

Bond Case Briefs

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EMINENT DOMAIN - ILLINOIS

Ameren Transmission Company of Illinois v. Hutchings

Supreme Court of Illinois - October 18, 2018 - N.E.3d - 2018 IL 122973 - 2018 WL 5077146

Company facilitating the construction of high-voltage transmission line filed eminent domain complaints against several landowners.

The landowners filed a traverse and motion to dismiss. The Circuit Court granted the motion to dismiss. Company appealed.

The Supreme Court of Illinois held that trial court lacked jurisdiction to dismiss based on underlying administrative proceedings before Commerce Commission.

Trial court lacked jurisdiction to review the legality of proceedings before the Commerce Commission or Commission's decision approving project for construction of high-voltage transmission line, in considering landowners' motion to dismiss eminent domain complaints filed by company facilitating the project; court was not exercising special statutory jurisdiction conferred by the Public Utilities Act, as required for review of decisions of the Commission, but instead was sitting as a court of general jurisdiction charged with adjudicating the merits of company's complaints.