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For Immediate Release

Class Action Complaint to Investigate Batavia, Illinois Energy Rates

Filed in the Circuit Court of Kane County today, plaintiffs believe that the Prairie State Energy Campus was misrepresented to Batavia officials, resulting in a rise in monthly utility bills since 2012.

Batavia, IL – August 19, 2014 – A class action complaint was filed today in the Circuit Court of Kane County on behalf of electric ratepayers of the city of Batavia. These plaintiffs, all residents and/or business owners in Batavia, believe that various consultants for the project misrepresented information about the Prairie State Energy Campus to City officials.

“Based on current available information, our clients believe that the resulting contract is causing a substantial increase in electric rates and sales tax in Batavia,” said attorney Michael Duffy of Childress Duffy, Ltd. “The Class Action filed is twofold; it alleges negligent misrepresentation by five consultants to Batavia and names 19 other entities as Respondents in Discovery, including Peabody Energy.”

According to allegations by the plaintiffs, in 2007, presentations to the Batavia City Council by the defendant consultants indicated that the cost of power from Prairie State Energy Campus would be approximately \$46 per megawatt-hour. However, the actual rate charged has been substantially more, reaching a rate of \$179.92 per delivered megawatt-hour in November 2013.

The Chicago law firm of Childress Duffy, Ltd., along with Funkey Law Offices, P.C. in Aurora, represent the named plaintiffs and all utility users in Batavia that have purchased electricity generated by the Prairie State Energy Campus. The Prairie State Energy Campus lies outside of Marissa in Southern Illinois.

A website, prairiestateenergycampusclassaction.com, was created to provide background information to those interested. Besides pertinent reports by independent organizations, the website will share links to news stories and developments concerning the lawsuit. Additionally, utility users within Batavia who are unhappy with their monthly utility bill and wish to join this class action can register online or call 630-457-1015.

A public meeting to discuss the complaint will take place on Thursday, Aug. 21 at 6:30 p.m. at the Batavia Public Library, 10 S. Batavia Ave.

More about the Class Action Complaint:

The nature of the case is a ratepayer class action based upon negligent representation by the defendants to the City of Batavia. Construction, operation, and other aspects of the Prairie State Energy Campus and the cost of electricity generated there are under inspection. It was filed on Aug. 19 in the Circuit Court of Kane County in Illinois.

Property and business owners who purchase electricity from the City of Batavia are encouraged to join as members of the complaint. Visit prairiestateenergycampusclassaction.com or call 630-457-1015 for more information and updates. A copy of the complaint is available on the website.