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BEFORE THE
ILLINOIS COMMERCE COMMISSION
REGULAR OPEN MEETING
PUBLIC UTILITY
Wednesday, January 11, 2017
Chicago, Illinois

Met, pursuant to notice, at 10:30 a.m.,
at 160 North La Salle Street, Chicago, Illinois.

- PRESENT:
- BRIEN J. SHEAHAN, Chairman
 - ANN MCCABE, Commissioner
 - SHERINA E. MAYE EDWARDS, Commissioner
 - MIGUEL DEL VALLE, Commissioner
 - JOHN R. ROSALES, Commissioner

SULLIVAN REPORTING COMPANY, by
PATRICIA WESLEY
CSR NO. 084-002170

1 CHAIRMAN SHEAHAN: Good morning. Are we ready to
2 proceed in Springfield?

3 MR. MATRISCH: Yes, we are.

4 CHAIRMAN SHEAHAN: Pursuant to the Open Meetings
5 Act, I call the January 11, 2017 Regular Open
6 Meeting to order.

7 Commissioners McCabe, del Valle,
8 Edwards, and Rosales are present with me in Chicago.
9 We have a quorum.

10 We have eight requests to speak this
11 morning. Each speaker will have the opportunity to
12 make a three-minute presentation. My assistants in
13 the room will give you an indication when you have
14 two minutes left, one minute left, and when you need
15 to stop. Please note that the Commission doesn't
16 respond to public comments.

17 First, we have Ms. Castro.

18 MR. CASTRO: Mister.

19 CHAIRMAN SHEAHAN: Oh, I'm sorry. Mr. Castro.
20 Take either one of these seats and make sure the
21 green button is on.

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PRESENTATION

BY

MR. CASTRO:

Good morning, everybody. My name is Adrian Castro. I have lived in Chicago all my life. Today I am here to speak on behalf of the Cook County Workers' Benefit Council, a delegate body that represents the needs and the interests of service workers and other low-paid workers in Cook County. I've been a low-paid service worker for quite sometime myself.

I'm here to speak to you, the Commissioners of the ICC, because your mandate is to protect the people of this state from monopoly utility companies that would rob common day, everyday people of their ability to survive, such as companies like Peoples Gas, and right now, in all honesty, you guys are not fulfilling that mandate. These gas rates are too high already.

The Illinois Public Utilities Act of 2001 states the goal of utility regulations is, and I quote, "to insure the rates for utility services

1 are affordable and, therefore, preserve the ability
2 of such services to all."

3 Yet, so far, all I have seen you do is
4 give rate increases that fill the pockets of a tiny
5 few profiteers of those who work for a living.

6 All my life I have seen people
7 struggle to afford the utilities and families with
8 kids going without heat during the winter. I,
9 myself, was a victim of this when I was younger, and
10 it was a terrible time. That suffering is a
11 consequence of your irresponsible actions. Other
12 members of the Workers' Benefit Council have seen
13 and experienced the same thing.

14 You may not have ever suffered without
15 heat, maybe you have never known anyone who has.
16 We, as a group, have. With only 75,000
17 disconnection notices sent out, it would be hard for
18 me not to know someone who hasn't received a
19 disconnection notice.

20 The working poor know what it's like
21 to receive a gas bill you don't have the money to
22 pay. We wonder if we should short the rent, or

1 maybe skip a doctor's visit, or go hungry for the
2 next few days.

3 Some of us are forced to use space
4 heaters. Others use extreme measures to stay warm.
5 There are house fires every year because of unsafe
6 means of heat. Some people pay for profiteering
7 rates with their lives; meanwhile, the shareholders
8 of WEC Energy Group, the parent company of Peoples
9 Gas, are getting rich off our suffering.

10 In 2015 that company paid out
11 455 million in dividends to their shareholders while
12 Peoples Gas sent disconnection notices to over a
13 third of their customers. It's inhumane and it's
14 your job as the ICC to stop this.

15 On behalf of the Cook County Workers'
16 Benefit Council, we demand that you, the ICC, cease
17 prioritizing their profits over our lives. Reverse
18 that prioritization immediately.

19 We demand that you reject all
20 profiteering rate increases; that you direct Peoples
21 Gas to replace all high-risk leaky mains at their
22 expense, because it's their responsibility to do so;

1 that you direct Peoples Gas to reconnect service for
2 all those terminated for an inability to pay, and to
3 direct Peoples Gas to roll back the rates to a level
4 that we working people can afford; to do otherwise
5 would make it clear that you have no interests in
6 serving the public that you were mandated to
7 protect. You would --

8 CHAIRMAN SHEAHAN: Your time --

9 (Shouting by audience.)

10 MR. CASTRO: Everyone has a right to live without
11 fear of freezing, without fear that their paycheck
12 will not be enough to provide for their families.

13 ICC, act in the interest of the
14 people, the majority of the people, not a small
15 group of profiteers. Please, I beg you.

16 Thank you, Mr. Chairman.

17 CHAIRMAN SHEAHAN: Thank you, Mr. Castro.

18 PRESENTATION

19 BY

20 MS. ZATO:

21 Good morning, Commissioners. My name
22 is Tanya Zato. I'm a single mother of five and a

1 working professional, and I teach preschool.

2 CHAIRMAN SHEAHAN: Take your time.

3 MS. ZATO: Okay. I could be caring for some
4 little ones that you know. It's an honest living,
5 but after three years, I'm falling behind in my
6 bills as rates went up and up.

7 Peoples Gas disconnected my family in
8 July. After spending the day teaching every day,
9 because I still have got to go to work, I pick up my
10 kids from school and go home to our cold apartment.

11 Shortly after dinner, we will begin
12 the daunting task of heating water in the crock pot
13 to bathe my children and myself. Now that the
14 bitter cold has set in, we've had to reduce our
15 personal hygiene routine to a mere sponge bath,
16 because bathing in the frigid temperatures is not
17 safe.

18 My family has been torn apart. My son
19 he's 13. He's living with his dad in Indiana,
20 because he has asthma, and not having water to bathe
21 in the wintertime, not having access to heat is a
22 life-threatening condition, and we haven't seen him

1 since August.

2 My neighbor gave us an electric space
3 heater. We use it in the smallest room in our
4 apartment and we sleep together. It's not ideal,
5 but it's better than the retired master gardener who
6 lives down the block on a fixed income. He's worked
7 over 40 years in Chicago. He's lived here all his
8 life. He uses kerosene lanterns to keep warm
9 because he can't even afford a Peoples Gas account.
10 It's not even an option.

11 So I continue to work day in and day
12 out cutting back on my already tight budget in a
13 vain effort to come up with the money to pay my
14 entire back bill, and the reconnection fee, and the
15 security deposit, which is what Peoples Gas requires
16 to reconnect us. For a productive member of society
17 to struggle so much and raise a family, it's too
18 humiliating; it's dehumanizing, and it has to stop.

19 The Public Utilities Act of 2001 says,
20 "It's the ICC's responsibility to insure that
21 utility service is affordable and available to all."
22 That's its exact words.

1 Well, I can assure you that my family
2 and more than 77,000 other shutoff Chicago families,
3 in Chicago alone, not in the entire State of
4 Illinois, and the one-third of households who
5 receive disconnection notices from the Peoples Gas
6 each year, we can't afford the rates as they are now
7 let alone another three years of increase.

8 Stop these rate increases. Force the
9 Peoples Gas to reconnect low-income families. Our
10 lives are on the line and you are responsible.
11 Thank you.

12 CHAIRMAN SHEAHAN: Thank you.

13 The next speaker is Ms. Diaz.

14 Mr. Diaz. My apologies.

15 PRESENTATION

16 BY

17 MR. DIAZ:

18 My name is Margarito Diaz. I'm here
19 representing the Chicago and Midwest Regional
20 Joining Board. It is a labor organization that
21 represents 5,000 members in the State of Illinois.
22 Here in the City of Chicago we represent about 2,000

1 members, most of them work in industrial laundries,
2 such as hospital laundries, restaurant laundries,
3 hotel laundries, and uniform laundries.

4 A lot of the members of my union
5 they are low-wage workers. Most of them live
6 paycheck to paycheck and most of them have to
7 struggle not only with the issue of an increase in
8 health insurance premiums, for them health insurance
9 becomes unaffordable.

10 Some places we have people where
11 they're paying a week \$30 for health insurance up to
12 a hundred dollars and it seems that that's just
13 going to keep on going up and, on top of that, they
14 struggle with having to pay for gas, try to pay for
15 their utilities, and that's something that we need
16 to take into consideration. That means that's
17 affecting poor working people.

18 I'm here to ask you guys to please
19 consider this and make sure that we're taken into
20 consideration about who it is that is going to be
21 affected by any future increases. It's not going to
22 be people that make good money. That's going to be

1 the poor people. It's going to be regular workers,
2 regular people that work in laundries, that work in
3 manufacturing, and, therefore, you know, I'm here to
4 ask you guys on behalf of the organization to please
5 reconsider your position and, one of the things is
6 going to the future, no more increases for poor
7 working families.

8 The other thing that we're asking you
9 is to roll back the increases so that people can
10 have a better future. Thank you.

11 CHAIRMAN SHEAHAN: Thank you. Thank you, sir.

12 Next speaker is Shelley Williams.

13 MR. WILLIAMS: Good morning.

14 CHAIRMAN SHEAHAN: Good morning.

15 PRESENTATION

16 BY

17 MR. WILLIAMS:

18 Again, my name is Shelley Williams. I
19 work for Prevention Initiative and I'm also a member
20 of the Midwest Workers' Association.
21 The people that I work with are individuals that
22 come from these homes that are being price gouged

1 through the gas utilities, Peoples Gas, and I can
2 tell you it has a direct ripple effect on actions
3 and behavior, you know. It's become a second
4 hustle, if you will, for individuals to rig the gas
5 lines -- that's very, very dangerous. They're not
6 qualified to do so -- so individuals can have heat,
7 and someone said that maybe you guys have not been
8 through that, but that's really a disconcerting
9 sight to see.

10 So just on behalf of Midwest Workers'
11 and trying to change the mindset of individuals that
12 live in very, you know, disturbing poverty, we
13 really want you guys to act in accordance with the
14 more humane aspect of this disparity with this
15 low-income population.

16 So that was the reason why I took the
17 day off. I took the morning off just to come here
18 and say this. Virginia asked me to come and speak
19 out on this issue.

20 I'm a property owner in Englewood and
21 just -- here's my bill from just last month, you
22 know, and we keep -- my wife and me we keep our

1 thermostat at 70, but it just doubled in just one
2 month.

3 I want to say I'm fortunate to have
4 the opportunity, you know, a two-person income in
5 our household. What about those individuals that
6 don't have jobs? Forget a wage slave. We're just
7 talking about zero income, and that's really what's
8 happening in Englewood and other areas like
9 Englewood.

10 So my sister she was bequeath our
11 family building and she has a \$16,000 gas bill from
12 2004 to the present. I know for a fact that
13 technicians from Peoples Gas came out to install --
14 to install the equipment, but, you know, this
15 obscene number made her move out of our family house
16 into an apartment where she's paying upwards of
17 \$1200 a month rent with my two 13-year old nieces,
18 so it really hits close to home.

19 Since then, the pipes burst so there
20 goes another cost that we have to incur, so now I
21 have to reroute monies that I need to have to help
22 her, and our family's home, and our legacy, and all

1 because of inflated gas prices.

2 So that's what I want to say and thank
3 you for this opportunity.

4 CHAIRMAN SHEAHAN: Thank you, sir.

5 Our next speaker is J. C. Stewart.

6 MR. STEWART: Thank you.

7 CHAIRMAN SHEAHAN: Good morning.

8 PRESENTATION

9 BY

10 MR. STEWART:

11 My name is J. C. Stewart and I've
12 owned a print shop on the south side of Chicago
13 since 1987, and I've been in Chicago since 1966.
14 Most of my friends and family in Chicago suffer from
15 high Peoples Gas bills.

16 When I owned my own home at one time,
17 mine was really high, too, but my cousins, churches,
18 funeral homes, bakeries, restaurants, they have got
19 high gas bills and they can't afford to have it.
20 They have to pay their gas bills, can't even
21 operate. If they don't pay the gas, have to close
22 their business.

1 I am a business owner, which my bottom
2 line is what's hard to show that I am in the black,
3 and I make sure that I can pay all my repair bills
4 for my equipment. Sometimes that is costing me.

5 Peoples Gas Company is in there to
6 provide gas. Their gas lines leak and they need to
7 fix them, but that's what business owners have to do
8 to do business. I don't raise my rates just because
9 I've got broken equipment. I cannot fix my
10 equipment without it increasing.

11 Peoples Gas ask their customers and my
12 friends, families, and its customers to pay their
13 high rates so they can fix the gas leaks.

14 That's about it right now. I demand
15 that the ICC direct Peoples Gas to fix their mains
16 and protect us to do this like responsible business
17 owners at their own expense. Don't raise the rates,
18 lower them.

19 According to the Public Utilities Act
20 of 2001, the Commission orders Peoples Gas to
21 connect all of us who are disconnected. Don't put
22 us out of business because we can't afford the gas

1 bill service. Thank you.

2 CHAIRMAN SHEAHAN: Okay. Thank you, sir.

3 MR. STEWART: You are welcome.

4 CHAIRMAN SHEAHAN: Next speaker is Elsa Culler.

5 MS. CULLER: Good morning.

6 CHAIRMAN SHEAHAN: Good morning.

7 COMMISSIONER ROSALES: Good morning.

8 PRESENTATION

9 BY

10 MS. CULLER:

11 I'm here as someone who's been
12 volunteering and advocating for people having
13 trouble who can't afford their utilities for about a
14 year.

15 The People of the State of Illinois
16 cannot afford another rate increase, and I look to
17 the Illinois Commerce Commission to make sure that
18 that doesn't happen.

19 I want to talk a little bit about a
20 man I advocated for just yesterday, a man on a fixed
21 disability income, and he came in because even
22 though he's on Peoples Gas' budget savings program

1 that is suppose to spread his bills throughout the
2 year, he received a bill that was twice as much as
3 the month before, and he had no way to pay it.

4 Turns out that over the summer he got
5 scammed into signing up with an alternative gas
6 supplier that didn't participate in the budget
7 program, because he was worried he wouldn't be able
8 to afford his bill from Peoples Gas, even though he
9 was on their budget saving program. Now he won't be
10 able to pay this bill, and if he gets disconnected,
11 like 10 percent of Peoples Gas customers in the
12 winter, not only will it be disastrous for his
13 already fragile health but he could lose his house
14 due to pipes bursting in the walls.

15 At the end of the day, the citizens of
16 Illinois are vulnerable compared to so-called
17 alternative gas suppliers because the utilities are
18 not affordable.

19 The ICC, reject the rate increase from
20 Peoples Gas and prevent this untenable situation
21 from escalating further. Thank you.

22 CHAIRMAN SHEAHAN: Thank you.

1 The next speaker is Silvestre Herrera.

2 MR. CASTRO: Now part of this is partially
3 Hispanic and Silvestre is Hispanic, so he has broken
4 English. Do you guys have a translator by any
5 chance?

6 CHAIRMAN SHEAHAN: We do not.

7 MR. CASTRO: So if it's all right with you, may I
8 translate?

9 CHAIRMAN SHEAHAN: Sure.

10 ADRIAN CASTRO,
11 translated the English language into the Spanish
12 language and the Spanish language into the English
13 language as follows:

14 PRESENTATION

15 BY

16 MR. HERRERA:

17 Good morning. My name is Silvestre
18 Herrera. I'm a volunteer at the Midwest Workers'
19 Association.

20 CHAIRMAN SHEAHAN: Take your time.

21 MR. HERRERA: Nervous.

22 We cannot -- as people of the ICC, we

1 cannot keep on letting Peoples Gas or, for that
2 matter, any company -- utility company come into our
3 homes, and whatnot, and, you know, allow these rate
4 increases, allow these cutoffs, and whatnot, to
5 happen so easily, but, yet, when we can't pay our
6 bills, we do try to get access with these companies
7 and no one is there to really listen to us.

8 When we are able to pay our bills off,
9 no one is there to really reconnect us as quickly as
10 possible. It takes like from one -- it's one day to
11 disconnect us, but it takes weeks to reconnect us.
12 That's not really fair.

13 We can't allow this rate increase to
14 keep happening. We are service workers. We are low
15 paid, either on a fixed income of sorts, or we earn
16 our income that just isn't enough for these rate
17 increases to keep happening to us.

18 Sometimes we have to choose between
19 what we eat, what we can pay. It all adds up at the
20 end of the day to the income that we can make as low
21 paid service workers. Well, that's all. Okay.

22 MR. CASTRO: Silvestre is a low-income worker

1 himself. He's lived in Chicago 30 years now.

2 As you guys know, our population now
3 is partially Hispanic. He would be here to
4 represent that populace as it is, of course, and
5 it's just -- one of the things, too, is, as you can
6 tell, there is no translator here. That should
7 probably be something to be brought up in the
8 future.

9 He's also brought up the point of
10 taxes. Our tax monies go toward some of these
11 programs, I'm sure. He is a taxpayer and he should
12 be heard quite a bit as well. Silvestre is also a
13 house owner, you know. He pays his bills. He pays
14 his taxes and whatnot. The utilities that he has to
15 pay, as well as a house owner, are getting to a
16 point where it's getting quite ridiculous. Thank
17 you, guys.

18 CHAIRMAN SHEAHAN: Thank you.

19 Our final speaker is Raul Green.

20 (No response.)

21 Looks like we don't have Raul. Okay.

22 That's the conclusion of our public comments. Thank

1 you.

2 Moving on to our Public Utility
3 Agenda, there are edits to the Minutes of our
4 December 13th and 20th Open Meetings.

5 Are there any objections to approving
6 the Minutes as edited?

7 (No response.)

8 Hearing none, the Minutes as edited
9 are approved.

10 Item E-1 concerns MidAmerican's
11 Reconciliation of Revenues collected under its
12 Energy Efficiency Riders.

13 Are there any objections to approving
14 the proposed Order commencing the reconciliation?

15 (No response.)

16 Hearing none, the Order's approved.

17 Item E-2 concerns Ameren's Reconciliation
18 of Revenue collected under its Hazardous Materials
19 Rider.

20 Are there any objections to approving
21 the proposed Order approving the reconciliation?

22 (No response.)

1 Hearing none, the Order is approved.

2 Item E-3 concerns a consumer complaint
3 against Ameren.

4 Are there any objections to granting
5 the Joint Motion to Dismiss?

6 (No response.)

7 Hearing none, the motion is granted.

8 Item E-4 concerns Constellation
9 Energy's -- Constellation NewEnergy's motion to
10 withdraw its Certificate of Public Authority.

11 Are there any objections to granting
12 the motion to withdraw?

13 (No response.)

14 Hearing none, the motion is granted.

15 Moving on to our Gas Agenda, Item G-1
16 concerns a consumer complaint against Nicor Gas.

17 Are there any objections to approving
18 the proposed Order denying the complaint?

19 (No response.)

20 Hearing none, the Order is approved.

21 Items G-2 and 3 concern
22 Reconciliations of Revenues collected under Coal Tar

1 Riders.

2 Are there any objections to
3 considering these items together and approving the
4 proposed Order approving reconciliation?

5 (No response.)

6 Hearing none, the Orders are approved.

7 Item G-4 concerns a consumer complaint
8 against Peoples Gas.

9 Are there any objections to granting
10 the Joint Motion to Dismiss?

11 (No response.)

12 Hearing none, the motion is granted.

13 Moving on to our Telecommunications
14 Agenda, Items T-1 through 4 concern cancellation of
15 certificates.

16 Are there any objections to
17 considering these items together and approving the
18 proposed Orders canceling the certificates?

19 (No response.)

20 Hearing none, the Orders are approved.

21 Item T-5 concerns the Illinois Rural
22 Electric Cooperative's Authorization to Provide

1 Video Service. This item is informational only and
2 does not require Commission action at this time.

3 Items T-6 through 9 concerns
4 applications for various certificates.

5 Are there any objections to
6 considering these items together and approving the
7 proposed Orders?

8 (No response.)

9 Hearing none, the Orders are approved.
10 We have no other matters on our formal
11 agenda.

12 Judge Kimbrel, do you have any other
13 matters to bring before the Commission this morning?

14 JUDGE KIMBREL: No, Mr. Chairman.

15 CHAIRMAN SHEAHAN: Commissioners, do any of you
16 have any other business you would like to bring
17 before the Commission this morning?

18 (No response.)

19 Hearing none and without objection,
20 the meeting is adjourned. Thank you.

21 (Whereupon, the above
22 matter was adjourned.)