

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

May 9, 2012

Before

MICHAEL S. KANNE, *Circuit Judge*

DIANE S. SYKES, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 11-2423

EXELON GENERATION COMPANY,
LLC
Plaintiff/Count-Defendant-Appellee,

v.

LOCAL 15, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS, AFL-CIO,
*Defendant/Counter-Plaintiff-
Appellant.*

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 1:10-cv-4846

Robert G. Gettleman,
Judge.

ORDER

The panel opinion issued on March 29, 2012 is hereby **AMENDED** as follows:

Footnote 3 on page 12 is hereby amended by deleting the original text and substituting the following text:

3/ During oral argument, Exelon embraced this view, but it conflicts with the Commission's clear position that, in a case of a mistaken access denial, "an aggrieved individual could commence an action in a State or a Federal court." 56 Fed. Reg. 18997, 19002 (1991).

In Footnote 6, the final citation sentence is amended to read: *Id.*; see also note 5, *supra*.