| 1  | ILLINOIS COMMERCE COMMISSION   |
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| 2  | January 5, 2022  |
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| 4  | Public Utilities Regular Open Meeting  |
| 5  | 11:30 a.m.   |
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| 8  | Met pursuant to notice at 160 North LaSalle  |
| 9  | Street, Room C-800, Chicago, Illinois.   |
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| 12 | Before:  |
| 13 | Ms. Carrie Zalewski, Chairperson<br>(via Chicago office)   |
| 14 | Maria Bocanegra, Commissioner<br>(via videoconference)   |
| 15 | D. Ethan Kimbrel, Commissioner (via Chicago office)  |
| 16 | Michael Carrigan, Commissioner  (via Chicago Office)  Michael Carrigan, Commissioner  (via Springfield office) |
| 17 | (Via Springrieid Office)   |
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| 21 | BRIDGES COURT REPORTING  |
| 22 | By: Lydia B. Pinkawa, CSR<br>License No. 84-002342   |

Moving on to our public utilities agenda, there are edits to the December 1, 2021 A.M. special open meeting minutes and no edits to the December 1, 2021 P.M. special open meeting minutes. Are there any objections to approving the minutes as edited? Hearing none, the minutes are approved.

Under our electric items, item E-1 concerns

Ameren's filing to update its list of cities,

villages, communities and adjacent areas to which its

electric service tariff applies. The Commission

staff recommends not suspending the filing.

Are there any objections to not suspending the filing? Hearing none, the filing is not suspended.

Item E-2 concerns ComEd's filing to revise its rider renewable energy adjustment to comply with Illinois Public Act 102-0662. The proposed revisions include changes that allow for funds collected with the RE adjustment to be used to meet the obligations for the procurement of renewable resources over the following five delivery years, with the first funds in being the first funds out, before any funds are

credited back to customers. The Commission staff recommends not suspending the filing.

Are there any objections to not suspending the filing? Hearing none, the filing is not suspended.

Item E-3 concerns final adoption of the proposed amendments to Part 305 of the Commission rules. Part 305 concerns the construction of electric power and communication lines, and the proposed amendments adopt and incorporate by reference portions of the 2017 edition of the National Electrical Safety Code in place of references to the 2002 edition. The Commission adopted the second notice order on September 2nd, which was filed with the Joint Committee on Administrative Rules. The order adopts the amendments upon receiving no objection from the Joint Committee.

Are there any objections to approving the order? Hearing none, the order is approved.

Items E-4 and E-5 concern requests for proprietary treatment of information in the

petitioners' reports. The orders grant the protection, finding that the information is highly proprietary and confidential.

Are there any objections to considering these items together and approving the orders? Hearing none, the orders are approved.

Item E-6 concerns a complaint against ComEd regarding billing and charges. The complainant has not filed an amended complaint after the Commission granted it leave to amend the complaint and failed to appear at the hearings. The order dismisses the complaint for want of prosecution.

Are there any objections to approving the order? Hearing none, the order is approved.

Item E-7 concerns Ameren's application for a certificate of public convenience and necessity to construct, operate and maintain a new high voltage electric service line and related facilities in Logan County. The order grants the certificate and authorizes Ameren to construct the project as described in the appendices attached to the order, finding that Ameren has demonstrated that the project

is necessary to provide adequate, reliable and efficient service to its customers and is the least cost means of satisfying the service needs of its customers.

Are there any objections to approving the order? Hearing none, the order is approved.

Items E-8 through E-16 concern proceedings to terminate certificates of service authority to operate as retail electric supplier agents, brokers and consultants in Illinois. Respondents failed to appear at the hearing and had not provided evidence that they filed their compliance recertification reports or that they are in good standing with the Illinois secretary of state or that they possess valid licenses or permit bond. The orders terminate the abandoned licenses and note that the respondents are not relieved from the requirements to file their reports or to pay any penalty for a failure to do so.

Are there any objections to considering these items together and approving the orders? Hearing none, the orders are approved.

Item E-17 concerns docket 21-0635, which is

the Illinois Department of Transportation's petition for approval of eminent domain against ComEd and other respondents to acquire certain property in Whiteside County. The petitioner has filed a motion to withdraw the petition, indicating that the matter was voluntarily concluded.

Are there any objections to granting the motion to withdraw? Hearing none, the motion is granted.

Item E-18 concerns MidAmerican's request to reconcile revenues under its purchased Power Zero Emission resource recovery adjustment or rider PZE for the period of June 1st of 2020 through May 31st of 2021. The order approves the reconciliation as set in the appendix to the order, finding that the costs during the reconciliation period were prudently incurred.

Are there any objections to approving the order? Hearing none, the order is approved.

Item E-19 concerns a joint petition for approval of release of a residential customer from Monroe County Electric Cooperative to Ameren

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1 | Illinois. The order grants the petition.

Are there any objections to approving the order? Hearing none, the order is approved.

Item E-20 concerns an application for certification to install distributed generation facilities in Illinois. The order grants the certificate, finding that the applicant meets the requirements.

Are there any objections to approving the order? Hearing none, the order is approved.

Item E-21 concerns MidAmerican's request for special permission to file revised tariff pages on less than 45 days' notice to modify rider transmission service and rate net metering for subscribers to community renewable generation projects to comply with Public Act 102-0662. The Commission staff recommends granting the special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

Item E-22 concerns Ameren's request for

special permission to file revised tariff pages on less than 45 days' notice to modify electric and gas tariff provisions related to supplemental customer charges in order to comply with Public Acts 102-0671 and 102-673. Commission staff recommends granting the special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

Item E-23 concerns ComEd's request for special permission to file revised tariff pages on less than 45 days' notice to modify its rider retail customer assessments in order to comply with Public Act 102-0673. Commission staff recommends granting the special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

Item E-24 concerns a petition to cancel certificates of service authority to install energy efficiency measures. The order cancels the certificate.

Are there any objections to approving the order? Hearing none, the order is approved.

Item E-25 concerns an application for certifications to install energy efficiency measures in Illinois. The order grants the certificate, finding that the applicant meets the requirements.

Are there any in objections to approving the order? Hearing none, the order is approved.

Moving on to gas items, item G-1 concerns

Ameren's filing to update its list of cities,

villages, communities and adjacent areas to which its

gas service tariff applies. The Commission staff

recommends not suspending the filing.

Are there any objections to not suspending the filing? Hearing none, the file is not suspended.

Item G-2 concerns docket 20-0878, which is the proceeding to reconcile Liberty Utilities' gas adjustment charges for the calendar year 2020. The order approves the reconciliation as set in the appendix to the order, finding that the costs during the reconciliation period were prudently incurred.

Are there any objections to approving the

order? Hearing none, the order is approved.

Item G-3 concerns North Shore's and Peoples
Gas' request to reconcile revenues under its rider
VITA or Variable Income Tax Adjustment for calendar
year 2020. The order approves the reconciliation as
set in the appendix to the order, finding that the
costs during the reconciliation period were prudently
incurred.

Are there any objections to approving the order? Hearing none, the order is approved.

Item G-4 concerns North Shore's and Peoples Gas' requests to reconcile revenues under their rider 1 of schedule of rates for gas service.

Rider 1 is the rider for the additional charges for taxes and customer charge adjustments. The reconciliation period is July 1st of 2019 through June 30th of 2020. The order approves the reconciliation as set in the appendix to the order, finding that the costs during the reconciliation period were prudently incurred.

Are there any objections to approving the order? Hearing none, the order is approved.

G-5 concerns Nicor's application for a permanent certificate of public convenience and necessity and an order authorizing the company to construct, operate and maintain gas distribution facilities and transact public utility business within certain portions of Kankakee County, Illinois. The order grants the certificate.

Are there any objections to approving the order? Hearing none, the order is approved.

Item G-6 concerns a complaint against Peoples Gas regarding incorrect billing. The complainant failed to appear at any hearings, and Peoples Gas motioned to dismiss the proceeding for want of prosecution. The order dismisses the complaint for want of prosecution without prejudice.

Are there any objections to approving the order? Hearing none, the order is approved.

Item G-7 concerns North Shore's request for special permission to file revised tariff pages on less than 45 days' notice to modify its rider 1, additional charges for taxes and fixed charge adjustments, in order to comply with Public Acts

1 102-0671 and 102-0673. Commission staff recommends
2 granting the special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

Item G-8 concerns Peoples Gas' request for special permission to file revised tariff pages on less than 45 days' notice to modify its rider 1, additional charges for taxes and fixed charge adjustments, in order to comply with Public Acts 102-0671 and 102-0673. Commission staff recommends granting the special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

G-9 concerns Nicor's request for special permission to file revised tariff pages on less than 45 days' notice to modify its rider 1, customer charge adjustments, to implement the revised monthly charge for the supplemental low income energy assistance fund in compliance with Public Act 102-0673. Commission staff recommends granting the

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1 special permission.

Are there any objections to granting the special permission? Hearing none, the special permission is granted.

Moving on to telecommunications items, items
T-1 and T-2 concern requests for proprietary
treatment of information in the Commission's reports.
The orders grant the protections, finding that the information is highly proprietary and confidential.

Are there any objections to considering these items together and approving the orders? Hearing none, the orders are approved.

Item T-3 concerns a request to cancel certificates of service authority to provide telecommunications services. The order cancels the certificate, finding that cancellation will not deprive any Illinois customers of necessary telecommunication service and is not otherwise contrary to the public interest.

Are there any objections to approving the order? Hearing none, the order is approved.

Moving on to our water and sewer items, item

W-1 concerns Illinois-American Water Company's annual reconciliation for its purchased water and purchased sewage treatment surcharge in effect during the calendar year 2020 for its Chicago metro and South Deloitte service, excuse me, Beloit service districts. The order approves the reconciliation, finding that the costs recovered through the surcharge riders were prudently incurred.

Are there any objections to approving the order? Hearing none, the order is approved.

Item W-2 concerns Illinois-American Water request for waiver of the standard information requirements in Section 285.7010 of the Commission rules to allow the independent certified public accountants engaged by the company to use the currently effective prospective financial information guide. Commission staff has no objections to granting the waiver. The order grants the waiver.

Are there any objections to approving the order? Hearing none, the order is approved.

Under miscellaneous items, item M-1 concerns the Commission's initiation of a proceeding to

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consider the adoption of two policy documents on energy efficiency. First, the policy document for the Illinois statewide technical reference manual for energy efficiency version 3.1 dated December 6, 2021, and second, the Illinois energy efficiency policy manual version 2.1 dated December 7, 2021. recent versions of the policy documents have been revised to reflect the changes made by Public Act The EE policies would apply to Ameren, 102-0662. ComEd, Peoples Gas, North Shore Gas and Nicor and to their EE programs implemented pursuant to Sections 8-103B and 8-104 of the Public Utilities The order initiates the proceeding.

Are there any objections to approving the order? Hearing none, the order is approved.

Under our petitions for rehearing, item PR-1 concerns docket 21-0098, which is Nicor Gas' proposed general increase in rates and revisions to other terms and conditions of service. The Commission entered a final order in this docket on November 18th of 2021. On December 20th of 2021, four applications for rehearing were filed by Nicor Gas, Illinois

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Industrial Energy Consumers, jointly by IIEC, CUB and jointly by Illinois Competitive Energy Association and Retail Energy Supply Association.

Nicor's application requests that the Commission grant rehearing regarding its proposal to amend rider 38 or volume balancing adjustment to use a per customer revenue decoupling mechanism rather than the existing per class decoupling mechanism. The Illinois Industrial Energy Consumers' application seeks rehearing on two issues, the ECOSS study, the embedded cost of service study, and the application of the modified distribution main study and also the class revenue allocation. The IECC and CUB's application seek rehearing of the Commission's findings on the authorized capital structure and return on equity. And finally, the ICEA and RESA's application requests rehearing regarding the Commission's approval of Nicor Gas' rider 40 or Total Green.

The administrative law judge recommends denying all four applications for rehearing because the complainants introduced no new evidence and no

new arguments that warrant rehearing and failed to provide sufficient evidence to support proposed modifications and because the issues raised in the applications for rehearing were already weighed and decided in the Commission's final order.

Are there any objections to denying the four applications for rehearing? Hearing none, the rehearing is denied.

Item PR-2 concerns docket 21-0198 which is
Utility Services of Illinois' proposed rate increase
for water and sewer services. The Commission entered
a final order in this docket on December 1st of 2021.
On December 17 of 2021, application for rehearing was
filed jointly by the Apple Canyon Lake Property
Owners Association, Eagle Ridge Resort and Spa,
Galena Territory Association and Lake Holiday
Property Owners Association.

The applicants request that the Commission grant the rehearing regarding the Commission's conclusions concerning the impacts which the HOA's consider mischaracterizations of their position.

The administrative law judges recommend denying the

application for rehearing, noting that they disagree that the order mischaracterizes the HOA's position.

Are there any objections to denying the application for rehearing? Hearing none, the rehearing is denied.

Under other business items, item O-1 concerns the Commission's comments in FERC docket number ER22-496-000 which is FERC's proceeding regarding MISO's proposed minimum capacity obligation, or MCO, that note ICC's objections and state that MISO has failed to meet its burden to show that the proposed tariff revisions are just and reasonable.

Are there any objections to authorizing the submission of the Commission's comments in FERC's proceeding? Hearing none, the filing of the comments is authorized.

Item 0-2 concerns approval of batches, contracts and confirmations under the Illinois Solar For All Program. Are there any objections to approving the program administrator's submissions? Hearing none, the submissions are approved.

Tthis concludes our public utilities agenda.

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    Judge Teague Kingsley, do we have other matters to
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    come before the Commission today?
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        JUDGE TEAGUE KINGSLEY: Yes, Madam Chair.
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    my understanding that Ms. Davis, who requested to
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    speak, is available now. She had some issues
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    connecting, I understand.
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        CHAIR ZALEWSKI: Ms. Davis, are you available?
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    Madam Clerk, can you tell if Ms. Davis has signed in?
9
        THE CLERK: She has not. I'm told by my staff
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    that she is trying. She may have just gotten in.
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        MS. DAVIS: I am available now.
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        THE CLERK: Yes, she's available.
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        MS. DAVIS: Can you hear me?
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        CHAIR ZALEWSKI: Ms. Davis?
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        MS. DAVIS: Yes, I am available. I just signed
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    in.
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        CHAIR ZALEWSKI: Ms. Davis, can you hear me okay?
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        MS. DAVIS: I can hear you fine. I don't know
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    why they can't hear me.
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        CHAIR ZALEWSKI: Okay, we can hear you now.
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    this is what I'm going to do. I'm going to let you
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    speak now if that's okay. And I just want to note
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    that you'll have three minutes.
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        MS. DAVIS:
                   Yes.
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        CHAIR ZALEWSKI: And my advisor will put the
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    timer up for you. And so if you could just first
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    state and spell your name for the court reporter and
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    then she'll start the timer and you may begin.
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        MS. DAVIS: I'm hearing feedback of our
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    conversation.
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        CHAIR ZALEWSKI: Ms. Davis, can you turn your
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    computer sound down?
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        MS. DAVIS: I'm not sure that I can. Hold on.
12
    I'll have to log out of the computer.
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        CHAIR ZALEWSKI: Ms. Davis.
14
        MS. DAVIS: Hello. You have to give me a moment.
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    Are you able to hear me now?
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                         I can hear you okay, but I can
        CHAIR ZALEWSKI:
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    hear the feedback. Maybe if you could step away from
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    the computer sound.
19
        MS. DAVIS: It should be logged off now.
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        CHAIR ZALEWSKI:
                         That's great. We hear no
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    feedback now. So if you wanted to state and spell
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    your name, then proceed.
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        MS. DAVIS: All right, hold on. I'm not sure
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    why -- you have to give me a moment while I switch
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    computers. I did not receive a Webex invitation and
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    so I did a work around right now.
5
        COMMISSIONER KIMBREL: Ms. Davis, this is
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    Commissioner Kimbrel. Did you call in and are you
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    also logged in via Webex?
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        MS. DAVIS: Yes, I called in because I did not
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    get the Webex.
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        COMMISSIONER KIMBREL: That's the issue. You
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    can't be logged in through the computer and also call
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    in, from my understanding.
13
        MS. DAVIS: Well, I understand that, and I'm
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    having difficulty logging off of the computer.
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        COMMISSIONER KIMBREL: Can you hang up the
16
    telephone?
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        MS. DAVIS: Give me a moment. I'm logging off
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    now.
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        CHAIR ZALEWSKI: Ms. Davis, are you still there?
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        MS. DAVIS: I'm logging off.
        CHAIR ZALEWSKI: Ms. Davis, are you still there?
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        MS. DAVIS: Yes, I am.
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        CHAIR ZALEEWSKI: I think Commissioner Kimbrel
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    is right. You either have to -- has Ms. Davis been
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    given access panel rights? Is she able to
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    participate through the Webex?
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        THE CLERK:
                    Yes.
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        CHAIR ZALEWSKI: So then you can either, if you
7
    want to hang up the phone and speak through the
8
    computer or log off and speak through the phone.
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        MS. DAVIS: Okay, just a second. Hold the phone,
10
    please. Can you hear me?
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        CHAIR ZALEWSKI: We can hear you.
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        MS. DAVIS:
                    Okay.
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        CHAIR ZALEWSKI: If you're ready to proceed,
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    Ms. Davis, please just state and spell your name and
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    we'll start the timer. And if you can't see the
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    timer, I can go ahead and let you know when your
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    time's up.
18
                   Okay. I will state and spell my name
        MS. DAVIS:
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    for the record. And I'd ask for an additional
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    30 seconds to address the failure of the Commission
    to send a Webex invitation, which is the source of
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22
    this confusion now. Is that 30 second request
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granted?

CHAIR ZALEWSKI: Under our rules, it's up to three minutes under the discretion. Tanya, can you reset the timer? I see it's running out. We will allow you to state and spell your name, then we'll start it. Additionally, you can always file additional comments in the docket on our web site if there's additional things you'd like to file.

MS. DAVIS: Well, I mean, inasmuch as there is a standard protocol for registered speakers and that standard protocol was not met today, I am asking firmly and with respect that the time be extended. We all want to follow the rules. Inasmuch as that hasn't happened here, let's just be reasonable.

CHAIR ZALEWSKI: Yes, I apologize for technical difficulties on our part. If you want to go ahead and proceed, we'll start the clock once you start speaking. But per our rules, the max is three minutes.

MS. DAVIS: My name is Naomi Davis. I appear on behalf of Blacks in Green, otherwise known as BIG, and Green Power Alliance. My name is spelled

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N-a-o-m-i, D-a-v-i-s. I am appearing in alignment 1 2 with the Pembrook Environmental Justice Coalition, 3 Advocates for Urban Agriculture, National Black Urban Lives, Chicago Lawyers Commission for Civil 4 5 Rights, The Sunrise Movement, Mothers Out Front, 6 Cooperation Operation, Black Oak Center for 7 Sustainability, Environmental Defense Fund, Natural 8 Resource Defense Council and others.

The Commission should rigorously review the application and the applicable law. The Pembrook Environmental Justice Coalition, et al., has evidenced numerous deficiencies and factual errors in Nicor's application which necessitate its denial. course, at this point you have routinely followed the recommendation of the administrative law judge and granted as a commission the Nicor certificate of convenience and necessity, which is an abomination to the interests of black communities, rate payers everywhere and especially to the conservation farmers of Pembrook. Nevertheless, I thank you for this opportunity to establish new relationships with black and brown rate payers and residents of the state of

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This message is for Governor Pritzker, the commissioner appointed by (inaudible) to represent all people in the state via this Illinois Commerce Commission, the administrative law judges and staff members who support this regulatory state. in (inaudible) and in protest to bring truth and reconciliation to the environment of kinship necessary to produce equity and to the healing which must happen starting now. My message puts you on notice the black energy justice campaign which launches this month and our friends statewide are coming to repair our health and wealth and expect you, as willing and urgent partners, to begin listening and acting in new ways, ways that ensure black and brown Illinois receives the respect, relief and recompense appropriate to avert the century of exploitation by utilities and their allies in government and the private sector.

All things change. Election campaigns are warming up and residents across the state are waking up to the power we hold to transform the bodies

created to represent our interests. We demand justice for the farmers and legacy residents of Pembrook against the targeted efforts of Nicor, its parent company, southern company and their north star, American Gas Association, to burden vulnerable communities with strained fossil fuel access for three generations while providing wealthier races with universal public policy support to decarbonize their homes and businesses.

CHAIR ZALEWSKI: Thank you, Ms. Davis. That's your time. Again, if you want to file on the docket, you can do so online. And if you have an issue with filing, there's a 1-800 number that's on the web site as well. You can call and we can help you with that. Thank you. That does conclude our public comments. And so I'll ask again, Judge Teague Kingsley, do we have other matters to come before the Commission today?

JUDGE TEAGUE KINGSLEY: No, Madam Chair.

CHAIR ZALEWSKI: Do the commissioners have other business to discuss? Hearing none, and without objection, the meeting is now adjourned. Thank you.

| 1  | (Whereupon | the | matter | above | was | adjourned.) |
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