

Staff Report
Public Utilities Bureau

September 30, 2021

Subject:

Commission action necessary to ensure timely compliance with certain deadlines prescribed in the Energy Transition Act and related legislation, Public Act 102-0662, signed into law by Governor JB Pritzker on September 15, 2021

Recommended Action:

PA 102-0662 requires the Commission to take various actions to implement new programs, initiatives and directives to further the State's goals of transitioning the State to 100% clean energy; supporting a responsible transition away from carbon-intensive power generation; increasing public participation in regulatory matters; and encouraging further diversity and inclusion within the renewable energy industry. The Commission has approved several measures in furtherance of the goals of the PA 102-0662. This Staff Report recommends action concerning a management audit of Commonwealth Edison Company (ComEd).

ComEd Management Audit

Statute: 220 ILCS 5/4-604(g)

Purpose: This new provision requires the ICC to perform a management audit of each public utility that has entered into a Deferred Prosecution Agreement (DPA) for a felony offense and authorizes the ICC to select a third-party auditor to conduct said audit. ComEd has entered a DPA.

Required

Action: Initiate the process to engage a management auditor.

Deadline: There is no statutory deadline, but the management auditor should be in place as soon as practicable because the initiation of the management audit must occur by no later than January 17, 2022.

On July 17, 2020, ComEd entered into a Deferred Prosecution Agreement with the United States Attorney for the Northern District of Illinois, JOHN R. LAUSCH, JR. The Energy Transition Act requires the Commission to initiate a management audit of each public utility that has entered into a Deferred Prosecution Agreement (DPA) for a felony offense within 18 months of the date of the DPA. As such, a management auditor must be selected as soon as practicable.

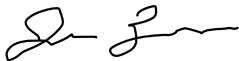
Recommendation:

Staff recommends the Commission direct Staff to conduct a competitive solicitation to hire a management auditor to perform a management audit of ComEd pursuant to subsection (g) of Section 4-604 of the Public Utilities Act .

Summary:

Staff recommends the Commission take such action and issue directives as are outlined herein, to ensure the Commission complies with certain directives and deadlines set forth in the Energy Transition Action.

Recommended and Approved by:



Dr. James Zolnierek
Bureau Chief
Public Utilities Bureau