the renewable energy that it promises to deliver) is also critical to enable Illinois to meet its state renewable portfolio standards (RPS), as required by the Climate and Equitable Jobs Act ("CEJA," also known as Public Act, 102-0662).

Left unaddressed, the Fifth District's decision in this case will adversely affect CGA and ACP's members' ability to interconnect their projects to the electricity grid and to sell their projects' capacity or energy via the wholesale markets in SPP, MISO, or PJM. In short, CGA and ACP have a

significant interest in the reinstatement of ICC's decision and can provide this Court with insights on the effects of this case on parties other than the named parties.

INTRODUCTION

The U.S. power grid is currently undergoing a complete transformation, driven by a combination of state and federal policy, consumer demand and corporate sustainability goals, aging infrastructure, and technological advancements. This transformation is occurring at a time when our grid faces additional vulnerabilities stemming from climate volatility and increasing demand. As clearly demonstrated by the record in this case, increasing backbone transmission capability is key to stabilizing the grid, meeting our state and national energy policy goals, and ensuring reliable and affordable access to energy.

The Illinois Commerce Commission ("ICC") found that the Grain Belt Express transmission line ("GBX" or "the Project") that is the subject of this case met the legal standards to obtain a Certificate of Public Convenience and Necessity under Illinois law. Namely, the Project is necessary to provide adequate, reliable, and efficient service, will promote a developing and effectively competitive electricity market, and is the least cost means of satisfying those objectives. ICC Ord., C 5874. The Commission based its finding on substantial evidence, supported by the record, which established that there is "a need to address a lack of adequate transmission service to

move electricity from the resource area of western Kansas to the MISO and PJM markets, including Illinois" and that Illinois residents will benefit from "substantial reliability and resiliency benefits by interconnecting three regions" that GBX will provide. *Id.*

However, the Fifth District overturned the ICC's decision. This action, if upheld, will cause Illinois customers to lose out on the significant reliability, resiliency, and cost-saving benefits that GBX promises to deliver.

PROJECT DESCRIPTION

Grain Belt Express is developing a ±600 kilovolts ("kV"), 5,000-megawatt ("MW") capacity, high-voltage direct-current ("HVDC") transmission line that will connect renewable energy resources in southwest Kansas to a substation in Sullivan County, Indiana (the "Project"), traversing across Kansas, Missouri, Illinois, and Indiana. The Project is one of a kind: GBX will interconnect three significant power markets – Southwest Power Pool ("SPP"), the Midcontinent Independent System Operator ("MISO") and PJM Interconnection, LLC ("PJM"), providing low cost power from SPP to MISO and PJM during normal conditions, and having the ability to reverse direction and provide power into any of those three regional transmission organizations ("RTOs") during system instability or extreme weather.

The Project offers a host of benefits that make it needed and useful to the public. Clean Grid Alliance offered 50 pages of expert testimony in the ICC proceeding below outlining the need for the GBX line and its unique

characteristics. (C 3605–3672.) Because GBX will interconnect three RTOs, the project has the ability to buffer Illinois and neighboring states against weather-based reliability issues and market volatility by directly injecting energy into an affected RTO from generation connected to this line hundreds of miles away. In addition, the Project promises to open access to low-cost renewable energy resources and offer the following benefits to the state of Illinois:

- Delivery of a significant volume of untapped, high-quality, renewable energy and RECs into PJM and MISO that can be used by Illinois utilities and corporations in Illinois to comply with Illinois' renewable portfolio standards (see 20 ILCS 3855/1-75(c) and 20 ILCS 3855/1-75(c)(1)(R));
- Reduction of RPS compliance costs through increased competition;
- Reduction of pollution emitted from generators in Illinois and nearby states;
- Replacement of fossil-fired power plants slated to retire because they are no longer economic;
- Promotion of an effectively competitive wholesale market by reducing energy and capacity prices;
- Reduction of wholesale market price volatility due to fluctuating fuel prices; and
- Improvement of system reliability and resilience.

(C 3609–10.) This Court should overturn the Fifth District's decision because it deprives Illinois customers of the above-listed benefits and jeopardizes future clean energy infrastructure development.

ARGUMENT

I. Grain Belt Express provides unique benefits to the grid by connecting energy markets controlled by multiple RTOs.

In considering the importance of Grain Belt Express, and its likely benefits to Illinois customers, the Court should take note of the project's effort to bridge multiple regions of the interstate electric grid. Much of the U.S. electric grid is administered by RTOs – independent companies, which do not own transmission assets, but serve as 'air traffic controllers' for flows of high-voltage electricity and administer electricity markets.[2] *See generally* An Introductory Guide to Electricity Markets Regulated by the Federal Energy Regulatory Commission (last updated Jan. 23, 2025), https://www.ferc.gov/introductory-guide-electricity-markets-regulated-federal-energy-regulatory-commission. In these markets, electricity prices are typically set based upon a single clearing price auction. This means that each generator submits a bid with a price for its electricity. The grid operator then sequentially selects suppliers beginning with the lowest bid, and moves upward through the stack of bids until demand is satisfied. The last bid selected (the "marginal" bid) sets the clearing price; all resources that supply their electricity to the market receive that price. *See id.* This means that the addition of lower-cost resources has the effect of shifting the margin, and

[2] Regional Transmission Organizations are also referred to as Independent System Operators, or simply "grid operators." Although the Federal Energy Regulatory Commission recognizes distinctions between these terms, they are not material to this proceeding.

reducing the price that *all* customers pay – because the auction uses a single clearing price.

Importantly, there is relatively little ability to transfer power among these regions (compared to the demand and transmission within each region), and there has been little investment in high-voltage transmission between them. *See generally* Johannes Pfeifenberger, The Value of Interregional Transmission: Grid Planning for the 21st Century, Brattle (Sept. 27, 2023), https://www.brattle.com/wp-content/uploads/2023/09/The-Value-of-Interregional-Transmission-Grid-Planning-for-the-21st-Century.pdf (noting no major interregional transmission projects planned by grid operators in the past decade). This is despite sometimes-significant price differences between the regions. U.S. Department of Energy, National Transmission Needs Study: Supplemental Material (Feb. 2023), https://www.energy.gov/sites/default/files/2023-02/022423-DRAFTNeedsStudySupplementalMaterialforPublicComment.pdf. In some regions, power prices in recent years have been negative in many hours – meaning that so much supply (most often, wind and solar energy) is available that generators are effectively paying the market to take their output. *See* Joachim Seel et al., Plentiful electricity turns wholesale prices negative, ScienceDirect (Oct. 22, 2021), https://www.sciencedirect.com/science/article/pii/S2666792421000652. If

more transmission were available, that low-cost electricity could serve customers in other regions with higher locational prices.

Of particular relevance to this proceeding, Illinois is on a "seam," with its utilities and customers divided between two markets – PJM Interconnection LLC ("PJM") and the Midcontinent Independent System Operator, Inc. ("MISO"). Grain Belt Express is intended to bridge these regions, as well as the Southwest Power Pool ("SPP")(a third grid operator, to the west) and Associated Electric Cooperative Incorporated (which is not within a grid operator's footprint). *See* Grain Belt Express Launches Open Soliciation Process to Offer HVDC Transmission Line Capacity Delivering to MISO/AECI (Mar. 2024), https://grainbeltexpress.com/grain-belt-express-launches-open-solicitation-process-to-offer-hvdc-transmission-line-capacity-delivering-to-miso-aeci/.

The importance of a high-voltage connection between markets is expressly recognized in Illinois law. *See* 220 ILCS 5/8-406(b-5) (requiring a qualifying interregional line to participate in MISO and/or PJM upon ICC determination). Indeed, the ICC expressly noted these benefits in its March 2023 decision approving Grain Belt Express. *See* ICC Ord., C 5879 ("Grain Belt Express has demonstrated that the Project will promote an effectively competitive electricity market. It will do so by, at a minimum, injecting low-cost renewable energy into the MISO and PJM markets and exerting downward pressure on electricity and REC prices.") The ICC's conclusions

remain correct. By directly linking MISO and PJM to low-cost electricity from Kansas (in SPP), Grain Belt Express will add inexpensive energy to single-price auctions in MISO and PJM markets – resulting in lower prices for Illinois customers.

II. Grain Belt Express addresses the need for additional transmission capacity in MISO and inter-regionally.

In addition to providing benefits from a markets perspective, GBX will provide substantial benefits for grid reliability and resiliency. National studies show that increased transmission capacity will play a large role in future-proofing the grid, which is increasingly important as we move toward increased electrification, grid decarbonization, and as we are experiencing increased extreme weather events. *See* Johannes Pfeifenberger, The Benefits of Interregional Transmission: Grid Planning for the 21st Century, Brattle (Mar. 15, 2022), https://www.brattle.com/wp-content/uploads/2022/03/The-Benefits-of-Interregional-Transmission-Grid-Planning-for-the-21st-Century.pdf. As discussed in more detail below, transmission infrastructure that can increase interregional transfer capabilities and resource diversification maintains grid reliability, improves grid resilience, and facilitates new renewable energy resources integration onto the grid. *See* U.S. Department of Energy, National Transmission Needs Study (Oct. 30, 2023), https://www.energy.gov/gdo/national-transmission-needs-study.

The need for improving grid infrastructure to support increased penetration of renewables has also been studied extensively by MISO. In

2021, MISO's Renewable Integration Impact Assessment ("RIIA") outlined the challenges of increasing renewable energy penetrations on the grid, and identified solutions. MISO's Renewable Integration Impact Assessment (RIIA) Summary Report, MISO (Feb. 2021), https://cdn.misoenergy.org/RIIA%20Summary%20Report520051.pdf. The RIIA describes grid challenges as renewable energy represents 0-10%, 10-20%, 20-30%, 30-40%, and 40-50% of the energy produced in MISO. The report identifies a key inflection point – at between 30-40% renewable penetration, at which the MISO grid faces new risks related to system stability: "Large regional pockets of inverter-based generation need strong reinforcement to maintain system stability, due to these resources' inability to maintain a stable voltage when concentrated in large numbers." *Id*. at 14. Addressing the challenges presented by these incremental increases of renewable energy penetration requires a shift towards higher voltage, longer, and higher transmission lines. *Id*. at 20.

Grain Belt Express is a part of this needed solution. Evidence provided in the record of this proceeding showed that GBX provides the following reliability and resilience benefits, derived largeley from GBX's ability to transfer power between regions, which facilitates an increased diversification of supply:

Benefit	Benefit Description	Potential GBX Benefits
RELIABILITY BENEFITS		
EXTREME WEATHER EVENTS: mitigation of high energy prices during extreme weather events	Additional transfer capacity between organized markets decreases wholesale energy prices during increasingly frequent extreme weather events	Over the 2014-2021 time period GBX would have mitigated approximately **$407.4 M** of emergency energy pricing impact to customers in the markets served by the Project
LOAD SHEDDING: value of avoided risk of load shedding	Estimates economic value of lost load due to unplanned loss of generation	MISO value of avoided risk of load shedding or value of lost load: • 3 year benefit range: **$84M to $552M** • 30 year benefit range of **$360M to $2,270M**
RESILIENCE BENEFITS		
Reduced generation procurement obligation	Approximates value of mitigated local capacity procurements to satisfy loss of load expectation requirements.	Reduced procurement obligations of transmission systems interconnected to GBX: • Annual benefit: **$526.4M** • 30-year benefit: **$ 7,638M** (NPV)
Avoided High Planning Resource Auction (PRA) Prices	Approximates the ability of GBX to push down annual resource adequacy auction prices by relieving resource scarcity	Annual MISO PRA avoided cost range: • Applying a $26.82/MW-day Auction Clearing Price: **$346.0M** • Applying a $60/MW-day Auction Clearing Price: **$410.9M**

Table reproduced from Initial Brief of Clean Grid Alliance, C 4735–36.

1. Transfer capabilities between regions

The ICC found that GBX will address a lack of adequate transmission service to move electricity from the resource area of western Kansas to the MISO and PJM markets, including Illinois. ICC Ord., C 5879. This attribute

of GBX addresses a key weakness in the U.S. grid's reliability and resiliency: a lack of the ability to transfer power between RTOs. However, interregional transmission planning and development is lacking, and GBX presents a much-needed solution. In fact, a 2023 study conducted by ACORE and Grid Strategies concluded that in order to unlock the energy cost savings, capacity benefits, renewable energy expansion, and resiliency enabled by interregional transmission, a key solution is to allow merchant transmission lines to fill the interregional planning gap. *See* Michael Goggin and Zach Zimmerman, Billions in Benefits: A Path for Expanding Transmission Between MISO and PJM (Nov. 2023), https://acore.org/wp-content/uploads/2023/11/ACORE-Billions-in-Benefits-A-Path-for-Expanding-Transmission-Between-MISO-and-PJM.pdf. Grain Belt Express will do exactly that.

2. Diversification of power supply

Diversification of generating resources also improves system economics and the reliability of each RTO. Each RTO aggregates generation produced by hundreds of resources in order to provide a constant and reliable power supply. By aggregating a diverse portfolio across an even larger geographic footprint consisting of multiple RTOs, generation and demand peaks and other patterns seen at the RTO level can flatten out even further, resulting in increased reliability and decreased risk of price spikes. (C 3643–44.)

These benefits become increasingly valuable as the grid incorporates higher renewable penetrations. (C 3647.) For variable resources like wind and solar, "[e]ven a relatively small amount of geographic distance between

them is enough for the output profiles of two wind plants or two solar plants to be less than perfectly correlated, as local weather phenomena no longer affect both plants simultaneously." (C 3647.) This diversity results in a more constant output, even during peak demand. It reduces the cost of building generation, because less power plant capacity is needed to reliably meet peak demand and planning reserve margins. It also reduces the needs for flexible resources to change their level of output. By increasing the geographic diversity of wind and solar resources, the Project will increase the value of the energy and capacity provided by renewable resources in SPP, MISO, and PJM by reducing their variability and increasing their capacity value. (C 3645.)

The wind and solar resources accessed by the Project exhibit significant output diversity relative to existing wind and solar resources in Illinois, given the large geographic distance between those resources. For example CGA witness Goggin evaluated data for SPP, MISO and PJM and found that that Kansas produces solar power one hour longer than that of Illinois and two hours longer than eastern PJM. Therefore, Kansas solar resources are still producing power when MISO and PJM are experiencing peak net load. The ability of GBX to access these resources from SPP when they are needed most in MISO and PJM will provide significant benefits for Illinois.

III. The ICC's Order Reflected its Appropriate Jurisdictional Role, and Did Not Interfere with Federal Regulation

In its March 2023 order, the ICC found that GBX "does not have a right to recover its costs through RTO regional cost allocation." ICC Ord., C 5893. Accordingly, the ICC imposed a "Cost Allocation Condition" requiring GBX to "both obtain permission from the Commission to utilize cost allocation to recover costs from Illinois retail electricity ratepayers and to demonstrate to the applicable RTO or RTOs that the benefits of the Project were such that costs should be allocated to all customers through the RTO's transmission tariff." ICC Ord., C 5893.

Although the Fifth District did not address the jurisdiction of the ICC vis-a-vis FERC in its 2024 decision, this Court should take note that the issue was amply briefed by Respondent Nafsica Zotos and GBX before the Fifth District. Appellant Zotos contended that the ICC's conditioning of any future GBX cost allocation upon a subsequent Commission decision impermissibly interfered with FERC's jurisdiction. As a matter of law, the ICC was correct in 2023 and remains correct now that it may permissibly require GBX to obtain regulatory approval – importantly, from both the ICC *and an RTO* – before it may allocate any of its costs to Illinois ratepayers.

Notably, Illinois has required incumbent utilities to belong to independent system operators since 2001. *See* 220 ILCS 5/16-126. With that *state-required* membership in an interstate grid operator comes numerous

conditioning requirements; Illinois law requires utilities file at FERC to join a grid operator that can:

> 1) independently manage and control transmission facilities of any electric utility;
>
> (2) provide for nondiscriminatory access to and use of the transmission system for buyers and sellers of electricity;
>
> (3) direct the transmission activities of the control area operators;
>
> (4) coordinate, plan, and order the installation of new transmission facilities;
>
> (5) adopt inspection, maintenance, repair, and replacement standards for the transmission facilities under its control and direct maintenance, repair, and replacement of all facilities under its control; and
>
> (6) implement procedures and act to assure the provision of adequate and reliable service.

Id.

With membership in a grid operator such as PJM or MISO comes the adoption of the region's FERC-jurisdictional cost-allocation rules. In light of Illinois' own longstanding law in this area, Appellant Zotos' argument regarding jurisdiction boils down to the unremarkable assertion that the state and federal roles in electric utility regulation "are not hermetically sealed from each other." *FERC v. Elec. Power Supply Ass'n*, 577 U.S. 260, 281 (2016) (noting this in regarding FERC-jurisdictional wholesale electricity transactions and state-jurisdictional retail electricity transactions). Just as Illinois could properly direct utilities to join grid operators (and could, presumably, direct them to withdraw), it may require merchant projects to

seek state approval before joining a grid operator and allocating any costs to customers.

Further, the ICC's approval is not the end of the story. As noted above, the ICC directed GBX to seek approval from an RTO as well (presumably PJM or MISO). In almost any circumstance where a new market participant seeks to join a grid operator, FERC must weigh in. *See e.g.*, *Sw. Power Pool, Inc.*, 149 F.E.R.C. ¶ 61,113, 61,668 (2014) (conditionally accepting, subject to further proceedings, SPP filing enabling additional utilities in the upper Midwest to join that grid operator). Indeed, given that few HVDC interregional lines are included in *any* grid operator's cost allocation at present, it is inconceivable that GBX would be able to obtain cost allocation via a RTO tariff without FERC approval. Thus, the ICC's Cost Allocation Condition is best viewed as properly inhabiting the state role in the cooperative federalism that defines electricity regulation; for GBX to someday join an RTO, it will only be able to do so if both the ICC *and FERC* approve. Accordingly, this Court should find that the ICC rightly included the Cost Allocation Condition in its Order, without violating or interfering with FERC's jurisdiction.

IV. Additional transmission capacity is necessary to enable Illinois to meet its renewable energy requirements.

Illinois law establishes a requirement for utilities to obtain 45 million renewable energy credits ("RECs," each of which corresponds to 1 MWh of renewable electricity generation) per year by 2030. 20 ILCS 3855/1-75(c)(1).

This amount increases to require annual RECs to increase to 50% of electricity supply by 2040 – currently projected to be approximately 78 million RECs per year. Illinois Power Agency, Renewable Portfolio Standard REC and Budget Forecast Update (Feb. 27, 2025), https://ipa.illinois.gov/content/dam/soi/en/web/ipa/documents/20250227-rps-rec-and-budget-update-february-2025-27-feb-2025.pdf.

However, Illinois has consistently fallen short of its REC goals to-date and projects that absent a significant injection of RECs, the state will never come close to meeting these goals. In its February 27, 2025 Renewable Portfolio Standard REC and Budget Forecast Update, the Illinois Power Agency projected that, at current procurement rates, Illinois will not meet its current or future REC target and significant additional investment is needed:

Delivery Year	Total RECs Under Contract	Overall RPS Target	REC Shortfall	% of Target Currently Met
2023-24	7,747,883	26,022,605	18,274,722	30%
2024-25	8,603,916	27,600,406	18,996,489	31%
2025-26	11,805,234	29,269,237	17,464,003	40%
2026-27	13,562,197	32,647,447	19,085,250	42%
2027-28	16,347,889	36,564,970	20,217,081	45%
2028-29	20,439,642	40,854,560	20,414,918	50%
2029-30	21,643,693	45,635,924	23,992,232	47%
2030-31	21,589,622	51,084,224	29,494,602	42%
2031-32	21,534,394	54,278,955	32,744,560	40%
2032-33	19,617,315	57,647,567	38,030,253	34%
2033-34	19,131,264	60,901,985	41,770,721	31%
2034-35	18,438,193	64,130,813	45,692,620	29%
2035-36	18,610,450	67,051,744	48,441,294	28%
2036-37	14,370,488	69,669,124	55,298,635	21%
2037-38	14,132,558	71,719,438	57,586,881	20%
2038-39	13,727,233	73,807,783	60,080,549	19%
2039-40	13,264,891	75,781,991	62,517,100	18%
2040-41	12,212,245	77,887,812	65,675,567	16%
2041-42	12,040,516	78,187,707	66,147,191	15%
2042-43	12,000,407	78,497,878	66,497,470	15%

Illinois Power Agency, Renewable Portfolio Standard REC and Budget Forecast Update (Feb. 27, 2025), https://ipa.illinois.gov/content/dam/soi/en/web/ipa/documents/20250227-rps-rec-and-budget-update-february-2025-27-feb-2025.pdf (Reproduced using data from Table 3-5, Statewide REC Shortfall, Current REC Portfolio).

While the REC shortfall can be attributed to a number of factors, cost is a significant driver. The REC procurement program is budget-limited by law. 20 ILCS 3855/1-75(c)(1)(E). Thus, Illinois needs every tool in its toolbox available to increase cost-efficient REC delivery into the state.

Illinois law allows RECs to come from resources located within Illinois or an adjoining state, or, for resources located outside of those states that is delivered to one of those states via a Direct Current transmission project like GBX. *See* 20 ILCS 3855/1-75(c)(1)(I). GBX is a key solution to allow Illinois to comply with its renewable energy mandates.

CONCLUSION

For the reasons set forth above, CGA and ACP request that this Court reverse the Fifth District's decision and affirm the Commission's March 8, 2023 order.

Respectfully submitted,

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April 16, 2025

CERTIFICATE OF COMPLIANCE

I certify that this brief conforms to the requirements of Rules 341(a) and (b). The length of this brief, excluding the pages or words contained in the Rule 341(d) cover, the Rule 341(h)(1) table of contents and statement of points and authorities, the Rule 341(c) certificate of compliance, the certificate of service, and those matters to be appended to the brief under Rule 342(a), is 4,840 words.

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CERTIFICATE OF FILING AND SERVICE

I, James R. Griffin, attorney for Clean Grid Alliance and American Clean Power Association, certify that I electronically filed via Odyssey EFile IL the foregoing *amicus curiae* brief with the Clerk of the Supreme Court on the 16th of April, 2025.

The undersigned further certifies that on the 16th of April, 2025, an electronic copy of the foregoing motion is being served to counsel of record at the e-mail addresses below.

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Under penalties as provided by law pursuant to § 1-109 of the Code of Civil Procedure (735 ILCS 5/1-109), the undersigned certifies that the statements set forth in this instrument are true and correct.

/s/ James Griffin

E-FILED
4/28/2025 9:06 AM
CYNTHIA A. GRANT
SUPREME COURT CLERK