

REQUEST FOR PROPOSALS

FOR

STANDARD WHOLESALE ENERGY PRODUCTS

Levitan & Associates, Inc.

Procurement Administrator on behalf of

Illinois Power Agency

for

Ameren Illinois Utilities

AmerenCILCO

Peoria, IL

AmerenCIPS

Springfield, IL

AmerenIP

Decatur, IL

ISSUE DATE: April 8, 2009

DUE DATE: May 5, 2009

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1.0 Introduction

Leviton & Associates, Inc. (“LAI”), acting as Procurement Administrator on behalf of the Illinois Power Agency (“IPA”) for the Ameren Illinois Utilities, issues this Request for Proposals (“RFP”) for energy supply covering the period June 1, 2009 through May 31, 2011. Serving about 1.2 million customers throughout Illinois, the Ameren Illinois Utilities include Central Illinois Light Co. doing business as (d/b/a) AmerenCILCO, Central Illinois Public Service Co. d/b/a AmerenCIPS, and Illinois Power Co. d/b/a AmerenIP. Unless otherwise noted, AmerenCILCO, AmerenCIPS and AmerenIP are hereafter referred to as the Ameren Illinois Utilities. The Ameren Illinois Utilities are subsidiaries of Ameren Corporation, headquartered in St. Louis, Missouri. More information about the Ameren Illinois Utilities can be found at <http://www.ameren.com>.

The Illinois Power Agency seeks to secure the partial supply requirements of the Ameren Illinois Utilities’ eligible customers that are served under fixed-price, bundled service tariffs. Eligible customers include retail customers in the following customer classes for whom energy requirements are less than 1 MW: residential (BGS-1); non-residential less than 150 kW (BGS-2); non-residential from 150 kW to 400 kW (BGS-3A); non-residential from 400 kW up to 1,000 kW (BGS-3B); and, lighting service (BGS-5). The Ameren Illinois Utilities will purchase the requisite energy needed to satisfy eligible customers’ load requirements through the Midwest Independent System Operator (MISO) Day Ahead Market (DAM) and/or Real Time Market (RTM). Standard “fixed for floating” financially settled swap products will be procured under this RFP in order to hedge the Ameren Illinois Utilities’ exposure to uncertain energy prices from June 1, 2009, through May 31, 2011.

The Ameren Illinois Utilities will purchase the financial products defined in this RFP and will allocate each product in direct proportion to the respective load requirements of AmerenCILCO, AmerenCIPS and AmerenIP.

2.0 Background

Under the Electric Service Customer Choice and Rate Relief Law of 1997 (the “Customer Choice Law” or the “Law”), traditional retail customers were provided the opportunity to purchase their power and energy requirements from alternative suppliers. The Customer Choice Law also contained provisions to restructure the State's electric utility industry, in particular, incentives for electric utilities to divest generation assets. After being significantly discounted in accordance with the Customer Choice Law, retail rates were frozen and full requirements service was unbundled into generation service, transmission and distribution services. During this transition period, the Ameren Illinois Utilities utilized long-term purchased power agreements (“PPAs”) to provide capacity, energy and certain ancillary services to their full requirements customers. By January 1, 2007 the

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transition period and the PPAs used to supply service ended.

Facing the end of the transition period and the coincident expiration of the PPAs, the Ameren Illinois Utilities participated in the Illinois Commerce Commission (“ICC” or “Commission”) approved Illinois Auction in September 2006. The goal of the Illinois Auction was to procure the full requirements service – capacity, energy and ancillary services – needed to meet the requirements of the retail customers who continued to rely on the Ameren Illinois Utilities at the end of the transition period. For customers with peak demands up to 1 MW, the Illinois Auction produced contracts with varying terms covering total load: 17 months for about one-third, 29 months for the next one-third, and, 41 months for the last one-third. Upon expiration of the transition period, Ameren Illinois Utilities’ rates were unfrozen, thereby exposing customers to rate increases consistent with changes in market prices. As a result of the rate increases, Public Act 095-0481 was signed into law, including the Illinois Power Agency Act (“IPA Act”) and modifications to the Public Utility Act (“PUA”). The IPA Act and PUA replaced the Illinois Auction with a portfolio procurement process. This legislation declared that customer classes with peak demands of 400 kW or more to be competitive. The legislation also established the IPA to administer a procurement process beginning in June 2009. Under Section 16-111.5(a) of the PUA, the Ameren Illinois Utilities had oversight responsibility for procuring capacity, energy, and renewable energy credits (“RECs”) for eligible retail customers for the period June 1, 2008 through May 31, 2009. Procurement responsibility now shifts to the IPA and the IPA’s administrator to facilitate the procurement process to ensure additional power purchases from June 1, 2009.

Under Section 16-111.5(d) of the PUA, the IPA filed a procurement plan with the ICC. On January 7, 2009, the ICC approved the procurement plan with certain modifications.¹ Consistent with the requirements of the PUA, the procurement plan identifies the portfolio of energy and power products to be procured. On March 9, 2009, the IPA notified the ICC that it had selected LAI to serve as the Procurement Administrator for the 2009 procurement cycle for the Ameren Illinois Utilities procurement requirements. On March 11, 2009, the ICC voted to accept the IPA’s selection of LAI as Procurement Administrator for the Ameren Illinois Utilities. As Procurement Administrator, LAI is authorized to serve as the interface between the Ameren Illinois Utilities and bidders. In issuing this RFP, LAI has the responsibility for managing the bidder pre-qualification and registration process, receiving and reviewing all bids, and submitting a confidential report to the ICC recommending acceptance or rejection of bids. The IPA Act and the PUA authorize the Procurement Monitor to monitor the interactions among the Procurement Administrator, suppliers and the utilities and to report to the Commission on progress of the procurement process. The

¹ 08-0519 (Illinois Power Agency – Approval of Initial Procurement Plan) Order January 7, 2009.

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Procurement Monitor also consults with the Procurement Administrator regarding the development and use of benchmark criteria, standard form contracts, credit policies, and bid documents. Boston Pacific Company, Inc. has been selected to be the Procurement Monitor for this procurement process.

3.0 Purpose and Scope

The IPA has developed a portfolio of power products on behalf of the Ameren Illinois Utilities for the planning period June 1, 2009 through May 31, 2011, consistent with the ICC-approved procurement plan that will ensure adequate, reliable and affordable electric service to eligible customers at the lowest reasonable cost. To accomplish these objectives, the Ameren Illinois Utilities will utilize a portfolio approach that incorporates forward financial swap contracts procured on their behalf by the IPA, and physical purchases in the MISO DAM and/or RTM. On behalf of the IPA, LAI is also soliciting bids for both capacity and renewable energy credits in separate RFPs to serve eligible customer load. The products contemplated in this RFP are strictly limited to the purchase of fixed for floating financially settled swap products that will provide price stability for eligible customers.

Two-thirds of the full requirements service contracts entered into by the Ameren Illinois Utilities resulting from the Illinois Auction will have expired on May 31, 2009, and the remaining one-third will expire on May 31, 2010. The energy supply under these contracts will be replaced by the procurement of market energy purchases and will be substantially hedged through financial swaps. On August 28, 2007, the Ameren Illinois Utilities executed financial swap agreements covering a portion of the energy to serve eligible load for the period of June 1, 2009 to May 31, 2011. This financial swap agreement covers an 800-MW energy block around-the-clock (ATC) product for the June 2009 to May 2010 period, and a 1,000-MW energy block ATC product for the June 2010 to May 2011 period. Under the terms of this swap arrangement, the Ameren Illinois Utilities will pay a fixed price in exchange for a floating price, the MISO real-time locational marginal price (LMP) at the Ameren Illinois Load Zone. The remainder of the energy to serve eligible load under the procurement plan will be covered by the financial swap products solicited under this RFP.

3.1 Product Definition

The Ameren Illinois Utilities seek to procure financial swap products for the following total contract quantities and terms during the period **June 1, 2009 through May 31, 2011:**

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Contract Month	On-Peak Volume	Off-Peak Volume
June-09	1,000	550
July-09	1,450	800
August-09	1,400	800
September-09	850	600
October-09	700	350
November-09	650	500
December-09	850	650
January-10	900	750
February-10	800	650
March-10	650	450
April-10	500	300
May-10	500	300
June-10	750	300
July-10	1,050	650
August-10	1,000	550
September-10	650	400
October-10	450	150
November-10	450	300
December-10	650	400
January-11	750	500
February-11	600	450
March-11	450	250
April-11	300	100
May-11	300	100

The products to be procured are financially settled fixed for floating electricity swaps. The floating price will be calculated as the average MISO Day-Ahead LMP for each hour of each settlement month at the Ameren Illinois Utilities Load Zone. The parties will then net the difference between the agreed upon fixed price and the floating price.

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3.2 Bidding Requirements

Bidders may offer bids for any or all of these monthly products subject to the following restrictions:

1. Energy products shall be bid in whole MW amounts with a minimum bid quantity no less than 50 MW, in increments of 50 MW, up to a maximum bid quantity equal to the full volume for each product. Each 50-MW block may have a different price, or multiple blocks may be bid at the same price
2. Bidders may offer energy for all or some of the monthly energy products. For example, a bidder may offer 100 MW (2 blocks) for January 2010 Off-Peak, 450 MW (9 blocks) for July 2009 On-Peak, and 150 MW (3 blocks) for March 2010 On-Peak, and any of those months may be accepted or rejected.
3. Bidders may not offer energy bids with contingencies, such that acceptance of one bid is conditioned upon the acceptance or rejection of another bid. Each block bid will be considered independently.

4.0 Other Requirements

4.1 Contract

The Ameren Illinois Utilities expect to individually enter into binding contracts with the winning bidders. Winning bidders in the RFP process will be expected to enter into three contracts: one with AmerenCIPS for 33% of the total contract amount, one with AmerenCILCO for 17% of the total contract amount and one with Ameren IP for 50% of the total contract amount. All product sales will be transacted under the International Swaps and Derivatives Association (“ISDA”) Confirmation Letter which is included with this RFP as Attachment A.

Example

Following the bid evaluation process, Bidder A is identified as a winner for the following products and quantities.

June 2009 On-Peak	100 MW
July 2009 On-Peak	50 MW
April 2010 Off-Peak	50 MW
May 2010 Off-Peak	150 MW

At the conclusion of the ICC review period, Bidder A would enter into separate agreements with each of the three Ameren Illinois Utilities as

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follows

	AmerenCIPS	AmerenCILCO	AmerenIP
June 2009 On-Peak	33 MW	17 MW	50 MW
July 2009 On-Peak	16.5 MW	8.5 MW	25 MW
April 2010 Off-Peak	16.5 MW	8.5 MW	25 MW
May 2010 Off-Peak	49.5 MW	25.5 MW	75 MW

Prospective bidders will be provided the opportunity to comment on the draft contract, during the time period shown in Section 5.1 of this RFP. Comments from prospective bidders regarding the contract terms may be submitted to the Procurement Administrator as explained on the procurement website (<http://www.levitan.com/AIURFP>). Bidders should download the contract documents and submit comments in red-lined form via email to aiurfp@levitan.com. The contract comments will be provided to the ICC for review. Based on comments received from bidders during the Bidder Comment Period, the Procurement Administrator reserves the right to modify the terms of the ISDA Confirmation Letter prior to the date when binding bids are due. Bidders must agree to the terms of the final contract in advance of submitting binding bids. The terms of the contract will not be subject to negotiation with the winning bidders.

4.2 Credit Requirement

Prospective bidders will submit credit information in conjunction with the Bidder Pre-Qualification Application described in section 5.3 of this RFP. Each bidder will be required to provide a pre-bid irrevocable letter of credit (“ILOC”) to ensure winning bidders whose bids are accepted by the ICC execute contracts.

5.0 RFP Schedule and Procedure

5.1 Schedule

The following schedule and deadlines apply to this RFP. Subject to the provisions of the IPA Act, LAI reserves the right to revise this schedule at any time with the concurrence of the Procurement Monitor. Announcements regarding any schedule revisions will be posted on the RFP website at <http://www.levitan.com/AIURFP>.

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Activity	Date
RFP Issued	April 8, 2009
Comment Period for Contracts	April 8, 2009 to April 24, 2009
Pre-Qualification Application Due	5:00 p.m. CPT, April 20, 2009
Bidders Notified of Results of Pre-Qualification Application Review	April 24, 2009
Final Contracts Posted to Website	April 29, 2009
Bidder Practice Session	April 30, 2009
Irrevocable Pre-Bid Letter of Credit Due, Bidder Registration Form Due	5:00 p.m. CPT, May 1, 2009
Binding Bids Due	12:00 noon, CPT, May 5, 2009
Procurement Administrator & Monitor Submit Report to ICC	May 6, 2009 ²
ICC Approval of Recommendation	May 8, 2009 ³
Bidders Notified of Selection	May 8, 2009 ⁴
Contracts Executed with Winning Bidders	May 13, 2009

5.2 Communications

LAI's point of contact for this RFP is:

John Bitler, Vice President & Principal
Levitan & Associates, Inc.
100 Summer Street, Suite 3200
Boston, MA 02110

Office: 617-531-2818 x 22
Fax: 617-531-2826
Email: jrb@levitan.com

All questions regarding this RFP must be submitted in writing to the

² Legislation allows the Procurement Administrator & Monitor two days to submit their reports to the ICC. LAI and Boston Pacific will submit their reports within one day.

³ Legislation allows the ICC two days after the Procurement Administrator & Monitor submit their reports to the Commission to review the bidding results.

⁴ Winning bidders will be notified immediately after the ICC accepts or rejects the Procurement Administrator's report and recommendations.

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procurement website at: <http://www.levitan.com/AIURFP>. Questions should not be directed to the IPA or the Ameren Illinois Utilities. Questions and responses will be posted on this website. All identifying information will be redacted from the questions and responses prior to posting.

The Pre-Qualification Application and the Binding Bid must be submitted to the secure procurement website at <http://www.levitan.com/AIURFP>.

5.3 Bidder Pre-Qualification Application

Bidders shall submit a complete Pre-Qualification Application to the Procurement Administrator as described on the secure procurement website (<http://www.levitan.com/AIURFP>) no later than 5:00 p.m. on April 20, 2009. A non-refundable fee of \$500 (the “Bid Participation Fee”) will be required for any bidder submitting a Pre-Qualification Application. The Bid Participation Fee can be submitted by certified check mailed to: Levitan & Associates, Inc., Attn: John Bitler, 100 Summer Street, Suite 3200, Boston, MA 02110. The check should be made out to “Levitan & Associates, Inc.” The Bid Participation Fee can also be submitted via wire transfer. Wire transfer instructions can be requested by emailing aiurfp@levitan.com.

The Pre-Qualification Application must contain the following information. All non-public information will be treated as confidential.

5.3.1 Bidder’s Information. Provide legal name of company, address, and company representative (name, phone number, email address and fax number). Provide basic information on the bidder as requested, including a brief description of experience selling energy swaps. Describe any defaults or adverse situations as requested. This information will be treated as confidential.

5.3.2 Financial Information. The bidder or its parent company that is providing its unconditional corporate guarantee (“Guarantor”) must provide the following information indicating financial condition and evidence of creditworthiness. (a) Credit information must include the current senior unsecured long-term debt credit ratings from Standard & Poor’s, Moody’s, and Fitch, if available, or if not available, the current issuer or corporate credit ratings. (b) Financial information must include the most recent annual audited financial statement from an SEC Form 10-K or equivalent financial statement, such as statements based on the International Financial Reporting Standards in effect in the European Union, if the bidder or its parent company is not a U.S. corporation and not subject to SEC reporting requirements, most recent quarterly

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unaudited financial statement from an SEC Form 10-Q, all SEC Form 8-Ks filed since the last form 10-K or Form 10-Q, and all associated notes to such financial statements. If these financial statements are not available, provide substitute financial information and a signed attestation from the company's Chief Financial Officer that the substitute financial information is accurate and complete. (c) Prior to execution of the ISDA Confirmation Letter referenced in this RFP, if there is any subsequent material change in credit rating (including watch list actions), litigation, financial commitments, contingencies, or financial condition, a statement describing such material change must be submitted to LAI within 1 business day of occurrence. LAI will utilize this financial information to assess the creditworthiness of the bidder or its Guarantor, and calculate the collateral Threshold (set forth in Table A in Section 5.5 below) that will be in effect for the bidder.

5.4 Requests for Additional Information from Bidders

The Procurement Administrator may contact bidders to obtain additional clarification regarding the Pre-Qualification Application. All requests for information from the Procurement Administrator will be issued in writing, via email.

5.5 Review of Bidder Pre-Qualification Application

The Procurement Administrator and the Procurement Monitor will review the Pre-qualification Applications submitted by prospective bidders to determine the completeness of the applications. The information provided will be used to pre-qualify all prospective bidders.

The bidder must meet specific creditworthiness criteria in order to be eligible for a positive collateral Threshold. Table A below illustrates the collateral Thresholds for different credit ratings. Each bidder and Guarantor will be granted a single credit limit to be applied across any ISDA Confirmation Letter awarded as a result of this Energy RFP and all other Fixed Price Customer Supply Contracts (as defined in Attachment A) between the parties.

Notwithstanding the foregoing, if a bidder has entered into one or more BGS-FP Supplier Forward Contracts ("SFCs") with the Ameren Illinois Utilities following the 2006 Illinois Auctions and such SFCs call for delivery of products beyond May 31, 2009, the bidder's Threshold shall equal the lesser of (a) the positive amount, if any, determined by multiplying each utility's share (IP 50%, CIPS 33%, CILCO 17%) and the amount by which the Credit Limit under the SFCs exceeds the Total

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Exposure Amount under the SFCs (if the result is a negative amount, the bidder's Threshold shall be zero) and (b) the bidder's Threshold as determined in accordance with the paragraph below and Table A.

The credit rating used for Table A will be the lowest senior unsecured long-term debt rating then assigned by Standard and Poor's (a division of The McGraw Hill Companies, "S&P), Moody's Investors Service, Inc. ("Moody's), Fitch Ratings (a subsidiary of Fimalac, S.A., "Fitch"), or their respective successors, or if such senior unsecured long-term debt rating is not available, then the assigned issuer rating (or corporate credit rating) assigned by S&P or Fitch, discounted one notch, or the then assigned issuer rating assigned by Moody's; provided, however, that (a) in the event a Party is rated by all three rating agencies, then the lower of the two highest ratings will be used and (b) in the event the two highest ratings are common, such common rating will be used.

Table A

Credit Rating			Threshold (the lesser of the following)	
S&P	Moody's	Fitch	Percent of Tangible Net Worth	Credit Cap
A- and above	A3 and above	A- and above	16%	\$80,000,000 [40,000,000 – IP] [26,400,000 – CIPS] [13,600,000 – CILCO]
BBB+	Baa1	BBB+	10%	\$60,000,000 [30,000,000 – IP] [19,800,000 – CIPS] [10,200,000 – CILCO]
BBB	Baa2	BBB	8%	\$40,000,000 [20,000,000 – IP] [13,200,000 – CIPS] [6,800,000 – CILCO]
BBB-	Baa3	BBB-	6%	\$20,000,000 [10,000,000 – IP] [6,600,000 – CIPS] [3,400,000 – CILCO]
Below BBB-	Below Baa3	Below BBB-	0%	\$0

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5.6 Bidder Registration

Once the Procurement Administrator has completed its review of the Pre-Qualification Applications, bidders will be notified if they have or have not been pre-qualified. Notification of pre-qualification will be issued no later than April 24, 2009. If a bidder satisfies the pre-qualification requirements, the bidder will then be required to provide to the Ameren Illinois Utilities with a pre-bid ILOC in the amount of \$250,000. The pre-bid ILOC must be in the form provided as the finalized Attachment B, which will be posted on or before April 29, 2009, following review of bidder comments. The pre-bid ILOC must be provided by 5:00 p.m. CPT on May 1, 2009 in order to satisfy the registration requirements. Such pre-bid ILOC must remain valid from May 1, 2009 through May 15, 2009. Bidders will also need to sign a certification that the bidder is not part of a joint venture or participating in a bidding agreement with another bidder for the purposes of submitting a bid under this RFP. This form will be provided to qualified bidders to complete and return.

5.7 Binding Bids

Registered bidders shall submit binding, firm and irrevocable bids for each product offered no later than 12:00 noon CPT, May 5, 2009. Binding bids must be submitted on the form provided on the secure procurement website. For each product the bids must be offered as sealed, binding commitments with pay-as-bid-settlement with a fixed price for each product block specified in \$/MWh.

5.8 Notification and Award

In accordance with the IPA Act, the Procurement Administrator will evaluate the binding bids immediately after 12:00 noon CPT on May 5, 2009, and will submit a confidential report of the procurement and the bids recommended for selection within one business day of receipt to the ICC. The Procurement Monitor will also submit a report to the ICC within one business day. As specified in Section 16-111.5(f), the ICC shall review the confidential report and shall accept or reject the recommendations of the procurement administrator within two business days after receipt of the report.

The Procurement Administrator will notify the successful bidder(s) immediately upon receiving approval from the ICC. The successful bidders will be required to sign the ISDA Confirmation Letters upon notification that they have been selected and received ICC approval. The maximum time between the close of bidding and the execution of the supply agreements is 6 business days, based on the following provisions: (a) The Procurement Administrator and the Procurement Monitor will

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submit separate confidential reports on the procurement results and recommendation to the ICC within 1 business day after opening the bids. (b) The ICC will review the reports and accept or reject the recommendations of the Procurement Administrator within 2 business days of after receipt of the reports. (c) The Ameren Illinois Utilities will enter into binding contracts with the winning bidders within 3 business days after the ICC accepts or rejects the results of the procurement.

The names of the winning bidders and the load weighted average of the winning bid prices for each product will be announced when the ICC issues its decision to accept or reject the recommended contracts with the winning bidders. In addition, the ICC determined that the product volumes awarded for each contract type and for each contract term will be publicly disclosed after a Commission vote accepting a procurement administrator recommendation to accept certain bids, provided there are at least three winning bidders in the entire procurement event.

5.9 Performance Assurance

Immediately following execution of the ISDA Confirmation Letters, if a Seller's market exposure exceeds its collateral Threshold, the Seller will be required to provide performance assurance in the form of a letter of credit, cash collateral, or another form of commercially reasonable security acceptable to Buyer. Such assurance would be equal to the positive difference, if any, between the market exposure and the Seller's collateral Threshold, rounded up to the nearest \$100,000. The market exposure will be calculated daily for each bidder, and the performance assurance requirement may be adjusted accordingly.

6.0 Evaluation Process and Criteria

6.1 Evaluation of Binding Bids

Upon receipt of binding bids from Registered Bidders, the Procurement Administrator will evaluate the bids in accordance with the requirements specified in Section 16-111.5 (e) of the PUA. Bids will be evaluated based on price to arrive at the lowest cost combination of bids that satisfy the energy product amounts, subject to price benchmarks. The Procurement Administrator, in consultation with the ICC Staff, the Procurement Monitor, and the IPA, will establish market-based price benchmarks for the purposes of independently evaluating the bids received for each product. The benchmarks will be based on price data for similar products for the same procurement period and for the same market settlement point. The benchmarks will be considered confidential but will be subject to review and approval by the ICC prior to bidding.

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6.2 Bids Not Subject to Subsequent Negotiation

Illinois law grants procurement administrators the “discretion to negotiate to determine whether bidders are willing to lower the price of bids that meet the benchmarks approved by the Commission; [and further provides that] any post-bid negotiations with bidders shall be limited to price only and shall be completed within 24 hours after opening the sealed bids and shall be conducted in a fair and unbiased manner; [and further provides that] in conducting the negotiations, there shall be no disclosure of any information derived from proposals submitted by competing bidders; [and further provides that] if information is disclosed to any bidder, it shall be provided to all competing bidders.” (220 ILCS 5/16-111.5(c)(1)(vii)) Illinois law also requires the procurement administrator to “notify potential bidders that the procurement administrator may enter into a post-bid price negotiation with bidders that meet the applicable benchmarks.” (220 ILCS 5/16.111.5(e)(1)) **In accordance with this discretion, LAI has chosen NOT to engage in any post-bid negotiations as a part of this RFP.**

6.3 Binding Bids

All bids must remain open, firm and binding until 5:00 pm on May 8, 2009, or until the ICC has accepted or rejected the results of the procurement event.

Those bids identified as winning bids following the ICC’s approval of the procurement event must remain open, firm and binding until May 13, 2009, or until the bidder has executed a contract, whichever comes first.

7.0 Confidentiality

Except for bidder’s questions on the RFP, all information provided through the secure procurement website will be considered confidential. The Procurement Administrator will take reasonable precautions and use reasonable efforts to maintain the confidentiality of all Pre-Qualification Applications and Binding Bids submitted. Bidders should be aware that, in addition to employees of the Procurement Administrator, the Procurement Monitor will have concurrent access to all information on the secure procurement website. The Procurement Monitor is under contract with the ICC, and has pledged to protect all confidential information to which the Procurement Monitor has access during this RFP. The ICC will also receive confidential reports from the Procurement Administrator and from the Procurement Monitor, which may contain confidential information submitted by bidders. The winning bidders and the load weighted average of the winning bid prices will be announced publicly after the ICC accepts or rejects the RFP results and the Procurement Administrator’s recommendations. In addition, the ICC determined that the product volumes awarded for each contract type and

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for each contract term will be publicly disclosed after a Commission vote accepting a procurement administrator recommendation to accept certain bids, provided there are at least three winning bidders in the entire procurement event.

Prior to the selection of winning bids, bidders will be prohibited from (i) disclosing any information about their bids to other parties and (ii) receiving information about competing bids from other parties. No party will disclose the terms or conditions of such agreements, except (i) to those persons who have a need to know and have agreed to keep such information confidential, and (ii) to comply with any applicable law, rule, regulation, tariff, or court order, consistent with PUA section 16-111.5(h).

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